

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

COMMITTEE ON SANITATION AND SOLID WASTE MANAGEMENT
COMMITTEE ON FIRE AND CRIMINAL SERVICES
COMMITTEE PUBLIC SAFETY
COMMITTEE ON OVERSIGHT AND INVESTIGATIONS

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January 10, 2011

Start: 11:00 am

Recess: 6:30 pm

HELD AT: Emigrant Savings Bank
49-51 Chambers Street

B E F O R E:

LETITIA JAMES
ELIZABETH S. CROWLEY
PETER F. VALLONE, JR.
JUMAANE D. WILLIAMS
CHRISTINE C. QUINN
Chairpersons

COUNCIL MEMBERS:

Letitia James
Elizabeth S. Crowley
Peter F. Vallone, Jr.
Jumaane D. Williams
Christine C. Quinn
Maria del Carmen Arroyo
Charles Barron
Gale A. Brewer
Margaret Chin
Leroy G. Comrie, Jr.

A P P E A R A N C E S

COUNCIL MEMBERS:

Inez E. Dickens
Erik Martin Dilan
Daniel Dromm
Mathieu Eugene
Julissa Ferreras
Lewis A. Fidler
Helen D. Foster
Daniel R. Garodnick
James F. Gennaro
Vincent J. Gentile
David G. Greenfield
Sara M. Gonzalez
Daniel J. Halloran III
Vincent Ignizio
Peter Koo
Karen Koslowitz
Brad Lander
Jessica S. Lappin
Melissa Mark-Viverito
Darlene Mealy
Rosie Mendez
Michael C. Nelson
James S. Oddo
Domenic M. Recchia, Jr.
Diana Reyna
Ydanis Rodriguez
Deborah Rose
James Sanders, Jr.
Eric Ulrich
James Vacca
Jimmy Van Bramer
Albert Vann
Mark Weprin
Ruben Wills

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

Stephen Goldsmith
Deputy Mayor of Operations

John J. Doherty
Commissioner
New York City Department of Sanitation

Salvatore Cassano
Commissioner
New York City Fire Department

Joseph F. Bruno
Commissioner
New York City Office of Emergency Management

Charles Dowd
Deputy Chief
New York Police Department

Janette Sadik-Khan
Commissioner
New York City Department of Transportation

Harry Nespoli
President
Uniformed Sanitationmen's Association

Jon Del Giorno
Pitta Bishop Del Giorno and Giblin

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

Steve Cassidy
President
Uniformed Firefighters Association

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

Patrick Reynolds
Captain
New York City Fire Department

Vincent Variale
President
Uniformed EMS Officers Union

Joseph Colangelo
President
SEIU Local 246

Ryan Gunning
Chairperson
New York State Volunteer Ambulance
And Rescue Association
District 4

Brian Kuntz
President
Uniformed Fire Alarm Dispatchers Benevolent
Association

Ron Arnero
Assistant Director
Clerical Division
DC 37

Diana Marenfeld
Grievance Representative
DC 37

Cynthia Hill
SPCT
911 Emergency

Rhonda Spaulding
Grievance Representative
DC 37

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

Kelly Singleton
President
Cambria Heights Civic Association

Tomas Hernandez
President
Fraser Civic Association

Fran Vella-Marrone
President
Dyker Heights Civic Association

Michael Morrell
President
Westerleigh Improvement Society

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2 SPEAKER QUINN: I just wanted to
3 say that there are few legislative bodies in this
4 country, if not the world, that know as personally
5 as the New York City Council what it means to have
6 gun violence occur in your workplace. We here at
7 the City Council saw a member of our own
8 legislative body targeted and assassinated during
9 one our acts of government. So our heart goes out
10 to all the victims and to Congresswoman Gabrielle
11 Giffords. But we here know that pain and exactly
12 what it's like.

13 I just want to read the names of
14 the victims of the tragic shooting this weekend.
15 Christina Taylor-Green, she was 9-years-old. She
16 was born on September 11th, 2001. Christina had
17 recently, like many of us in our past, been
18 elected to the student council at her school. She
19 was the granddaughter of a former Yankees and Mets
20 manager, Dallas Green, and she had gone to the
21 supermarket to tell the Congress member that she
22 was now the head of her student council.

23 Dorothy Morris, 76, a retiree from
24 the Reno, Arizona area. She was there attending
25 the Congress on Your Corner event with her

1 husband. Her husband was also shot, and he is in
2 critical condition. They had been high school
3 sweethearts and had been married for over 50
4 years.

5
6 Judge John Roll, 63, Arizona's
7 Chief Federal Child Judge. He had been appointed
8 to the bench by President George H. W. Bush in
9 1991, and to all reports, was an outstanding
10 member of this country's judiciary.

11 Phyllis Schenk, 79, a Rutherford,
12 New Jersey native. Phyllis was a retired
13 librarian and a homemaker who loved to knit and
14 often would make Jets and Giants aprons to sell at
15 church fundraisers. She lost her husband a few
16 months ago.

17 Dorwan Stoddard, 76, was a longtime
18 minister to members of the tiny Mountain Avenue
19 Church of Christ. He was killed shielding his
20 wife, who was also hit, but is, thank God,
21 expected to survive.

22 Gabe Zimmerman, 30. Gabe was a
23 staffer who worked for Congress member since 2006
24 and dealt with constituent issues. He was engaged
25 to be married, was an avid hiker and a runner.

Of course, there are many victims who are still in critical condition, not the least of which is Congresswoman Gabrielle Giffords. She and all the other victims and their families will stay in all American's hearts and prayers, but perhaps no group of people can feel their pain more closely than those of us in the City Council. I thank all of you for keeping the Congresswoman and all of the victims in your thoughts and prayers, and for participating in this national moment of silence.

Before I turn the mike over to the chair of the Sanitation Committee, let me just recognize the members of the Council who are here for this hearing. Let me just start in the front row and make our way back. We have Council Member Gale Brewer of Manhattan. We have Council Member Vincent Gentile of Brooklyn. We have Council Member Ruben Wills of Queens. We have Council Member Mark Weprin of Queens, Council Member Dan Halloran of Queens, Council Member Debi Rose of Staten Island, Council Member Danny Dromm of Queens, Council Member Karen Koslowitz of Queens, Council Member Peter Koo of Queens, Council Member

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2 Julissa Ferreras of Queens, and Council Member
3 David Greenfield of Brooklyn. We have Council
4 Member Dr. Mathieu Eugene of Brooklyn, Council
5 Member Domenic Recchia of Brooklyn, Council Member
6 Melissa Mark-Viverito of Manhattan and the Bronx,
7 Council Member Margaret Chin of Manhattan, Council
8 Member Ydanis Rodriguez of Manhattan, Council
9 Member Jimmy Van Bramer of Queens, Council Member
10 Charles Barron of Brooklyn, Council Member Helen
11 Foster of the Bronx, Council Member Mike Nelson of
12 Brooklyn, Council Member Steve Levin of Brooklyn,
13 Council Member Brad Lander of Brooklyn, Council
14 Member Sara Gonzalez of Brooklyn. We have the
15 Deputy Majority Leader Leroy Comrie, of Queens,
16 our Assistant Majority Leader, of Brooklyn, Lew
17 Fidler. We have one of the chairs of this
18 hearing, the chair of our Oversight Investigation
19 Committee, also of Brooklyn, Jumaane Williams. We
20 have another co-chair of this hearing, the chair
21 of our Public Safety Committee, Peter Vallone of
22 Queens. We have the lead chair of this hearing,
23 Tish James, of our Sanitation Committee, from
24 Brooklyn. Also, a chair of this hearing, from
25 Queens, the chair of our Fire and Criminal Justice

1 Committee, Elizabeth Crowley. We have the chair
2 of our Transportation Committee, of the Bronx,
3 Jimmy Vacca, who will be chairing an oversight
4 hearing of a similar nature, focusing on
5 transportation and the MTA's failures and response
6 to the blizzard, on Friday. We have our Assistant
7 Majority Leader of Manhattan, Inez Dickens. We
8 have our Minority Leader, of Staten Island, Jimmy
9 Oddo. I expect that we'll joined by other Council
10 Members throughout the course of the day.
11

12 Let me now turn the mike over to
13 the chair of our Sanitation Committee, Tish James.

14 CHAIRPERSON JAMES: Thank you.
15 First, my thoughts and prayers are with
16 Congresswoman Giffords' family at this time and
17 the families of those who have lost their lives
18 and those who are injured. We pray for them
19 during this time.

20 My name is Letitia James and I am
21 the chair of the Committee on Sanitation and Solid
22 Waste Management. I will begin with an opening
23 statement.

24 The blizzard that struck the city
25 in the days after Christmas had a tremendous and a

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There are many likely and potential causes, and it is our intention today to look at each one and see what impact it had, whether it was insufficient staffing, poor or missing equipment, poor preparation, budget cuts. I could go on and on, but won't for now. Or of course, a

1 combination of these things, cascading events. We
2 intend to get to the bottom of what went wrong and
3 fix it.
4

5 It is my hope and expectation that
6 Council Members and others will keep to this task
7 and not spend a lot of time talking about local
8 breakdowns and problems. Though that is very
9 important, it is not the subject today. We, in
10 fact, will be holding hearings in all of the
11 boroughs, beginning next week, for exactly that
12 purpose. We don't know when, for sure, even
13 though they're forecasting a storm tomorrow
14 evening, but we must be prepared and we must fix
15 what is broken.

16 In addition, I understand that my
17 colleagues want to express the outrage of their
18 constituents who are angered over the inaction and
19 perceived indifference of the Administration in
20 response to the blizzard. I understand that. But
21 this hearing will not turn into a public flogging
22 of the Administration.

23 The second point: within the last
24 few days, there have been a number of theories.
25 One theory, in fact, focused on the alleged

slowdown by the men and women of the Department of Sanitation. This is not a criminal investigation. Those who have evidence to that effect should contact all of the various authorities that are engaging in a criminal investigation. I also want to add that it does not absolve or divert the Administration's failure to respond to this blizzard.

So, out of fairness, let's get down to a little bit of logistics. Due to the large number of Council Members who want to ask questions, we will try to follow a protocol that allows everyone to participate. So I will ask members, aside from chairs, wishing to ask questions, to keep to one question. That bears repeating: one question, with some reasonable follow-up as needed, for each panel. Now, I turn the mike over to the Speaker of this body, Speaker Christine Quinn.

SPEAKER QUINN: Thank you very much, Chair James. I also want to thank the other committee chairs for holding this important hearing to understand more about the city's response to last month's blizzard.

Over the last two weeks, it has become abundantly clear that the city's response to this storm was completely unacceptable. It was nowhere near the standard that New Yorkers have come to expect. Our city is no stranger to heavy snowfall, and we are not strangers to efficiently and effectively managing the impact of large snowstorms.

On the evening of December 25th, 2010, there was a storm heading our way. By Monday morning, storm brought New York City to its knees in a way many of us have never seen before. New Yorkers were stranded. Streets were impassable. Emergency vehicles were unable to respond, stuck in the snow. One of the things that make New York City great is our resilience and our fortitude in difficult times. With this resilience come our high expectations of accountability and performance from government.

Two weeks ago, New York City's expectations were not met. We are here today to determine what went wrong, and what improvements need to be made to guarantee effective snow cleanup and swift emergency response services in

future snowstorms.

Today is a day to determine why so many streets did not get plowed? Why was a snow emergency not declared? What prevented 911 and 311 from effectively responding to the number of calls they received? Why weren't adjustments made when things clearly had gone off-track? I look forward to an informative, productive and engaged public discussion with members of the Administration and with the Sanitation, Emergency Response, Firefighter and other union representatives.

As Chair James said, in light of the allegations of a worker slowdown, I want to remind everyone that that matter is not in the hands of the City Council, but is in the hands of at least four law enforcement authorities.

Today's hearing is not the time to investigate those claims. We have enough issues to investigate today.

I'm asking everyone on both sides of the dais and at the witness table to be respectful, to be constructive and to set aside personal frustrations on either side of the table,

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2 to focus your thoughts, your questions and your
3 answers in a way that helps us all better
4 understand what clearly went wrong and what we're
5 going to do together to fix the mistakes that
6 occurred last month so they don't happen again.

7 I would also like to remind
8 everyone that the Council's Transportation
9 Committee will be holding a separate hearing on
10 Friday to evaluate the MTA's response to the
11 storm. As Tish said, due to the overwhelming
12 public response, the City Council has scheduled a
13 series of additional public hearings throughout
14 the boroughs to give New Yorkers an opportunity to
15 provide direct feedback on the city's management
16 of the blizzard. Please visit the Council's
17 website for times and locations of these hearings.
18 Thank you, Madame Chair.

19 CHAIRPERSON JAMES: At this time,
20 we will turn it over to the chair of Public
21 Safety, Council Member Peter Vallone.

22 CHAIRPERSON VALLONE: Thank you.
23 Let me begin by thanking Madame Speaker and your
24 staff for all the hard work that went into
25 preparing for this hearing.

Just before 6:00 p.m., on Monday the 27th, a 911 call was made, and the caller said an 84-year-old man was unconscious but breathing. Ten minutes later, another 911 call was made. This time, the caller said that the man had gone into cardiac arrest. At 6:26 p.m., one half hour later, an ambulance arrived. But Michael Halberian, the owner of the Steinway Mansion, and a beloved fixture in Queens, had died in the home he lived in for 80 years, at the top of an unplowed Astoria street. Why?

This hearing will demand answers, answers to the three major failures which occurred during the snowstorm, which we had never seen before. Number one: a failure to plan and prepare for a major blizzard which was predicted almost a full day earlier. Number two: a failure during the storm to remove the snow. Plain and simple, where the hell were the plows for three days? Number three: a failure of the Administration to understand, and communicate the magnitude of the dangerous and deadly situation which most of the people in most of the boroughs sat. Even if every reason that we have heard prior to today is true,

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2 nothing fully explains what happened. Faulty
3 equipment, stranded cars, low morale, that might
4 explain missing a few blocks, but it doesn't
5 explain missing a few boroughs.

6 Now, I've worked closely with all
7 of you at that table to help keep New Yorkers safe
8 for years now. I have the utmost respect for each
9 of you. But please understand that each of us up
10 here represents 170,000 people who couldn't make
11 it here today. They've asked us to convey to you
12 their anger and their frustration and their grief
13 over losing people like Mike Halberian. They
14 demand accountability, they demand answers and
15 they demand it never happens again.

16 Now, I would like to turn the mike
17 over to the chair of our Fire and Criminal Justice
18 Committee, Elizabeth Crowley.

19 CHAIRPERSON CROWLEY: Thank you,
20 Co-chair Vallone. Good morning. My name is
21 Elizabeth Crowley and I am the chair of the Fire
22 and Criminal Services Committee here at the City
23 Council, which includes oversight of emergency
24 medical services.

25 I'd like to thank Speaker Quinn for

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2 her leadership, and my co-chairs, and the Council
3 staff involved in putting today's hearing
4 together. I'd like to recognize all of our
5 emergency service workers, the rank and file
6 paramedics, firefighters technicians who, during
7 and after the storm, worked around the clock in
8 treacherous conditions to help and protect New
9 Yorkers.

10 One of the most basic functions of
11 local government is that when it snows, streets
12 get plowed. Days after the blizzard, streets in
13 the outer boroughs and especially within the area
14 I represent in Queens, were still buried,
15 impassable. Neighborhood residents were
16 completely trapped.

17 A day after the storm, the Mayor
18 suggested to New Yorkers to go out and enjoy a
19 Broadway show or some hot chocolate in Central
20 Park. Maybe the storm wasn't a big deal for some
21 people in this city, but for those of us whose
22 livelihoods were threatened, whose property was
23 destroyed or damaged, or whose loved ones died, it
24 was undoubtedly a big deal.

25 That same morning the Mayor was

1 offering hot chocolate, a daughter in Queens
2 watched her mother die while waiting three hours
3 for an ambulance. This three-hour wait came after
4 it took 20 minutes for a 911 operator to take her
5 call. Imagine the utter helplessness felt by
6 people across New York when emergency services
7 were not met with a timely response.

8
9 Also that same morning that the
10 Mayor was offering hot chocolate, a hot fire broke
11 out on Judge Street in Elmhurst. The first due
12 engine company got stuck behind cars that were
13 abandoned in the snow. All units were
14 significantly delayed due to unplowed streets.
15 Firefighters were unable to get fire apparatus
16 onto Judge Street, furthering the delay of fire
17 operations, which required engine companies to
18 stretch hoses from two blocks away.

19 All of these delays transformed a
20 small fire in one apartment into a five-alarm
21 nightmare that took hours to extinguish and left
22 nearly 70 families homeless. These families
23 didn't care about hot chocolate; these families
24 cared about a roof over their head.

25 Consider, for a moment, how much

1
2 worse of a situation our emergency services would
3 have faced if the 20 fire companies that were
4 proposed to be closed in June and November were
5 actually closed. Thank you, Speaker Quinn, and my
6 colleagues for being steadfast in your opposition
7 to the Mayor's plan to close fire companies.

8 As we examine the problems
9 associated with responding to this storm, I
10 believe we will find out that there were
11 systematic failures across several agencies and
12 not that just one person is to blame. That said,
13 I'd like to acknowledge the efforts of former
14 chief Peruggia in delivering emergency services to
15 New York City for many years that he was the chief
16 of EMS.

17 Our city is hurt, impacted by a
18 failure of our executive power to adequately
19 respond, a failure to call a state of emergency, a
20 failure to warn New Yorkers of the seriousness of
21 this problem, a failure to have the right
22 equipment and the right personnel moving at the
23 right time. Understanding the impact these
24 failures had on the delivery of essential services
25 is critical for us here today, as a Council, to

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2 get to the bottom of this dysfunction, and to
3 truly say to our constituents that for as long as
4 we are elected, we will never let this happen
5 again.

6 I appreciate the opportunity we
7 have today to discuss concerns with the Mayor's
8 representatives, our panel of witnesses. Thank
9 you, for being here today and I look forward to
10 discussing the many concerns with my colleagues.
11 I'll now conclude my remarks and turn the
12 microphone over to my co-chair, Council Member
13 Jumaane Williams.

14 CHAIRPERSON WILLIAMS: Thank you.
15 Thank you to the Speaker and all the staff that
16 helped put this together. Good afternoon. As
17 chair of the Committee on Oversight and
18 Investigation, I'm very pleased to join Chairs
19 James, Crowley and Vallone and the Speaker to
20 address the city's response to last month's
21 blizzard.

22 We are here today to hear from the
23 Administration about its decision making and the
24 actions of its city agencies before, during and
25 after the storm. Now, I don't need to talk too

1 much about what went wrong from the public's
2 perspective. We know what went wrong. I, myself,
3 was directing traffic as 12 buses were stuck, and
4 helping ambulances get patients to hospitals.
5

6 Council Members received thousands
7 of messages from New Yorkers across the city,
8 letting us know in real time exactly what was
9 wrong. People reached out to us for help. Help
10 because their streets were still not plowed three
11 and four days after the last snowflake fell. Help
12 because they were struggling to make it to the
13 hospital. Help because they couldn't make it to
14 work. Help because they had no food because Meals
15 on Wheels could not make it through the streets.
16 So they definitely couldn't get to a Broadway
17 show. Help because they could get no relief from
18 311.

19 The people of the City of New York
20 were angry, and they had every right to be. They
21 were angry about the seeming lack of preparation
22 for a storm whose severity was forecast; angry
23 about the meltdown of city services. And, yes,
24 angry, too, about their Mayor, whose initial
25 response to the troubles around the city amounted

1 to what could be considered "let them eat cake."

2 But this hearing should not only be
3 about anger, it should also be about
4 accountability. For an Administration that prides
5 itself on management and accountability, I hope
6 they welcome it. More than anything, what we hope
7 to do today is to calmly and coolly gather as many
8 facts as we can about the precise plans,
9 procedures and steps taken by the Administration.
10 It is only once we have gathered this information
11 that we may begin to act, to hold agencies and
12 individuals accountable for their actions and
13 where necessary, to change city practices in order
14 to ensure that the people of New York never have
15 to face such adversity again.

16 Before I close, I'd like to thank a
17 few people who were very instrumental in my
18 district taking care of what needed to be taken
19 care of. Chief Fox of Brooklyn Police South was
20 very instrumental in responding to me and even
21 came to where I was directing traffic. Chief
22 Harper [phonetic] of the Sanitation Safety
23 Division, Chief Montgomery in charge of Sanitation
24 in Brooklyn South. Sam Pierre, the Borough
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2 Director of Brooklyn for Community Affairs in the
3 Administration, Captain Deddo of the 63rd
4 Precinct, Captain Pegues of the 67th Precinct,
5 Captain Marmara of the 69th and Monteforte of the
6 70th were also very receptive. Thank you. And
7 all the locals of uniform, including Sanitation,
8 who worked really hard, not seeing their families
9 for days. Thank you.

10 I look forward to the
11 Administration's testimony.

12 SPEAKER QUINN: Thank you, Chair
13 Williams. I just want to recognize that we've
14 been joined by Council Member Jessica Lappin of
15 Manhattan, Council Member Vincent Ignizio of
16 Staten Island, Council Member Jim Gennaro of
17 Queens, and we're also joined in the audience by
18 Assembly Member Peter Abbate.

19 CHAIRPERSON JAMES: Thank you.
20 Deputy Mayor Stephen Goldsmith, if you could,
21 introduce the dais guests and then begin your
22 testimony.

23 SPEAKER QUINN: I'm sorry, Council
24 Member. Also, we're joined by Council Member Eric
25 Ulrich of Queens. Thank you.

CHAIRPERSON JAMES: Thank you.

Deputy Mayor, if you could, introduce the witnesses and then begin testimony. Thank you.

STEPHEN GOLDSMITH: Thank you, Madame Chairperson and Speaker and members of the Council. With me, to my left, Commissioner Cassano from the Fire Department; to my right, Commissioner Bruno from OEM and to his right, Commissioner Doherty from the Department of Sanitation. We are pleased to be before you on this important moment.

Before starting my formal remarks, let me say I, as many of you, spent a lifetime in public service. This is my career and my 30th year of public service. All of us do these jobs, and the reason you're here and asking us these tough questions is because we're dedicating to improving the quality of life in the communities we represent.

That requires a high level of government services. In the Christmas storm of 2010, we didn't achieve that level of performance. We owe you and all New Yorkers, for that lack of performance, our Administration's apology and my

personal promise not to let it happen again.

Thank you for this opportunity.

CHAIRPERSON JAMES: Could you acknowledge the individuals who are sitting behind you? I understand there's a commissioner sitting behind you?

STEPHEN GOLDSMITH: Commissioner Sadik-Khan from Transportation is behind me, and there are other members of the Administration as well.

CHAIRPERSON JAMES: Thank you. You may begin your testimony.

STEPHEN GOLDSMITH: Thank you. I'm grateful for the opportunity to address the city's response to the December 26th blizzard. Today's hearing will ensure the city learns the right lessons from this painful experience.

As you know, two weeks ago, the city faced the sixth largest snowfall in its history. On the day after Christmas, while many New Yorkers were taking time off from work, or had a chance to travel or visit with their families, snow fell at a rate of two inches per hour, or more. Between 20 and 30 inches blanketed each of

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2 the five boroughs. Mass transit was crippled.
3 Too many neighborhood streets went unplowed for
4 days, and buses and ambulances were unable to
5 traverse snowy streets.

6 As the Mayor has said many times,
7 the City's response to this snowstorm was
8 unacceptable. We didn't do the job that New York
9 City residents and taxpayers deserve, or the job
10 they have come to expect from this administration.
11 We were too slow to respond and too slow to finish
12 cleaning our streets. I understand the
13 frustration the Council has expressed, and
14 experienced by New Yorkers experienced, and the
15 news of the tragedies that occurred during the
16 storm affected me, as they did all of you.

17 Mayor Bloomberg and I are fully
18 committed to understanding exactly what went wrong
19 and the changes that must be made going forward.
20 You have already seen some of those changes
21 implemented. This Administration is built on
22 accountability, and as the Deputy Mayor for
23 Operations, I take this responsibility very
24 seriously.

25 My job as Deputy Mayor of

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2 Operations is to ensure that the agencies
3 implement the Mayor's priorities and operate
4 efficiently and effectively. I have learned
5 throughout my career in government, including as a
6 mayor, the first critical step in that process is
7 choosing excellent agency commissioners and then
8 empowering them to run their departments without
9 being micromanaged. Mayor Bloomberg has attracted
10 extraordinary public servants as commissioners,
11 and they have proven their abilities time and
12 again.

13 Today, in order to avoid
14 repetition, each commissioner will speak to the
15 decisions made within their agencies and to the
16 operational responses they faced in dealing with
17 the blizzard. I will speak specifically to the
18 challenges faced by the entirety of city
19 government and about the measures we are putting
20 in place to ensure a better response next time.

21 Following the blizzard, the Mayor
22 and I directed our Office of Operations to conduct
23 a comprehensive review of the city's response to
24 the blizzard. We wanted to understand what went
25 wrong, and how the City should be better prepared

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2 for the future. In addition, our Office of
3 Emergency Communications conducted an assessment
4 of the city's 911 system, which as you know, we
5 are in the process of modernizing. I plan to
6 share the preliminary results of these reviews
7 during the second part of my testimony.

8 It is worth noting that many
9 factors, both within and outside of the city's
10 control, combined to make responding to this
11 blizzard particularly challenging. While the city
12 clearly failed to perform well in certain key
13 areas, several natural factors outside of the
14 control significantly increased the difficulty of
15 responding.

16 First, the weather forecasts
17 predicted low snow accumulations up until 18 hours
18 prior to the storm, which fell on a holiday
19 weekend. Second, the snow fell at an unusually
20 fast rate of two inches per hour or more.
21 Finally, because the storm fell on a holiday
22 weekend, more vehicles were on the roads than
23 typically would be during snow events, as New
24 Yorkers were returning from or embarking on
25 holiday travels. These factors combined to make

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2 this blizzard a particularly challenging one for
3 the city to respond to.

4 However, the city's response was
5 inadequate in multiple ways. The preliminary
6 results of this review conducted by the Office of
7 Operations and the Office of Citywide Emergency
8 Communications have specifically found problems in
9 six areas: the decision not to declare a snow
10 emergency; insufficient accountability tools that
11 led to a lack of real-time information on street
12 conditions; insufficient and delayed deployment of
13 city assets that could have assisted with snow
14 removal operations; a failure to procure and
15 preposition private resources; insufficient
16 communication within city government and to the
17 public; and problems with emergency communications
18 and the response.

19 I would like to take time now to
20 explain each of these problems and then to reserve
21 time after the commissioners' testimonies to
22 describe the city's fifteen-point plan for
23 addressing these problems.

24 Problems Identified: the first
25 problem, the decision not to declare a snow

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2 emergency. On Saturday, December 25th, city
3 officials decided not to declare a snow emergency,
4 which by law would require private vehicles not to
5 utilize designated snow routes unless they are
6 equipped with snow chains or tires, and would ban
7 public parking on these routes. That decision was
8 based on the sound reasoning that, given the
9 Christmas weekend, it could create traffic
10 problems rather than solve them.

11 Later, during the night of Sunday,
12 December 26th and the morning of Monday, December
13 27th, discussions about declaring a snow emergency
14 or a state of emergency again concluded, we
15 believe rightly, that declaration would put, at
16 that time, more cars on the road, not less.
17 Nevertheless, the decisions were not guided by a
18 clear understanding of what powers and actions
19 such declarations would enable amongst city
20 agencies and other entities, and how the public
21 would be required to act as a result.

22 Through our review over the past
23 two weeks, we believe that declaring an emergency
24 could have been a triggering event for those city
25 agencies and other entities that utilize such a

1
2 declaration as a catalyst for action, and by the
3 public, which potentially might have heard the
4 word emergency and limited their driving. Given
5 the information available at the time, the
6 decision not to declare an emergency was
7 understandable. However, based on what we know
8 now, an emergency declaration could have yielded a
9 much more successful response.

10 Accountability tools: throughout
11 the storm and particularly in its aftermath, city
12 agencies were bombarded with calls and emails
13 regarding streets that had not been plowed or
14 insufficiently plowed. In some instances, city
15 officials believed the streets had been cleared,
16 but later learned that this was not the case.

17 The Department of Sanitation
18 currently lacks the capability to track data on
19 street conditions in an automated real-time
20 fashion. DSNY reports on completed routes after a
21 shift, every 14 hours in this case, and only after
22 snow stops falling. As a result, the status of a
23 street may be significantly different once the
24 report is received. In addition, plowing progress
25 is tracked based on routes, so it is difficult to

1 know the status of a particular city street at a
2 given time.

3
4 The lack of real-time information
5 on street conditions inhibited effective
6 deployment of city resources and effective quality
7 control and led to an inability to make speedy
8 management decisions, to redistribute resources as
9 needed, and to communicate a completely accurate
10 status to the public and elected officials,
11 including the City Council.

12 Three: insufficient and delayed
13 deployment of city assets. The weather forecast
14 for the storm quickly grew significantly worse,
15 culminating in a blizzard warning issued at 3:55
16 on Christmas Day. Due to the late change in the
17 forecast, as well as the fact that DSNY has
18 adeptly handled large snowfalls so many times
19 previously without assistance, agencies that are
20 not typically involved in snow removal, such as
21 the Parks, Taxi and Limousine and others, were
22 either not mobilized expeditiously, or never asked
23 to mobilize at all.

24 Streets that DSNY could not plow
25 immediately could have been tackled sooner by

1
2 other city personnel and equipment. For example,
3 tow trucks could have been used earlier to
4 liberate the thousands of stuck cars, ambulances
5 and buses that dramatically slowed DSNY's plowing
6 operations. In addition, other city workforces
7 could have been used to clear crosswalks and bus
8 stops, tasks that do not require heavy equipment,
9 yet did not begin until days after the storm
10 ended. Additional areas that could have been
11 cleared for the safety and convenience of
12 pedestrians remained impassable for days.

13 Four: failure to adequately procure
14 and preposition private resources. For the
15 overwhelming majority of snow storms, the city has
16 in-house personnel and equipment resources
17 necessary to quickly clear the streets. However,
18 for storms as large as the December 26th blizzard,
19 additional resources from outside entities need to
20 be utilized.

21 Prior to the storm and the winter
22 season, the city did not sufficiently tie up
23 sufficient numbers of private contractors who
24 could be on call to assist with plowing or towing
25 during a large storm. Many private contractors

1
2 with heavy equipment could not be reached and
3 those that were reached were presented with
4 lengthy contracts while mountains of snow across
5 the city remained unplowed. DSNY has a list of
6 pre-authorized contractors, but it was not
7 extensive enough to yield the needed help at that
8 time.

9 In addition, although DSNY recruits
10 potential snow laborers during the fall, the
11 department did not recognize the size of the
12 manpower needed and increase its requests for
13 hired labor prior to this storm. Although day
14 laborers looking for work could proactively call
15 311 in response to our request, they were often
16 dissuaded by a message that said you have to
17 register and you'll get paid in six to twelve
18 weeks. It was off-putting to people could
19 otherwise have worked.

20 As a result, basic snow removal
21 tasks that could be completed with only a shovel
22 were not undertaken and were not completed as
23 quickly as they could have been had the workforce
24 been recruited and the barriers to speedy payment
25 been eliminated.

Five: insufficient internal and external communications. About 50 percent of the Department of Sanitation's trucks currently lack radios. Among those that do have radios, just one channel serves all of the vehicles in a borough. During the blizzard, the borough channels became over-saturated with radio traffic at the height of the response, when drivers faced numerous plowing impediments. Route completion could not always be communicated and issues that arose during a shift, such as a disabled vehicle blocking a route, could not be immediately reported or dealt with.

In addition, the public lacked information about the three-tiered system by which DSNY prioritizes snow clearance on streets: primary, secondary and tertiary streets, and how to determine the classification of their own street. Thousands of residents, hundreds of thousands of residents actually called 311 but could not get information about when their streets would be plowed.

Six: problems with emergency communications and response. During the emergency, the 911 system, and specifically the

1
2 EMS portion of the system, became overburdened
3 with calls. Though steps were taken to increase
4 call-taker staffing, the backlog continued to
5 grow. By the night of December 26th, over 1,000
6 calls were in the queue, waiting for a response.
7 These problems were exacerbated by the fact that
8 well over 100 ambulances became stuck in snowy
9 conditions, further reducing EMS's ability to
10 respond to medical emergencies. The Police and
11 Fire Departments increased the number and types of
12 emergencies they responded to, but response times
13 climbed too high during the blizzard.

14 These six issues are the
15 overarching problems that we have identified so
16 far with the city's response. After the
17 commissioners share their testimonies, I will
18 speak again about the city's plan to fix these
19 problems. And I look forward to learning from the
20 Council's questions and its input on these plans
21 as we go forward.

22 Before I turn it over to the
23 commissioners, I would like to briefly address a
24 couple of other specific issues that have been
25 raised about the city's response to the storm.

1
2 First, reports that DSNY was
3 understaffed for the blizzard are not accurate.
4 In fact, the number of Sanitation workers actually
5 increased in the weeks before the storm. We hired
6 a class of 100 Sanitation workers in time for them
7 to begin work prior to the snow season, and indeed
8 they were on duty during the storm. This class
9 was the first new class of Sanitation workers to
10 be hired in two years.

11 We had the same number of workers
12 out on the streets and available that we had on
13 the storm last February, when the city
14 successfully handled a storm that also dumped more
15 than 20 inches of snow on the city. What's more,
16 the department had the same number of pieces of
17 equipment out on the streets and plowing the roads
18 that they've had during other storms.

19 Second, the scheduled effort to
20 increase the numbers of Sanitation workers by
21 somewhat reducing the number of supervisors had
22 not yet taken place before the blizzard. It's
23 important to note that the purpose of these
24 personnel change was to increase, rather than
25 decrease, the number of workers who can plow the

1 streets and pick up waste. These steps have
2 helped the city reduce its budget deficit while
3 actually increasing the number of workers who
4 directly provide services to the public, without a
5 reduction in refuse or recycling collection. As a
6 result, we expect to maintain the necessary number
7 of workers during a really dreadful budget period.

8
9 Finally, Commissioner Doherty
10 briefed me on his snow plan prior to the storm,
11 and given his years of experience and excellent
12 track record, I properly relied upon his judgment
13 and expertise. I did not order any specific
14 operational changes to the department's snow plans
15 prior to the storm.

16 With that, I would like to turn the
17 mike over to Commissioner Doherty, while reserving
18 my right to speak again at the end about the
19 city's comprehensive plan to address how we fell
20 short.

21 SPEAKER QUINN: Just before
22 Commissioner Doherty starts, I'd like to recognize
23 we've been joined by Council Member Maria del
24 Carmen Arroyo of the Bronx, Majority Whip Al Vann
25 of Brooklyn and Council Member Dan Garodnick of

Manhattan.

JOHN J. DOHERTY: Good morning
Chairpersons James, Vallone, Williams, Crowley and
members of the Committees on Sanitation and Solid
Waste Management, Public Safety, Investigations,
and Fire and Criminal Justice Services. I am John
Doherty, Commissioner for the New York City
Department of Sanitation. I thank you for this
opportunity today to explain the Department's
response to one of the city's largest and most
severe snowstorms in recent history.

For every New Yorker, and
particularly for me as Sanitation Commissioner and
a city resident, it will be a most unforgettable
one. New Yorkers rightfully expected the delivery
of timely and efficient service that we have
constantly provided during past major snowstorms,
and this time our clean-up response was
unacceptable.

To begin, I'd like to briefly walk
you through some information about this blizzard,
our preparedness, and the impediments we faced.
I'll also share with you some of the immediate
efforts to improve and enhance our response to

future snowstorms.

On a personal note, since I joined the Department in 1960, I've been fortunate to hold every position of uniformed rank starting as a sanitation worker. I've even battled hundreds of snowstorms in the last 50 years, and worked as a sanitation worker during the 1969 blizzard. Last month's storm has been ranked the sixth largest in the city's history, and the most powerful storm I can recall in my career.

The storm began just before 10:30 a.m. on Sunday, December 26th. By 2:30 p.m., we observed at least a half inch of snow across all parts of the city and activated all plows and pre-positioned in the field early in the morning. From 4 p.m. to midnight on Sunday, the storm intensified, and in that period snow began falling at an unusually heavy rate of 1 to 2 inches per hour, with sustained blizzard conditions and wind gusts to 55 miles per hour.

Snow fell for 23 hours, ending at 9:30 on Monday, December 27th. Recorded snowfall depths by the National Weather Service registered upwards of 20 inches throughout the City.

1
2 However, department chiefs and officers in the
3 field measured snowfall depths at much higher
4 amounts during the storm, including upwards of 32
5 inches on Staten Island.

6 The Department of Sanitation
7 operations staff first started tracking this storm
8 24/7 on Wednesday, December 22nd. By 5:00 a.m. on
9 Friday morning, December 24th, reports by all
10 three of the department's forecasters predicted
11 the storm would reach New York City by Sunday
12 afternoon into Monday morning, with snow
13 accumulation of only one to three inches.

14 Based on these initial weather
15 reports, we activated a limited snow operation.
16 Plowing equipment was prepared and personnel were
17 called in to report for Sunday, December 26th.
18 The department also issued a Snow Alert by
19 telephone to NYPD, DOT, DEP, Parks, MTA Transit,
20 and OEM from 1:00 to 1:15 p.m. on Friday
21 afternoon.

22 The next morning, Sunday, December
23 25th, Christmas Day, weather forecasters increased
24 their predicted snow accumulations to six to eight
25 inches, and Sanitation personnel were contacted

1 for Sunday full-force with 12-hour split shifts.
2 Weather forecasts began to show the storm's
3 growing intensity, and at 12:03 p.m., the
4 department re-issued a second Snow Alert to the
5 other city agencies. At 3:55 p.m. Saturday, the
6 National Weather Service issued a blizzard warning
7 for the metro area forecasting up to 16 inches of
8 snowfall with winds that would reach as high as 55
9 miles per hour. As we know now, even these
10 predictions underestimated the amount of snow that
11 fell.
12

13 On Sunday December 26th, Department
14 crews assigned to the first 12-hour shift
15 encompassed 2,487 men and women who arrived at 7
16 a.m., a full 3 hours before the first snow
17 started. Workers driving salt spreaders were
18 dispatched to the city's arterial highways and
19 primary roads, and later with plows when snow
20 began accumulating.

21 During the next 12-hour shift that
22 began 7 p.m. Sunday evening, we deployed 1,751
23 plows and 365 salt spreaders to assigned routes
24 along city's highway department to primary and
25 secondary streets, together with 76 plows and 2

front-end loaders by DOT.

On Monday, December 27th, the day after the equipment provided by other city agencies increased incrementally and reached a peak on Wednesday, December 29th with a total of 215 pieces from DOT, Parks and DEP to supplement our operations. This around-the-clock operation continued right up to Thursday morning.

By 5:00 p.m. Monday, December 27th, 63 percent of the city's total roadway lane miles had a plow driven down the street at least once. By 7:00 p.m. the next day Tuesday, December 28th, 89 percent of the city's roadway lane miles had a plow drive down the street at least once.

Having said that, many people in Staten Island, south Brooklyn, eastern Queens, and to some degree other parts of the city still had unplowed streets at that time. Progress continued but was slowed by vehicles remaining stranded on city streets.

Just as the City Council and the public have demanded to understand, we, too, in the department have been assessing this event to determine what factors distinguished this storm

1
2 from other major storms that we've otherwise
3 fought successfully. Some of the challenges posed
4 by the December blizzard to our spreading and
5 plowing operations include the time of day the
6 snowfall began on a holiday weekend which created
7 heavier than expected traffic, and the intensity
8 of the storm. This was combined with frigid
9 temperatures and blizzard wind gusts that not only
10 caused dangerous white-out conditions for our
11 operators and the general public driving at night,
12 but also created snow drifts.

13 Additionally, a significant
14 impediment to our response was the record number
15 of vehicles that became stuck and were left
16 abandoned by motorists across the City. This made
17 many roads including primary streets impassable by
18 our plows both during and after the blizzard, and
19 in many cases even caused our own plows to get
20 stuck behind those stranded vehicles. All of
21 these factors caused this event to become the most
22 difficult and unwelcome storm we've had to face in
23 my years with the department.

24 As Deputy Mayor Goldsmith said,
25 declaring a snow emergency this past Christmas

1 would not have kept cars from being snowed in or
2 stuck on smaller avenues and streets in the city,
3 which became a major problem in and following this
4 storm. The utility of having citizens try to move
5 parked cars off of major avenues as the storm
6 approached was deemed to be very low. It was not
7 felt that the presence of parked cars on avenues
8 or major streets would hinder storm response, and
9 indeed this did not prove to be a problem.
10

11 While this blizzard presented
12 unique challenges, we reviewed our strategies and
13 policies to improve our future performance during
14 storms. Some of the immediate operational changes
15 that we are making include the installation of GPS
16 devices with two-way capability on certain trucks
17 in Brooklyn, and retraining of all Sanitation
18 workers on equipment operations.

19 We're also readjusting the trunnion
20 plate on all of the snow plows back to their
21 original position, even though the trunnion plate
22 in the current position has also been successful
23 during the last three snow seasons. Readjusting
24 the trunnion plate will revert the plow angle to
25 an upright position, allowing the plow to work

1
2 more effectively in higher depths of snow as in
3 last month's storm when the snow accumulated
4 rapidly.

5 In order to help remedy some of the
6 problem areas we identified in last month's storm,
7 I am reassigning some of the areas covered by the
8 Brooklyn South zone to the Brooklyn North zone.
9 This will ensure that the workloads are more
10 manageable and services are delivered effectively.

11 We have also learned that we must
12 improve the tools used by us to measure our
13 progress. The department only collects data on
14 completed routes, not individual routes. Data is
15 only collected once worker shift is completed,
16 even though regular shifts last 12 hours during
17 large snowstorms. A route marked with the narrow
18 technical definition of plowed may in fact not be
19 passable by a vehicle. We will create new
20 definitions and measurements so our data
21 accurately matches what New Yorkers experience.

22 In the weeks and months ahead we
23 will continue assessing this storm and the
24 deficiencies of our response. We will implement
25 further changes to re-tool and improve our

1
2 policies and operations. We'll also evaluate our
3 strategies in conjunction with other agencies, and
4 implement additional changes as may be necessary
5 to enhance inter-agency coordination with the
6 public.

7 With nearly 8,000 roadway lane
8 miles to cover, Sanitation workers perform the
9 best they can under the toughest conditions
10 imaginable. Snow-fighting is a core agency
11 mission, and all department employees understand
12 that their performance is critical to keeping this
13 city functioning 24/7.

14 We recognize that we did not
15 perform up to standard that met the public's
16 expectations, nor my expectations in the days
17 following this event, which caused hardship to
18 many. We know our reputation of the world's best
19 snow-fighters has been called into question, and
20 we must work to prove we deserve this distinction.

21 Thank you for this opportunity to
22 testify today and I turn it over to Commissioner
23 Bruno.

24 JOSEPH F. BRUNO: Well, good
25 afternoon Speaker Quinn, Chairperson Crowley,

Vallone, Williams and James, and members of Committees on Public Safety, Oversight and Investigations, Fire and Criminal Justice Services and Sanitation and Solid Waste Management. I am Joe Bruno, Commissioner of the New York City Office of Emergency Management, OEM.

I'm joined by my colleagues from City Hall, the Fire Department, Department of Sanitation, the Transportation Department and the Police Department.

Put simply, the city's response to this blizzard did not live up to the standards we set for ourselves and the standards the public expects and deserves. Today, I will talk to you about OEM's role in planning for and monitoring winter weather. I will also walk you through decisions that were made before the storm, and talk to you about some of the challenges we faced during the storm.

During emergencies, OEM's job is to coordinate the city's response and recovery and to collect and disseminate critical information to key stakeholders in government, the private sector and the public. Although every emergency creates

1
2 new and unforeseen conditions that require
3 improvised procedures, we have plans in place that
4 define the way we operate. Emergencies in New
5 York City are managed under the Citywide Incident
6 Management System, known as CIMS. CIMS
7 establishes command structure for a range of
8 incidents. It assigns a lead or command element,
9 designates which agency or agencies are in charge
10 and sets forth roles and responsibilities for
11 agencies involved in emergency response.

12 In 2004, I oversaw the creation of
13 the system and it has worked well for the city.
14 Under CIMS, weather events like the storm we are
15 here to discuss, are managed by unified command,
16 made up of the Department of Sanitation,
17 Department of Transportation, the Police
18 Department, the Fire Department and OEM.

19 The plan that guides the city's
20 response to hazards that winter brings, including
21 severe cold and major snowstorms in the New York
22 City Winter Weather Emergency Plan. The Winter
23 Weather Emergency Plan, much like the city's Heat
24 Plan, is a strategic document that describes
25 agency responsibilities, key decisions and

interagency coordination.

The primary role for OEM during any weather event is monitoring. OEM is staffed 24 hours a day, 365 days a year. Our watch command and field response operations work around the clock. Through watch command, we continuously monitor weather in consultation with the National Weather Service. We communicate weather information to all stakeholders, early and often. The uncertainty of weather forecasts makes predicting impacts, particularly snow accumulation and timing, difficult.

When the National Weather Service forecasts one of the plan's thresholds, such as six inches of snow, or temperatures below 15 degrees for more than two days, OEM convenes a group of city, state, federal, nonprofit, voluntary agencies called the Winter Weather Emergency Steering Committee. Through this committee, the National Weather Service provides the forecast and its predicted impacts, and OEM ensures that agency preparations are in place.

I'd like to take you through the events leading up to and during the storm. As

1
2 previously mentioned, we are always talking to the
3 National Weather Service. And on Friday, December
4 24th, National Weather Service predicted three to
5 five inches of snow with a forecast confidence of
6 around 50 percent. This did not meet our
7 activation threshold. However, we continued to
8 monitor forecasts and keep agencies informed of
9 the latest forecasts.

10 By midnight on Christmas Eve, the
11 forecasted snowfall had increased to six to eight
12 inches, and it continued to grow through the
13 morning and early afternoon of Saturday the 25th.
14 This predicted snowfall met our plan threshold so
15 we notified agencies and command centers, we
16 convened the Winter Weather Steering Committee
17 which consisted of 30-plus agencies, and prepared
18 to open the City's Emergency Operations Center.

19 The purpose of the Emergency
20 Operations Center is to bring all of the agencies
21 involved in a response together to provide the
22 city with a common operating picture, and to
23 identify and solve problems. In addition, when an
24 agency needs assistance to do its job, it can
25 request resources through the Emergency Operations

Center, and we will get them from other city agencies, neighboring counties, states and the federal government, and from the private sector.

On Christmas Day, minutes before our scheduled 4 p.m. call with the Winter Weather Emergency Steering Committee, the National Weather Service issued a blizzard warning and predicted approximately 9 to 14 inches of snow in New York City with a forecast confidence now of 60 percent, allowing us to discuss this change with the 30-plus agencies on the call including with the National Weather Service.

When the blizzard warning was issued, we notified our partners in the private and human services sectors and reached out to the public through Notify NYC and social media.

The Winter Weather Emergency Steering Committee met again at 12 noon on December 26th. During that discussion, the National Weather Service described, for the first time, a worst-case scenario of up to 20 inches of snow. The heaviest snow was forecasted to arrive around 5 p.m. that day. As we all know now, the snow began somewhat earlier than we had

1 anticipated.

2
3 However, all agencies reported on
4 time to the EOC and we were fully staffed with
5 representatives from the following agencies: the
6 Police Department, Fire Department, Sanitation
7 Department, Department of Transportation, the MTA,
8 the Department of Buildings, the Department of
9 Housing Preservation and Development, Con Edison,
10 National Grid, and the New York State Office of
11 Emergency Management.

12 This was a ferocious storm. In
13 addition to dumping more than 20 inches of snow
14 across the city, it brought hurricane-force winds
15 and temperatures below freezing for several days.
16 This was the sixth largest snowstorm ever recorded
17 in New York City, and it dropped more snow on
18 Brooklyn and Staten Island than any storm in
19 modern history. The intensity of the storm,
20 coupled with its arrival on one of the busiest
21 travel days of the year, created significant
22 challenges for the city.

23 As the snow fell, we worked to
24 collect and share information with city agencies,
25 regional partners, businesses, and the public. We

1
2 maintained contact with our partner agencies who
3 provide services to the special needs population,
4 including the MTA Paratransit system, the
5 Department for the Aging, the End State Renal
6 Disease Network, the Human Resources
7 Administration, the American Red Cross and the
8 Administration for Children's Services. We
9 reviewed their plans for continuity of critical
10 services and discussed contingency plans to
11 address service gaps.

12 The early morning hours of December
13 27th, we began to face a series of problems with
14 vehicles stuck in the snow, most notably,
15 ambulances. We began to receive reports of
16 snowbound ambulances and buses and abandoned cars
17 blocking streets. OEM focused on these issues in
18 the Emergency Operations Center by collecting and
19 providing the location of these ambulances to the
20 Sanitation Department and the Police Department.

21 Many ambulances were freed from the
22 snow, but the scope of the problem grew throughout
23 the early morning. More and more vehicles became
24 snowbound, and in some cases even the tow trucks
25 and the Fire Department equipment sent to assist

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1
2 focus to stuck buses and to stranded vehicles that
3 impeded plowing operations. The work of this task
4 force is a good example of the value added by the
5 coordination of agencies and resources in the
6 Emergency Operations Center.

7 The EOC operated continuously
8 through January 1st, 2011. During that time, we
9 communicated with our regional partners, including
10 the Port Authority, state agencies and emergency
11 managers from neighboring counties. Through our
12 logistics section in the EOC, we focused on
13 resource requests from agencies, including towing
14 resources and front end loaders from New York
15 State and weatherized ambulances from upstate New
16 York and New Jersey.

17 Through the duration of the storm,
18 and the cleanup, OEM communicated with hospitals,
19 both directly and through our partners, the Health
20 and Hospitals Corporation and the Greater New York
21 Hospital Association. We did this through
22 teleconference, telephone and our 800 megahertz
23 radio alerts, monitored by all hospitals and other
24 health care facilities.

25 We, like the other agencies, are in

1 the middle of a top to bottom review of our
2 operations to identify areas of improvement and
3 implement new solutions. The lessons we are
4 learning will make us better prepared to respond
5 to all emergencies. We followed our Winter
6 Weather Plan, but after the storm we have
7 identified a list of things we can and must do
8 better.

10 We are looking at the Emergency
11 Operations Center. Should we have activated
12 earlier, should we have involved more agencies?
13 Were those agencies represented by the right
14 people? These questions are part of our review.

15 With respect to snowbound
16 ambulances, were we too slow to recognize that the
17 strategy we had in place wasn't enough? We lost
18 time in getting the right focus on the problem and
19 getting in place the equipment we needed to solve
20 it. We need to react immediately and effectively
21 to any report of a stuck ambulance. We did not
22 establish the task force quickly enough.

23 In addition, we didn't know how bad
24 conditions were on the ground, especially in
25 southern Brooklyn and Staten Island. We need more

1
2 and better tools to understand conditions in real
3 time. We need those in the EOC. Our personnel
4 and equipment need to be ready to be deployed well
5 before they are needed.

6 Did we do a good job? There is no
7 way we can see the results that we see here and
8 say that we did the job that is expected of us.
9 Our team is deeply committed to performing up to
10 that standard and we will make whatever changes
11 are necessary to achieve that.

12 I thank you again for allowing us
13 to speak here today. We'll answer any questions
14 that you have.

15 SALVATORE CASSANO: Good afternoon,
16 Speaker Quinn, Committee Chairs and Council
17 Members. Thank you for inviting me to discuss the
18 New York City Fire Department response to the
19 December 26th, 2010 blizzard and our operations
20 during and after the storm.

21 Like all city agencies that needed
22 to carry on their operations during this storm,
23 the FDNY faced many challenges, some which taxed
24 our resources in ways never experienced before.
25 Despite these challenges, the men and women of our

1
2 department performed as best they could to carry
3 out their mission of saving lives and property.

4 We are committed to learning whatever lessons we
5 can from this storm and making all changes that
6 are necessary to improve our ability to serve the
7 public in the future.

8 In my testimony, I will discuss how
9 the weather affected fire and EMS operations, how
10 we operated during the storm, and measures we will
11 take in the future relating to operations during
12 similar severe weather conditions. I have asked
13 our Chief of Department, Ed Kilduff, to coordinate
14 a comprehensive after-action review of FDNY
15 operations during the blizzard. That effort is
16 currently underway, as is our coordination with
17 the Mayor's Office on its review of all city
18 agency operations during the storm.

19 Fire Operations has Standard
20 Operating Procedures for cold weather, winter
21 storms or other severe winter weather conditions.
22 They are set forth in All Unit Circular 200.
23 Among other things, AUC 200 sets forth procedures
24 to be followed in the case of freezing conditions
25 and sudden heavy or prolonged snowfalls.

1
2 It delineates responsibilities of
3 officers of every rank, specialized units and
4 certain civilian bureaus. AUC 200 sets forth
5 required drills, training, reports, interagency
6 communications and equipment to be assembled in
7 readiness and placed on every company apparatus,
8 including shovels and salt. Particular attention
9 is paid to reporting out-of-service hydrants to
10 DEP and ensuring they are kept clear for our use.

11 On the morning of the 26th, before
12 the snow began to fall, I ordered that an extra
13 firefighter be added to the 134 engine companies
14 that operate with four firefighters, out of our
15 198 total engine companies. Sixty-four engine
16 companies operate with five firefighters and that
17 staffing level was maintained. This extra
18 staffing started at 6 p.m. on December 26th. We
19 experienced no difficulty maintaining our fire
20 company staffing during, or in the days following,
21 the blizzard.

22 I also ordered EMS Operations to
23 staff additional ambulances in anticipation of the
24 storm and its impact on our ability to provide
25 ambulance coverage. I will further discuss our

EMS operations shortly.

As an additional precaution, on the night of the blizzard we activated two of our brush fire units, which were deployed to hilly areas of Staten Island. Because these four-wheel-drive units are uniquely capable of maneuvering in difficult conditions, such as snow, sand and mud, we wanted to capitalize on these capabilities given the deep snow conditions. These units are also capable of towing apparatus out of mud and snow. We then activated five of these units on Monday and Tuesday on Staten Island again, and to some isolated areas in Brooklyn and Queens.

All of our fire apparatus are equipped with traction-control tires and operate well in light snowfall. However, once the snowfall deepened, all our fire apparatus were ordered to install snow chains. Even with the chains, some apparatus did have difficulty traveling to and from calls. If they did get stuck, the companies were able to dig themselves out using the shovels and other tools we have on all apparatus.

As you can imagine, our companies

were slowed in responding to emergencies as the snow deepened and as cars were stuck or abandoned and blocked streets. Thankfully, fire activity did not spike significantly during or immediately after the storm.

Not surprisingly, response times did escalate. Our statistics show that in 2010, we had an average of 73 structural fires daily, with an average response time of 4 minutes, 1 second. From Sunday December 26th through Wednesday, December 29th we had: 74 structural fires, with an average response time of 4:33 minutes on Sunday, December 26th; 68 structural fires, with an average response time of 7:58 minutes on Monday, December 27th; 68 structural fires, with an average response time of 5:14 minutes Tuesday, December 28th; and 89 structural fires, with an average response time of 5:05 minutes on Wednesday, December 29th, 2010.

The number of total incidents handled by Fire personnel did not spike dramatically, either. In 2010, we averaged to 1,390 incidents daily. From Sunday through Wednesday, December 26th through the 29th, we had

1
2 a high of 1,660 incidents on Monday and a low of
3 1,492 incidents on Wednesday. Response times on
4 Monday, December 27th to these 1,660 incidents
5 averaged 10:26 minutes.

6 Another measure we initiated to try
7 to care for as many people as possible as quickly
8 as possible was to modify procedures for our CFRD
9 engine companies when they were on the scene of a
10 medical emergency, but the EMTs and Paramedics
11 were delayed. For those cases, we directed that
12 our Fire personnel could get immediate advice and
13 decision making from our On-Line Medical Control
14 doctors.

15 Our OLMC doctors normally provide
16 medical advice directly to EMS personnel, who
17 typically arrive shortly after our Fire personnel.
18 With EMS often greatly delayed by the storm, this
19 procedural change allowed Fire personnel to
20 contact OLMC and obtain physician approval: to
21 permit a patient to refuse medical attention; or
22 to permit our CFRD providers to suspend CPR after
23 20 minutes, the same standard we use for our EMS
24 personnel, and when their AEDs, automatic external
25 defibrillators indicated no shock.

Again, our goal here was to ensure our Fire personnel had access to the same physician advice and approval mechanisms that our EMS crews would have available to them had they been on scene.

Like Fire Operations, EMS also has written SOPs for operating in severe weather. EMS SOPs set forth the responsibilities of its members and procedures to be followed in severe cold or winter weather. Notwithstanding the preparation of our EMS crews and EMS officers, the most significant factors affecting our EMS workforce was a surge in call volume and the road conditions we faced.

We have experienced call volume spikes in the past, but we have managed to handle that workload more quickly and reduce spiking response times. With this storm, our EMS fleet was severely impacted by the weather and we had so many out-of-service ambulances as a direct result of the blizzard conditions that we could not keep up with the soaring demand for EMS resources.

On a typical day, we have 3,300 to 3,400 calls for medical emergencies. On Sunday,

1
2 December 26th, in just the six hours from 6 p.m.
3 to midnight, we were averaging more than 200 calls
4 per hour. On Monday and Tuesday we received 4,662
5 and 4,291 calls, respectively. While we might
6 expect more calls reporting chest pain as New
7 Yorkers exerted themselves by shoveling snow, our
8 statistics indicate a spike in calls for every
9 category of medical emergencies.

10 In the hours leading up to the
11 blizzard and throughout the storm, I and other
12 city officials, took every opportunity to tell the
13 public they should only call 911 for real
14 emergencies. The local media was a tremendous
15 help in this regard. However, calls that EMS
16 received for medical emergencies rose sharply
17 during the storm and afterward.

18 The department's EMS Command took
19 many steps to increase preparedness and obtain
20 assistance as the storm approached and
21 intensified. On Sunday afternoon, we held over
22 employees who were going off and asked them to
23 work another tour. We increased the complement of
24 ambulances in service to the maximum of 361, which
25 were 117 more than the usual complement on Tour 1.

At 1 a.m. on Monday we activated mutual aid, and at 3 a.m. we recalled our off-duty platoon of EMS personnel. We issued four more recall orders over the next few days. Some recalled personnel were unable to report because they had no way to get to work. Many EMS members did report for duty and started working immediately. Throughout the blizzard and afterward, we worked closely with OEM to address the deteriorating state of our operational capacity.

During the early hours on Monday, we requested mutual aid from New Jersey and New York State. By 9 a.m. Monday, New Jersey sent 19 ambulances and provided 20 replacements on Tuesday and Wednesday as well. New York State sent 20 ambulances early Tuesday, and sent two replacement fleets of 20 over the next two days.

Appropriately, much focus has been placed on the high number of ambulances that got stuck in the snow. Although we equip all of our ambulances with ice and snow shovels, the deep and drifting snow left many of our crews stranded. Many EMS crews tried to navigate through deep snow

1 and past stalled and abandoned vehicles. Many
2 times, our crews had to leave the ambulance and
3 carry their medical kits on foot to reach the
4 medical emergency. Transport of our patients then
5 became an issue.
6

7 Throughout, we worked with our
8 partners to get as many ambulances moving again as
9 quickly as possible. We prioritized those
10 ambulances that had patients on board, followed by
11 those that had only our crew in them, and finally
12 those had been vacated by our crews as the lowest
13 priority.

14 Often, getting out of the snow was
15 not our only problem. Many ambulances had to be
16 taken out of service for long and short-term
17 repairs. Some just needed to replace windshield
18 wipers, while others suffered more significant
19 mechanical problems. Stuck ambulances running for
20 long periods of time led to overheated power
21 steering fluid that disabled the power steering.
22 Transmissions and rear differentials failed after
23 many attempts to free the ambulances from the
24 snow. To replace the vehicles that were taken out
25 of service, we had 75 spare ambulances available

1 when the storm began. All of that spare capacity
2 was utilized by Monday morning and by the evening
3 on Tuesday, December 28th we had almost no spares
4 available.
5

6 The increased call volume and
7 shortage of operating ambulances increased
8 response times to all categories of calls. As I
9 indicated earlier, our call volume surged in
10 virtually all medical categories. Our most
11 critical calls for cardiac arrest and choking were
12 44 percent above average on December 26th, 85
13 percent above average on December 27th and 42
14 percent above average on December 28th. In raw
15 numbers, this translated to 122 Segment 1 calls on
16 the 27th and 94 such calls on the 28th. We had
17 been averaging about 66 Segment 1's per day in
18 November 2010.

19 This surge in call volume, along
20 with the other difficulties I mentioned, drove up
21 response times. Where Segment I was the initial
22 call type, we had been averaging EMS response time
23 of about 5:15 minutes. On December 27th, that
24 rose to nearly 55 minutes. We were able to reduce
25 response time to less than 19 minutes by December

1
2 28th. These response times do not include the
3 medical responses of our CFRD engine companies,
4 which sometimes arrived at these calls sooner than
5 EMS. Including CFRD responses, our average
6 response time to Segment 1 calls was under 47
7 minutes on Monday, December 27th and about 15
8 minutes on December 28th

9 As you know, we experienced severe
10 backlogs of calls from nighttime on December 26th
11 through nighttime on December 28th. Our call
12 backlog escalated to nearly 1,400 at its peak on
13 December 27th, and remained above 1,000 for over
14 11 hours.

15 Some of our new approaches: as I
16 stated earlier, the department is conducting a
17 thorough after-action review and is participating
18 actively in the Mayor's Office of Operations
19 review of the city's overall performance. Through
20 these review processes I am certain we will
21 discover ways of improving our operations and
22 procedures and I look forward to sharing those
23 plans with you in the near future.

24 In the meantime, we will implement
25 several measures immediately to address issues

1 that came to light during the blizzard. In
2 particular, we are already in the process of
3 revising our EMS and Fire Operating Procedures for
4 winter and cold weather operations.. We are
5 placing more focus on integrating EMS and Fire
6 Operations resources, for example, sharing tools,
7 personnel and towing implements between Fire and
8 EMS units so that patients can be removed and
9 transported as quickly as possible.
10

11 All of our EMS ambulances are being
12 outfitted with sled-like devices for moving
13 patients called skeds and we are now procuring
14 more tow straps for our apparatus so they can more
15 quickly assist other FDNY vehicles that are stuck
16 in the snow.

17 And for our ambulances, we plan to
18 pilot a flat tire-hugging snow chain during
19 snowstorms of eight inches or greater. We hope
20 that these lighter chains will, as advertised,
21 just fall to the ground when they break. The
22 reason we discontinued using chains 15 years ago
23 was that a large portion of the ambulance fleet
24 sustained damage to the body and components when
25 the chains broke. Some vehicles sustained major

1
2 damage to the brake system and rear end
3 components.

4 I would also make earlier use of
5 our eight brush fire units. As I stated, we
6 activated two of these 4-wheel-drive units on
7 Staten Island Sunday and the others over the next
8 two days. In the face of another major storm, I
9 would activate all of them immediately to assist
10 our fire and EMS units.

11 Finally, during a severe snow storm
12 or weather emergency in the future, I would also
13 activate our Incident Management Team. The IMT,
14 comprised of senior fire and EMS personnel
15 specially trained in logistics, communications and
16 other areas, is typically utilized for
17 catastrophic fires or other emergencies. For
18 example, our IMT was deployed to New Orleans
19 after, Hurricane Katrina for over six week, but
20 has not been initiated in New York City during a
21 blizzard or snow storm.

22 An IMT would allow us to manage and
23 maximize our available resources and coordinate
24 even more closely both internally and externally
25 in the event of a major storm. For example,

1
2 members of the Incident Management Team logistics
3 section would manage supplies, personnel and all
4 resources for the duration of the incident, while
5 members of the planning section would focus on
6 internal and external communications.

7 In conclusion, FDNY's Firefighters
8 and EMS personnel performed admirably under the
9 very difficult conditions caused by the blizzard.
10 Our ongoing review of what occurred will inform
11 and guide our efforts to improve the department's
12 performance in the future.

13 As always, we are committed to
14 ensuring the safety of our communities we serve.
15 I will now turn it back to Deputy Mayor Goldsmith.

16 STEPHEN GOLDSMITH: Let me conclude
17 by, now that you've heard from the commissioners,
18 offering a forward-looking plan.

19 Let me just also say, before kind
20 of reading quickly through the plan that I've
21 heard from many of you. Each time I've heard from
22 you, I've gathered knowledge about real conditions
23 on the streets and in our garages and around our
24 ambulances and the homes you represent. Each one
25 of those conversations, some have been difficult,

1 but they've all been informative.

2 So I'm going to lay out some of the
3 things we plan to do, but this is just a beginning
4 point. As Council Members have observations, both
5 about how we performed or how we performed in
6 their districts, I'm eager to amend this plan and
7 add to it.

8 So here are some preliminary
9 thoughts that we are in the process of
10 implementing.

11 First, we need to amend the process
12 for declaring snow emergencies. As I mentioned in
13 my opening testimony the decision not to declare
14 an emergency was understandable; however based on
15 what we know now, an emergency declaration of some
16 sort would have been helpful.

17 Going forward, the city will
18 establish a more formal process for considering
19 emergency declarations in all circumstances,
20 particularly in severe weather events. During
21 severe weather, officials face very difficult
22 judgment calls about whether to disrupt the lives
23 of the public in anticipation of an event of
24 ultimately uncertain severity. To ensure that the
25

merits and consequences of an emergency declaration are fully evaluated during a significant weather event, specific protocols for decision making will be developed that clearly outline the roles of the participating agencies and the Mayor's Office.

Two: we'll offer a broader range of options that could be part of an emergency declaration and make them clear and understandable to New Yorkers. Because requiring the public to use snow tires and chains on certain emergency routes and forbidding parking on those routes are not the only ways to reduce vehicular traffic in inclement weather, the city will establish a menu of options for emergency managers that expand the choices of decision-makers and take into account the actions that other entities will undertake based on a declaration. These options will be designed and communicated in plain language, with input from the Council, so their meanings and the actions required of the public are clear.

Accountability tools: in order to increase the city's capacity to hold itself accountable during a weather emergencies we will

1
2 do the following. One, equip every Department of
3 Sanitation truck with a GPS device enabled with
4 the-way communication. The city will equip
5 collection trucks that are used for plowing with
6 GPS-enabled phones with two-way communication.
7 Field workers will be trained on these mobile
8 devices to share real-time progress reports with
9 their supervisors.

10 These devices will help supervisors
11 measure performance and will enhance the safety of
12 our field workers. The technology will enable
13 more frequent productivity reporting to improve
14 public transparency, and assist in assessing
15 resource deployment. During the snow event on
16 January 7th, a test of 50 devices was performed
17 successfully in one Sanitation District in
18 Brooklyn.

19 Four: improve accountability tools
20 and plowing definitions used by Sanitation for
21 street conditions. To address the issues of
22 reporting delays and inadequate measurements of
23 street conditions, DSNY will create new
24 definitions and reporting standards so that their
25 data will accurately match the reality on the

1 street. The Department of Transportation's
2 evaluation system for the bridges and other
3 thoroughfares it maintains provides a potential
4 citywide model.
5

6 Next, five: use live monitors,
7 which we call the Scout teams, to stream video of
8 trouble spots. In August 2007, the city launched
9 the Street Conditions Observation Unit, SCOUT
10 teams, which is a group of inspectors whose
11 mission is to drive every city street once a month
12 and report conditions that negatively affect the
13 quality of life.

14 During an average workday, the City
15 uses 15 SCOUTs, largely in 3-wheel vehicles or
16 electric Mini Coopers. During snow emergencies
17 the City will deploy some of those SCOUTs in four-
18 wheel drive vehicles equipped with digital video
19 technology that can stream live images of critical
20 areas back to a command center. This initiative
21 will provide DSNY, OEM and the Mayor's Office with
22 independent quality assurance and was successfully
23 piloted during the January 7th snow event.

24 Three: rapid deployment of all
25 possible city assets. In order to ensure the

rapid deployment of all possible city assets in a severe weather emergency we will do the following.

First, enhance the immediate availability of critical equipment. OEM will update the asset inventory of City equipment that it maintains to ensure it can identify and deploy resources effectively during an emergency. To facilitate the use of this equipment, OEM will work with agencies to designate an on-call person who can deploy equipment and operators from their agency as needed. Potential agency assignments will be pre-determined so that when a need arises, agency equipment can be most effectively deployed.

Next, enhance the city's ability to deploy city labor from other departments. OEM will conduct a survey of all areas where city employees can be called out to provide additional labor in an emergency, whether severe snow, flooding or another event. The city has large numbers of committed employees willing to work hard in response to emergency events. Where necessary or appropriate, OEM will work with agencies to train staff in functions critical to emergency response so that when a need arises,

city employees are prepared and ready to help.

Eight: enhance the Emergency Operations Center as the center of resource coordination. OEM, as the city's coordinator of emergency resource deployment, sets up the EOC to serve as the City's operational hub during an emergency. In the wake of the December blizzard, OEM and City agencies will reassess their protocols for deploying agency representatives to the EOC to ensure that representatives are agency decision makers, have up-to-date agency data about in progress operations, and are familiar with key agency assets and operations. These steps will ensure that the EOC has the knowledge and authority it needs during an emergency.

Nine: tow truck deployment. Through a centralized coordinator, the City will better incorporate the full citywide towing resources into its snow planning and ensure that all agencies prepare these resources for deployment prior to a significant storm. Specific processes that outline the timing of tow truck deployment and the authority of city tow trucks to tow private vehicles will also be developed and better

communicated.

Four: better pre-positioning of private resources. In order to better enlist private resources when responding to an emergency requires them, the City will do the following. This is number ten. Secure and expeditiously deploy private contractors for assistance.

Going forward, the City will identify organizations that can produce needed assets and be assigned to specific tasks immediately in the event of an emergency. Assignments could include towing, plowing, hauling and other activities. Procurement of these resources must be organized in advance and streamlined to the fullest extent possible.

The contracting process and the contracts themselves must be competitive with what other potential employers are paying, so that when these contractors are needed, they will not choose other opportunities over city work. DSNY and OEM should utilize all contracting vehicles available to them, including through the use of agency procurement cards.

Eleven: improve the process of

1 hiring additional laborers. To ensure that the
2 City can recruit the external workers it needs, it
3 must be able to compete with other potential
4 employers. While the City cannot pay in cash or
5 engage employees without checking certain federal
6 work requirements, it can and will identify
7 workforce and staffing partners who can be
8 organized to respond when necessary and will also
9 revise procurement and payment processes
10 accordingly. Contracts will be structured to
11 ensure that service is provided within critical
12 timeframes and that work is pre-assigned to
13 workers who can fulfill the assignments that are
14 given to them.

16 Number five: communications. In
17 order to improve our communications with the
18 public during an emergency, and by the way, our
19 communications with the City Council, the city
20 will do the following. Improve two-way
21 communications through a real-time portal. To
22 enhance transparency and improve accountability,
23 the City will create a dedicated site on NYC.gov
24 for winter weather events that will include maps,
25 news and announcements, as well as a community

forum.

The website will serve as a public reporting and accountability portal through which New Yorkers can support the City's quality assurance efforts by providing real-time reports, including photos and video, of the status of streets. As most of the Council Members know, I guess all the Council Members know from your calls from your residents, that folks on the ground had much better information than many of us did in City Hall about the actual conditions on the streets. We need to learn from that and watch it in real time. NYC CityMap will be updated to show the streets which are designated as primary, secondary and tertiary streets for snow removal. And we're going to evaluate those designations going forward.

Thirteen: provide better methods for citizens to request help. The 311 call center experienced high volume. We got over 250,000 calls a day at high times. And after the storm that included a high number of non-critical informational requests that clogged the system. Both 911 and 311 received calls that were requests

1
2 for non-critical services. 311 has enhanced web
3 reporting options since that event that can handle
4 most types of service requests.

5 We will encourage, in the future,
6 more New Yorkers to sign-up for Notify NYC which
7 will automatically communicate to them information
8 and we will move quickly to enhance 311 social
9 networking options that will allow citizens to
10 more easily register in advance for information to
11 be sent to them on critical and non critical
12 actions like trash pickup and parking.

13 311 will also move quickly to add
14 texting options to the call center in order to
15 provide efficient responses to short questions and
16 eventually as another channel for reporting
17 requests for service.

18 Six: emergency communications.
19 Finally, in order to improve our Emergency
20 Communications, the City will do the following.
21 Fourteen: reform dispatch protocols in extreme and
22 high volume events. The 911 system can improve
23 the way it responds to high call volume events by
24 creating escalation protocols that focus on
25 expected problem areas and by improving its

ability to bring in new staff as needed.

The City will also conduct a comprehensive review of its 911 call handling during large scale emergencies. Procedures given to supervisors for monitoring backlogged calls during heavy volume times will be reviewed.

Protocols for which type of FDNY, EMS or NYPD resource is sent to specific types of events in these extreme situations will also be reviewed. In addition, the City will improve its ability to bring in additional staff during high call volume events. We had a lot of really hard working folks in those centers that couldn't be relieved in a timely fashion.

Fifteen: accelerate the integration and implementation of the Emergency Communications Transformation Program, ECTP. Over the upcoming months, the integration of the City's 911 dispatch and telephony systems will be improved through the Emergency Communications Transformation Program. In the near-term, operational procedures will be reviewed and the best practices applied where necessary. Technology systems will be employed and tailored to meet the operational needs of NYPD

1
2 and the FDNY. Co-location of NYPD and the FDNY
3 will enhance the effectiveness of the City's
4 emergency response and make us better prepared to
5 deal with future challenges.

6 In this area I am pleased that Skip
7 Funk has joined this administration as our new
8 Director of Citywide Emergency Communication.
9 He's a national expert on emergency communications
10 and has already been a valuable asset to the City
11 in the days following the blizzard.

12 We are confident that pursuing this
13 fifteen-point-plan plus additional points brought
14 to our attention by the Council will help the City
15 fix the causes of its December mistakes and will
16 strengthen the city's ability to respond to future
17 weather situations.

18 To close, look, we didn't do the
19 job you expected. We didn't do the job that
20 residents of New York City expected. There were a
21 lot of mistakes made. We acknowledge those.
22 We're here to learn from those mistakes and
23 promise to do better in the future and are eager
24 to take your questions. Thank you very much.

25 SPEAKER QUINN: Thank you, Deputy

1
2 Mayor. Just before we begin questioning, I just
3 want to remind my colleagues that the protocol
4 will be that each of the chairs will get ten
5 minutes for questions, as will I, and then we'll
6 go to the one question and the appropriate follow-
7 up format that Chair James outlined.

8 I want to recognize that we've been
9 joined, since I last announced members, by Council
10 Member Rosie Mendez of Manhattan, Council Member
11 James Sanders, Jr., of Queens and Council Member
12 Darlene Mealy of Brooklyn. I don't think I missed
13 anyone else. I'm sorry; Council Member Erik Dilan
14 of Brooklyn and Council Member Diana Reyna of
15 Brooklyn. Apparently, I did miss people. Thank
16 you, both.

17 CHAIRPERSON JAMES: Thank you,
18 Madame Speaker. Deputy Mayor, we accept your
19 comment with regards to working with the City
20 Council, and thank you for acknowledging the fact
21 that all of us, in our criticism of the
22 Administration, had firsthand knowledge of
23 conditions on the ground.

24 I would hope that you would
25 communicate to the Mayor of the City of New York

1
2 that he, too, adopt that policy, particularly in
3 light of his comments at a recent press conference
4 where in response to a reporter who indicated that
5 there was criticism from members of the City
6 Council, he stated that members of the City
7 Council had too much time on their hands. We
8 thank you for that and would hope that you would
9 communicate that message to the Mayor.

10 In regards to the failure to
11 declare an emergency and your position that it was
12 understandable, given the facts as you knew them
13 at the time, I want to review with you the
14 timeline. The National Weather Service issued a
15 hazardous weather outlook on December 21st. By
16 Friday, December 24th, the National Weather
17 Service escalated their prediction to a 30-40
18 percent chance of six inches or more of snow, and
19 winds up to 50 miles per hour.

20 On Saturday, on Christmas, at 3:58
21 a.m. the Weather Service upgraded their prediction
22 and a storm watch was predicted, predicting six to
23 eight inches. Then finally, on Christmas, at 3:55
24 in the afternoon, the Weather Service issued a
25 full blizzard warning, predicting 11 to 16 inches

1 of snow or higher. That was at 3:55 in the
2 afternoon.
3

4 Philly, Delaware, Boston,
5 Massachusetts, New Jersey, multiple cities in
6 Connecticut got it right. Why did we miss the
7 mark? Why did we not err on the side of caution
8 when lives were at stake? Who was responsible for
9 not declaring a snow emergency? Why not a state
10 of emergency? Did we reach out to the Governor of
11 the State of New York for assistance with the
12 National Guard or humvees? Did we call the
13 National Guard? We could have done this, again,
14 prior to any snow hitting the ground, as soon as
15 the Weather Service issued a blizzard warning.
16 Deputy Mayor?

17 STEPHEN GOLDSMITH: I can offer
18 summary comments, but let me, with your
19 permission, first, ask Commissioner Doherty to
20 explain the thought process about not declaring a
21 snow emergency which occurred, and then
22 Commissioner Bruno can respond to your questions
23 about the state. If you have further questions
24 for me, I'll respond. Thank you.

25 JOHN J. DOHERTY: Starting on the

1
2 24th, I had talked briefly with Commissioner
3 Sadik-Khan about basically we were discussing
4 first the issues on alternate side parking and
5 meters for Monday, based on the weather reports we
6 had at that time. We didn't know the severity of
7 the storm. We continued to discuss that. Then on
8 Saturday, the 26th, we discussed the issue of
9 implementing traffic emergency, the emergency as
10 we know today, which requires all vehicles not to
11 park on emergency snow streets and to have chains
12 or snow tires on.

13 The decision at that point, as it
14 has been at times in the past, was not to call the
15 emergency because the cars that were parked at the
16 curb were not going to impede our operation. And
17 we didn't want people to start taking those cars
18 out, starting to look for a parking space that as
19 we all know, in New York City, is very difficult
20 to find, and then creating more problems that we
21 were trying to avoid, such as traffic and cars
22 getting stuck.

23 So that was kind of what was going
24 through my mind as to what we should be doing as
25 far as the snow emergency goes.

1
2 JOSEPH F. BRUNO: With respect to
3 the state, we had the State Office of Emergency
4 Management on all of our winter weather calls. We
5 talked to them regularly as the storm progressed.
6 Obviously, earlier on, the storm, up to the 24th,
7 was a relatively small storm. It certainly
8 escalated on the 25th where it went to six to
9 eight inches, or perhaps the number that you
10 suggested. I have six to eight at 12:05 a.m.,
11 actually, the winter storm watch was issued. Then
12 it progressed upward.

13 We did speak with the state during
14 our activation a number of times. They are there
15 with us, right in the EOC. We did suggest what
16 are the possibilities from the National Guard?
17 Our focus at the time we were talking was stuck
18 ambulances. We were looking really for additional
19 ambulance resources and tow trucks if we could.
20 We were able to get the state to broker in some
21 ambulances, which ultimately went to the Fire
22 Department.

23 We did talk about the National
24 Guard. With regard to the National Guard, when we
25 were talking to them, the lead time was too great,

1
2 so we decided we would just go for direct
3 ambulance support.

4 CHAIRPERSON JAMES: Commissioner
5 Bruno, could you elaborate? What was the request
6 from the state of New York and what was their
7 response? My understanding, based on
8 conversations with a number of individuals, was
9 that there were limitations to the number of
10 Humvees available in the State of New York, as
11 well as members of the National Guard.

12 JOSEPH F. BRUNO: That is true.
13 The lead time was great. It would be beyond the
14 end of the storm period. We have these folks in
15 there and we deal quite a bit with the State of
16 New York through their Office of Emergency
17 Management. We were talking not only about the
18 National Guard, which was a long lead time, but we
19 were also talking about do you have tow trucks, do
20 you have ambulances available that we could get
21 right now.

22 They did not have much in a way of
23 tow capability, but they had ambulances. As Sal
24 has pointed out in his testimony, Commissioner
25 Cassano, he indicated that we received I think 20

1 plus replacements from New York State. They,
2 ultimately, also got ambulances from New Jersey,
3 about 15. So those were where we concentrated.
4 In all of those requests, New York City OEM has to
5 make that official request through the state and
6 that's what we did.
7

8 CHAIRPERSON JAMES: What were the
9 reasons why we did not have National Guard members
10 available and/or Humvees?

11 JOSEPH F. BRUNO: I just think the
12 lead time for them to be made available at that
13 time was just too long.

14 CHAIRPERSON JAMES: If in fact this
15 storm did not meet the threshold to activate a
16 snow emergency, under what circumstance would you
17 active a snow emergency and/or a state of
18 emergency?

19 STEPHEN GOLDSMITH: Let me answer
20 your question in a couple of ways. First, we
21 acknowledge that a declaration of an emergency
22 would have been a helpful and constructive
23 catalytic event that would have improved the
24 response in this storm. The decision by the
25 Transportation and Sanitation commissioners to not

1
2 call a snow emergency was based on their informed
3 judgment at the time that it would have required
4 New York citizens to move their cars from snow
5 routes to secondary routes. That would have
6 adversely affected the snow removal proposition by
7 putting more cars in movement and further clogging
8 the secondary streets.

9 Our evaluation since that time, in
10 response, you've actually made, as I've
11 interpreted it, two related questions. The
12 second, I would answer, I think, as follows, which
13 is that we need to consider, and I think this is
14 what you're suggesting, a broader array of actions
15 that we would expect from the public, better
16 calibrated against an emergency declaration.

17 So, everyone who was involved in
18 this decision, the three commissioners were
19 thinking about snow emergency, meaning move the
20 cars off the snow routes. There were many more
21 things we could have done with a general emergency
22 declaration such as "don't move your car." We're
23 giving careful consideration to whether we need
24 new executive orders, whether we need additional
25 advice from the Council and we need a much clearer

1
2 protocol in City Hall and in the Administration
3 about who is involved and what decisions they
4 make.

5 So in response to your questions,
6 and I think suggestions, I think they're well
7 taken and we're in the process of evaluating so
8 that we don't get trapped in that situation again.

9 CHAIRPERSON JAMES: I would like to
10 move on now to the state of readiness. Salt
11 spreaders are usually ordered out early in a storm
12 for the purposes of reducing the accumulation of
13 snow and the prevention of icy conditions. When
14 was the order for salt spreaders given? Who made
15 that decision? Did there come a time when the
16 accumulation of snow became so great that it could
17 not be readily cleared with salt alone?

18 JOHN J. DOHERTY: Let me just go
19 back a step. As I indicated on Thursday, we had
20 the forecast that it was going to be a couple
21 inches. We weren't sure exactly what it was going
22 to be. We had then ordered personnel in for those
23 for Sunday afternoon, for Christmas day rather,
24 for salt spray. So we were bringing personnel in,
25 the spreaders were ready; we were set up to go.

11 As we went through the evening and
12 the storm started getting greater and the amount
13 of snow started to build and coming down quicker,
14 we found out from our field managers that the salt
15 was not effective. What I mean by that is when
16 the spreader completed its route and came back to
17 start that route again, there was a layer of snow
18 on there and it wasn't being melted.

We also had plows going through at the same time. So you lay the salt down and it's laying on the snow and then the plow is only pushing it off to the side, so it was not effective. Temperatures were dropping. We discontinued, for the 7 p.m. shift, the use of salt.

1
2 At 4:30 the next morning, we
3 reinstated salt spreading because at that point
4 the storm had gone down a little bit and there
5 wasn't as much snow coming down. The plows were
6 clearing the snow off the primary roadways and the
7 highways and salt became effective.

8 So there was a period of time when
9 we found it was not effective. It didn't make
10 sense to do it. Then when it became a period when
11 we thought it would be effective, we went back to
12 salting.

13 CHAIRPERSON JAMES: Commissioner,
14 as some point in the future, could you provide
15 this committee the form for plowing operations, a
16 summary. The form for salt receiving report, I
17 understand that there is a report. A report of
18 truck loads of salt unloaded in each borough and
19 each garage. I'd appreciate that. In addition to
20 that, also provide the form that you have with
21 respect to spreading operations. If I could have
22 a summary of those reports, I'd appreciate it.

23 I assume that when you said resume
24 salt operations that was reflected in a memo that
25 was given to the department, at 4:28 on December

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27th is that correct?

JOHN J. DOHERTY: Correct. That's the scan message that we sent out to the field at that point.

CHAIRPERSON JAMES: Commissioner Doherty, there are several plans that the Department of Sanitation, from what I understand, utilizes when there's a snow emergency: Plan A, Plan B and Plan C. Is that correct?

JOHN J. DOHERTY: That's correct.

CHAIRPERSON JAMES: I have here some memos which indicate that at 10:24, at 8:22 a.m., the garages and the superintendents and the supervisors were told to go to Plan A. Then I have a memo that says go to Plan B, on December 24th at 12:21. Then I have a memo at 3:27 on Christmas Eve that says go to Plan C. Could you please explain why there were these different instructions to the superintendents and to the men and women on the ground which may have caused the confusion?

JOHN J. DOHERTY: They're not confused. They understand. That's a standard plan that we've set up for many years, and it's

1 part of our snow fighting operation. You start
2 off by putting so many plows on your trucks.
3 That's the Plan A. Then as you get weather
4 reports that indicate there's going to be a great
5 amount of snow, you add more plows on.
6

7 Now, you have to remember, this was
8 the 24th, so what we did as a precaution, and we
9 were only looking at maybe three or four inches of
10 snow, we decided let's cover ourselves and we
11 added more plows to the trucks. So we got up to
12 our full Plan C. It had nothing to do with what
13 actually happened later on, on the 25th. We
14 didn't know that was coming. We planned, we
15 anticipated, if this gets worse, let's be
16 prepared. So we ordered them to keep dressing the
17 trucks up to Plan C.

18 CHAIRPERSON JAMES: Commissioner,
19 the next question requires for me to do a
20 demonstration. Commissioner, these chains were
21 once on tow trucks. They're made of steel. They
22 were not on the tow trucks during the blizzard.

23 JOHN J. DOHERTY: I don't believe
24 that's correct. I'm not sure what chains you
25 have, but we did have chains on our equipment

during the storm.

CHAIRPERSON JAMES: These are the chains allegedly you had on the tow trucks. They're made of aluminum and they broke, everywhere throughout the City of New York. When did we change the chains? When were chains put on tow trucks? Was this Deputy Mayor Goldsmith, was the policy changed to save money?

JOHN J. DOHERTY: There was no change. Those chains are no aluminum. They're a hardened nickel magnesium alloy. They have four extra cross chains on them, compared to the first chains you picked up, the link chains.

We first started looking at chains on a truck back in 2006. We called in the manufacturers of these chains to try and find out what's the best chain, what has been developed in the industry for better skid chains during snow operations. We finally decided that this type of chain, it's a flat chain, on our trucks would be a better type.

We found out that they have more traction and they hold better on the wheels over time. So we're very satisfied with them. They

1 had nothing to do with price. They're actually
2 about the same price, about \$50 each. So there's
3 no change in price. We just found that the
4 technology had changed and that was a better chain
5 to operate on a truck.
6

7 We did have the old chains in stock
8 and we were using them up. We didn't want to
9 throw them out because they still work. We had a
10 better chain and as we get rid of the old chains,
11 the new chains take the place.

12 CHAIRPERSON JAMES: The last
13 question, Commissioner, is: this is a picture of a
14 trunnion.

15 JOHN J. DOHERTY: Right.

16 CHAIRPERSON JAMES: Apparently,
17 according to a memo that I have in front of me,
18 which is date January 2nd, and it states as
19 follows. It's from the assistant chief of
20 equipment and facilities. After experiencing some
21 difficulties with plowing snow this past storm, we
22 will be adjusting the position of the new trunnion
23 plates attached to old plows. When did you become
24 aware that the trunnions were in the wrong
25 position? Why were they in the wrong position?

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What are we doing to correct trunnions?

JOHN J. DOHERTY: I don't accept they were in the wrong position. We started looking a couple of years ago at the problems we were having with storms. We get a lot of five, six inch storms and a lot of icing. We were not getting down. We were complaints: hey, you're not clearing the roadway as well as you should.

So we started examining that with one of the manufacturers of the plows and the people we deal with it. We found that by angling the plow a little bit more, and that has to do with the trunnion plate. You put a bolt in there how you angle the plow. We angle the plow a little bit more forward, got the cutting edge on the ground and that really cleared ice and snow off a lot better. We experienced that for a couple of seasons and we found it worked well.

In this particular storm, as the snow built up and we started to go into those secondary streets that had 20 plus inches in them, we found out the plow was tripping more. The plow is designed to trip. There's a spring in there that allows it to trip. So if it catches a metal

1
2 plate or a sewer, it trips forward. So that's
3 pretty standard.

4 With deep snow, we found it was
5 tripping a little bit more than it should. So we
6 decided, okay, we've got a deep snow here, we
7 might have another storm with deep snow, let's go
8 back to where we had it the first time where when
9 you get to deep snow it doesn't trip as much.

10 In fact, it didn't really make that
11 much difference. Yes, it slowed the people down a
12 little bit. But when you get into 20 inches of
13 snow, whether it's tripping a little bit more or a
14 little bit less is not going to matter. It's a
15 lot of snow for a plow, a straight plow to push
16 out of the way under these circumstances. But we
17 still felt, let's readjust it and go back and
18 rethink it.

19 CHAIRPERSON JAMES: Thank you.
20 Madame Speaker?

21 SPEAKER QUINN: Thank you very
22 much, Madame Chair. Let me just start first by
23 saying I appreciate the recognition that the
24 failure to either declare a snow emergency or some
25 type of city emergency, which is of course in the

1
2 Mayor's power, was something that was a problem
3 and that in my opinion was a mistake and should
4 have been called for.

5 I just want to add in to the
6 thinking; there's been much conversation about the
7 problem that would have been caused by people
8 moving their cars when there was snow and that
9 they would have gotten stuck. From my
10 perspective, when the National Weather Service
11 moved to a blizzard watch at 3:55 p.m. on
12 Christmas was the time when we should have started
13 about declaring the emergency.

14 Then when people were arriving home
15 from their family and holidays could have made
16 attempts to get their cars parked in different
17 places. People would have known earlier. I
18 believe the declaration of an emergency would have
19 helped kind of punctuate the holiday spirit the
20 city was in, in a way that would have gotten
21 people more focused.

22 I also want to be clear that
23 although the Council stands ready to help in any
24 legislative way needed to give greater powers as
25 it relates to different types of emergencies, I

1
2 believe you already have those and that you have
3 the ability to have a created a gradated state of
4 snow emergency had you chosen to take that path.
5 But I think this is a very positive recognition
6 for all of us moving forward.

7 Commissioner Bruno, I just
8 mentioned that on Christmas at let's just call it
9 4 p.m., the National Weather Service moved the New
10 York area to a blizzard watch. What is the
11 standard protocol for the Office of Emergency
12 Management Command Center? What is your timeframe
13 in which you activate and open the center after
14 the National Weather Service moves to a blizzard
15 warning? What's your rule of thumb with that?

16 JOSEPH F. BRUNO: Under the Winter
17 Weather Emergency Plan, we were doing quite a bit
18 of things.

19 SPEAKER QUINN: No, no, no, sir, no
20 what were you doing? Generally, what is the rule
21 of thumb, in the abject, if we were just having a
22 general conversation? What is the rule of thumb,
23 NWS goes to blizzard warning, when does the OEM
24 command center open? Is it a two-hour rule, a
25 four-hour rule? What do you do?

JOSEPH F. BRUNO: No, there's no rule that says within two or four hours.

SPEAKER QUINN: So what is the rule?

JOSEPH F. BRUNO: I'll try and tell you what we did, and that's--

SPEAKER QUINN: [interposing] Let me interrupt. What you did was waited 24 hours, as I understand it, until 4 p.m. the next day to open it. So what I'm trying to discern is do we need to add into the city's emergency plan some type of guidance to the OEM commissioner that would require him or her to open the OEM center earlier.

If there is no such guidance, I would ask the deputy mayor to consider that. It seems to me that 24 hours was simply too long to have waited since much of the testimony speaks of the recognition of a greater need to coordination. Since the OEM director is supposed to become the uber commissioner, so to speak and no respect to others, in these situations, had the OEM command center perhaps been opened earlier, we might have achieved that greater coordination.

So there is no practice? It's just totally up to your discretion, sir?

JOSEPH F. BRUNO: It's based on the facts that we have before us. So when we--

SPEAKER QUINN: [interposing] When did you open it last February? How long after the National Weather Service moved to a blizzard watch did you then open the OEM command center?

JOSEPH F. BRUNO: I'm not sure we had a blizzard warning in February. I don't think we did. Because we did not have the high winds in February.

SPEAKER QUINN: In February. So how long after the Weather Service said there would be high levels of snow did you open the command center?

JOSEPH F. BRUNO: We are looking at the forecast. In this particular case, the forecast was for the storm to become heavier around 5 p.m. the following day. That was the forecast at that time. In fact, that forecast came in after the blizzard warning. It said they updated their forecast at 8:00, which we are talking to them constantly. But I think that you

1 do have to understand a few of the things that
2 we're doing.

3
4 At 4:00, and prior to that, I was
5 already talking to all of the agencies. In other
6 words, a winter weather conference call was being
7 held. The steering committee was talking. At
8 3:55, the blizzard warning came out. So five
9 minutes later, we had the National Weather Service
10 on the line with our agencies talking about the
11 blizzard warning. In that conversation, we
12 indicated that we would open the Emergency
13 Operations Center at a certain time. We didn't
14 set an exact time then because we wanted to get a
15 further update. At 8:00--

16 SPEAKER QUINN: [interposing]
17 Commissioner, this conversation is about 24 hours
18 before, is that correct?

19 JOSEPH F. BRUNO: This was at 4:00
20 on--

21 SPEAKER QUINN: [interposing] The
22 day before.

23 JOSEPH F. BRUNO: On Saturday,
24 Christmas Day. At 8:00 that night, we held
25 another conference, and I was on all of these

1 conferences, with the National Weather Service.
2 They had indicated that there would be light snow
3 falling the following day, morning, and that we
4 would reach heavier amounts around 5:00.
5

6 SPEAKER QUINN: 5:00 the following
7 day?

8 JOSEPH F. BRUNO: Right. We
9 indicated to the agencies on that call that we
10 would open at 4:00 the next day. Just as an
11 aside--

12 SPEAKER QUINN: [interposing] Sir,
13 can I ask you a question just so I can understand?

14 JOSEPH F. BRUNO: Sure.

15 SPEAKER QUINN: So an hour is what
16 we need? Because you're now saying the National
17 Weather Service, which is data I didn't have, told
18 you that 5:00 p.m. on Sunday was kind of the
19 moment the snow was going to begin coming down
20 heavy.

21 JOSEPH F. BRUNO: Get heavier.

22 SPEAKER QUINN: So you chose to
23 open the OEM command center an hour before that.
24 I'm not an emergency expert, but an hour seems to
25 me not enough time to get everybody there and

1 fully focused in the way the command center does.
2
3 So in hindsight, do you think you should have
4 opened the center earlier and/or would you
5 consider adding into the snow protocol something
6 that triggers the center being opened an hour
7 before the moment at which the National Weather
8 Service says the snow is supposed to be coming
9 down at a level that is significant?

10 JOSEPH F. BRUNO: The people who
11 come to the Emergency Operations Center are
12 trained liaisons from each of the agencies.

13 SPEAKER QUINN: Yes.

14 JOSEPH F. BRUNO: They are fully
15 trained so it's a quick startup for all of them.
16 We oftentimes will open earlier than this
17 particular one. We had no problem getting any of
18 the people in. Every agency came. We were fully
19 operational. The more difficult snow began at
20 around that time in the afternoon. It did start a
21 little earlier than anticipated by the National
22 Weather Service, but in the end we had everyone
23 there operating.

24 It's my personal view, having done
25 this now for quite a while, that had I opened at

1
2 2:00 or 1:00 or at 12 noon, I don't think it would
3 have materially changed the operation of the
4 Emergency Operations Center. All of the people
5 there arrived and are fully capable of doing it.

6 I can agree with you that this is a
7 dynamic situation. You're getting weather
8 reports, you're making decisions, you have to
9 bring people in to get them from the agencies, and
10 you have to bring them in from wherever they are.
11 So we gave guidance early on the day before. Then
12 we looked at the National Weather Service guidance
13 at 5:00. We brought them in an hour before,
14 correct. Snow was falling. But we were in very
15 good condition to deal with that.

16 SPEAKER QUINN: Commissioner, with
17 all due respect, I mean, one of the things noted
18 in a lot of the testimony, and I want to be very
19 clear, I appreciate the frankness and the
20 directness because that's going to help us change
21 things. But some of the things that were
22 mentioned were we didn't have a full accounting
23 for how many tow trucks, emergency type vehicles
24 other agencies had, that we didn't early enough
25 engage other agencies in assisting us.

The Fire Commissioner, of his own admission, didn't activate the IMT team. You didn't pull the task force together until Monday, December 27th, by your own admission.

So although I appreciate the staff could get there, my point is that clearly, by the panel's own admission, there was a need for greater coordination. Had the command center been opened earlier and you been more directly at the helm, we might have more early recognized.

We don't know, but it seems a fair assumption we might have recognized earlier on that we needed to get an accounting of what tow trucks the PD had, that we needed to get the Parks Department activated earlier to assist, that Commissioner Cassano should think about reaching out to the IMT teams or reach out to the brush fire folks earlier.

All of that is about coordination, which is, with all due respect, your primary focus as the OEM director during a blizzard. I just think that, by your own admission, we need to find a way to trigger everybody into that office to review resources earlier on.

Now let me just ask, as I understand it, the call that went out for private help, for greater private help was at about 9:00 a.m. on December 26th, which was 30 hours after the blizzard call or whatever by the National Weather Service. Is that the typical timeframe in which we engage private contractors or is that usually earlier? Should it have been earlier, because, as I understand it, you indicated many of them were already engaged by the Port Authority?

JOHN J. DOHERTY: That is typical time that we start calling them when we see a snow storm like--

SPEAKER QUINN: [interposing]
Thirty hours?

JOHN J. DOHERTY: No, we start calling them in. We want to give time for our plows to open up the streets and start piling snow. In the past, we've always brought the contractors in. We use them at times to open up some streets if they become clogged with snow. We use them to haul snow. We use them for that type of work. We call them in about the same time.

In hindsight, as was pointed out by

1 the deputy mayor, we now have to look at being
2 more proactive and getting them in earlier

3
4 SPEAKER QUINN: Thank you,
5 Commissioner. Commissioner Bruno, back to you for
6 a second, at what point in the timeline did you,
7 kind of as the coordinator in the Office of
8 Emergency Management, realize that things were out
9 of control, not in the state that they were in, in
10 the February storm or in other storms of this
11 level, ones that either you were involved with or
12 going back and looking at the records you have a
13 sense of? At what point in the timeline did you
14 realize that things were unacceptable, to use my
15 word and the Mayor's word?

16 JOSEPH F. BRUNO: Let me just go
17 back a second. What we do in the EOC, we bring in
18 agencies and we put them into one location where
19 they can work issues, share information, and that
20 occurs as soon as you open up the Emergency
21 Operations Center. So it is not like we were
22 sitting there and just waiting.

23 SPEAKER QUINN: No, no.

24 JOSEPH F. BRUNO: We've got people
25 and we are working with them for their tactical

1 operations. I am coordinating, true, the agencies
2 that are there. But each agency has its own
3 tactical operations that it's doing. Sanitation
4 does, Fire does and others. So from the minute we
5 open up until I'd say around 12 to 1 or 2 in the
6 morning when we saw live reports of stuck
7 ambulances and other vehicles--

8
9 SPEAKER QUINN: [interposing] I'm
10 sorry, just which day, Commissioner?

11 JOSEPH F. BRUNO: We're talking
12 between the 26th and the 27th.

13 SPEAKER QUINN: Okay.

14 JOSEPH F. BRUNO: The storm was
15 already going pretty heavily and we saw that. So
16 we are throughout this storm starting to go,
17 talking to our agencies there and seeking
18 additional resources. In the Police Department
19 area, and the area of tow trucks, we are seeking
20 more of their tow trucks. In the Fire Department,
21 and other areas, seeking more of their capability,
22 getting all of their ambulances out. So this is
23 not some thing that just happens automatically.
24 The minute we start on this, that's the
25 coordination that happens. So I'm going to answer

your question.

SPEAKER QUINN: Okay.

JOSEPH F. BRUNO: Give me a second.

SPEAKER QUINN: I'm on a clock too. So I don't want to go over. I'll get in trouble with all these colleagues here.

JOSEPH F. BRUNO: So during that overnight, say around 1:30 or 2:00 in the morning, we were noticing, and I was involved in this, we were noticing more and more stuck ambulances. We immediately started to work and continued, it was really continued to work the process we had, but we intensified it. We put in the EOC Sanitation, PD and EMS together. They're right there. These are the key people we have there.

All right, folks, we're getting more and more reports. Here is where they are; get out there and get them. How are you doing? We're getting some removed, and we were, we moved quite a few. But we saw more getting stuck. Some that had already been freed were getting stuck again.

At that point, I realized we would need more resources. We were seeking those

resources all the time. It came about in the, you know, midday that I said we're just not getting on top of this and I need a better focus from these agencies. I need to get their top level people, who were in the agency command centers; I need to get them into the EOC. I created the task force.

That task force brought the right people from each agency into my EOC. It doesn't mean they couldn't do it from their own operation center.

SPEAKER QUINN: Right.

JOSEPH F. BRUNO: But I wanted them there. When we did it, as I've testified, we were able to knock out 120 ambulances and get them free. More did come, but ultimately we moved about 294 ambulances.

SPEAKER QUINN: As we just said, I think it's that fact in the testimony that is one people deserve credit for, but too, is kind of what I was taking note of.

JOSEPH F. BRUNO: I know that.

SPEAKER QUINN: Because it was clear that when there was focus, things happened. So just so I understand on that and I have to wrap

up because I've been given my time clock, that you realized things were not going as you would have liked, early in the morning of the 27th.

JOSEPH F. BRUNO: That's correct.

SPEAKER QUINN: Then later on, I think you said around 5:00 on the 27th, was when you had a sense that you needed more information from higher level people within the agencies and then the night of the 27th was when you activated the task force. Is that correct?

JOSEPH F. BRUNO: No.

SPEAKER QUINN: Okay.

JOSEPH F. BRUNO: I don't mean it's incorrect.

SPEAKER QUINN: No, no, no.

JOSEPH F. BRUNO: I want to just clarify it. We knew we needed more resources and we knew we needed more people in the EOC to assist us if it could not be done directly at the agency operation centers. We could see the problem was continuing to grow. So I decided, and we did this much earlier than 5:00, we asked them to come in. I spoke directly to PD higher ups. I spoke to the Sanitation commissioner. I spoke to the Fire

1
2 commissioner and said we're going to get on top of
3 this thing, but I need to have your people now in
4 the EOC.

5 SPEAKER QUINN: About when was
6 that, Commissioner?

7 JOSEPH F. BRUNO: I would say that
8 was before, certainly before 3:00.

9 SPEAKER QUINN: So what happened,
10 and this question may not be answerable here, but
11 I'll just kind of leave this question and then one
12 other point. What happened between 1:00 a.m. and
13 3:00 p.m. that somehow when you knew things
14 started going wrong at 1:00 a.m., we should look
15 back and we don't have to answer it now.

16 JOSEPH F. BRUNO: I can answer it
17 now.

18 SPEAKER QUINN: But let me finish
19 the question.

20 JOSEPH F. BRUNO: Sure.

21 SPEAKER QUINN: What didn't happen
22 that should have happened between 1:00 a.m. and
23 3:00 p.m. and what did happen and what were the
24 points of the actions between 1:00 a.m. and 3:00
25 p.m. that failed? I think we can't answer it

here, quite frankly.

STEPHEN GOLDSMITH: Ten seconds on each half of your question.

SPEAKER QUINN: Sure.

STEPHEN GOLDSMITH: First, under appreciated was that a declaration of emergency is a catalyst to a lot of action, action by the agencies, actions by citizens. It's not just a statement that people should or should not move their cars. That non-event did reduce the speed of action items, such as the one you suggested.

Two, I think what we can see, and in response to your last half of the question is that there are a lot of threads of information available to different agencies that were not brought together in a coordinated way fast enough with enough velocity to change the pace and nature of the city's reaction, and whether that was related to the first issue or not, both of those are under examination now.

SPEAKER QUINN: Thank you very much. I will just close with a suggestion to be considered that perhaps the higher level staff, and again, you don't have to answer this, but just

1 to be taken back for further consideration,
2 perhaps the higher level staff who eventually were
3 brought in should in fact be the staff who are
4 assigned to the OEM command center on a regular
5 basis. That they are, in fact, and no disrespect
6 to the quality of staff who were there before, but
7 if they are simply the level we need to get things
8 done, perhaps we should just change our protocol
9 and start with them there. Thank you.

11 JOSEPH F. BRUNO: You are correct.
12 I think is one of the things that Deputy Mayor
13 Goldsmith suggested.

14 SPEAKER QUINN: Okay.

15 JOSEPH F. BRUNO: I will do one
16 last thing. I do agree that we should have moved
17 more quickly, I should have moved more quickly on
18 the task force. I think I've said that pretty
19 clear.

20 SPEAKER QUINN: Thank you very
21 much, Commissioner. Thank you everyone on the
22 panel. Thank you, Madame Chair.

23 CHAIRPERSON JAMES: Council Member
24 Crowley? Council Member Vallone?

25 CHAIRPERSON VALLONE: Thank you.

1 Commissioner Bruno, based on your testimony, a
2 blizzard warning was given at 4:00 p.m., basically
3 right before you were on a conference call with
4 this Winter Weather Advisory Committee, which
5 frankly sounds like a Christmas special. I've
6 never heard of the thing, and I'm the Public
7 Safety Chair.
8

9 But you're about to have this
10 conference call. The blizzard warning that was
11 put in effect said strong winds, 16 inches and
12 higher in some areas, considerable blowing and
13 drifting that would take down trees and power
14 lines, extremely dangerous travel conditions due
15 to significant snow accumulations.

16 You get that warning. You have a
17 conference call with this Winter Weather Advisory
18 Committee and what you do is say let's chat again
19 at 4:00 p.m. tomorrow?

20 JOSEPH F. BRUNO: No, not at all.

21 CHAIRPERSON VALLONE: That's what
22 your testimony said.

23 JOSEPH F. BRUNO: No. At 4:00, we
24 got a blizzard warning, just before that, and we
25 held the Winter Weather Steering Committee.

1 That's part of our winter weather plan. That
2 includes the 30 plus agencies of government, some
3 of whom are here, some who are in the command
4 structure. They include additional entities like
5 not-for-profits. They are part of the agencies
6 that will populate the EOC. So getting real time
7 information about what's happening.
8

9 CHAIRPERSON VALLONE: On a
10 conference call?

11 JOSEPH F. BRUNO: That's the first
12 thing you do with them. You have a call so they
13 can understand and they can talk directly to the
14 National Weather Service as well and get the
15 forecast firsthand and ask some questions. Then
16 we agreed that we would open up the Emergency
17 Operations Center. The time was not set yet, but
18 at the 8:00 National Weather Service forecast
19 update, I called it for 4:00 p.m. the next day.

20 CHAIRPERSON VALLONE: So between
21 your 4:00 p.m. conference call right after the
22 blizzard warning, the next time you spoke to the
23 Winter Weather Advisory Committee, forget the EOC,
24 was 4:00 p.m. the next day, it was 12 hours later?

25 JOSEPH F. BRUNO: Actually, I held

another conference call with the same agencies--

CHAIRPERSON VALLONE: [interposing]
Actually 24 hours.

JOSEPH F. BRUNO: --at 12 noon the
following day, before they came in, to update them
again on what we were learning.

CHAIRPERSON VALLONE: You didn't
open up the command center until 4:00 p.m., with
everybody in the same room. That's why we have a
command center, right? I mean, we're facing one
of the worst blizzards to ever hit this city, but
we don't open up our command center, which is
supposed to coordinate the response to this major
catastrophe heading towards our city until 4:00.
That's what you're testifying?

JOSEPH F. BRUNO: Well that's what
time we opened it. We kept the agencies in the
loop. We explained to them what was happening.
We asked them and go through a whole series of
things they have to do as agencies to be prepared.
Get them in there, all of them arrived. As this
storm progressed, we operated as we generally do
through the EOC.

CHAIRPERSON VALLONE: I think we

1 all agree that was too late. Now, the snow
2 emergency, quite frankly, the reasons I've heard
3 today that you didn't call one are preposterous.
4 I've heard that it would be more traffic and more
5 people would get stuck in the snow. If you had
6 declared it at 6:00 on Sunday, there would be no
7 more traffic and nobody stuck in the snow. You
8 could have declared it up to noon the next day and
9 nobody would have been stuck on the snow. I drove
10 my kids home at 12 noon on Sunday and I made it
11 fine, because no one would have gotten stuck in
12 the snow.
13

14 Number two, the other reason I
15 heard was that the Sanitation commissioner
16 testified that it would not have kept cars from
17 being snowed in on smaller streets. Who cares?
18 That's irrelevant. I've also heard that it
19 wouldn't have helped. It's hard for me to believe
20 that the only power, the main power that a snow
21 emergency gives you would not have helped during a
22 snow emergency. So those reasons are
23 preposterous.

24 Now, without going back into why we
25 did that, let's determine who made that decision.

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2 commissioner to respond to his observations about
3 whether that emergency would have been appropriate
4 to call late Sunday or early Monday in a
5 conversation between himself and later with
6 Commissioner Bruno.

7 CHAIRPERSON VALLONE: I'd love to
8 hear that, Commissioner Cassano. Just give me a
9 second, because I still want to get to who made
10 the decision. The Charter dictates that when the
11 Mayor is out of town, the power devolved to the
12 public advocate unless there's an executive order
13 in place, and there is. That executive order
14 gives power first to the first deputy mayor and
15 then to you, deputy mayor of operations.

16 We know that the mayor was out of
17 town and so were you. Frankly, by me, that's
18 fine, it's Christmas Day. You're allowed to go on
19 vacation. Whether or not we should know you're
20 away is a topic for another day. But you were
21 away and he was away. It was First Deputy Mayor
22 Patty Harris in town during the storm.

23 STEPHEN GOLDSMITH: I'm not trying
24 to avoid your important question. I'm trying to
25 suggest there wasn't a process that nomination

25 JOHN J. DOHERTY: I mean there's no

1 question about it. As the mayor and I both
2 pointed out on the press conference on the 25th,
3 we pointed out that people should keep their cars
4 off the road. That's something we've always said.
5 We know that's a problem. We want the roads to
6 ourselves. During this storm, people got stuck,
7 they had accidents and there were delays.
8

9 CHAIRPERSON VALLONE: Commissioner,
10 would it also have been helpful to you if perhaps
11 nonessential offices were closed?

12 JOHN J. DOHERTY: I'm not sure what
13 you mean by that.

14 CHAIRPERSON VALLONE: City offices
15 were kept open as far as I know. Private
16 businesses were not ordered or even suggested to
17 be closed. Would any of that have been helpful to
18 you in clearing the streets?

19 JOHN J. DOHERTY: This was a
20 Christmas weekend. Most people were off that
21 weekend and business was closed.

22 CHAIRPERSON VALLONE: The lack of
23 plowing not only occurred Sunday evening but all
24 day Monday and most of the day Tuesday, so people
25 were back to work. I assume it would have been

1 helpful to you to not have people going back to
2 work and being stranded in their cars and stranded
3 in their trains. Again, that was not done.

4 Deputy Mayor Goldsmith, on page
5 five of your testimony, you state that you had
6 more Sanitation workers. Actually, your testimony
7 says Sanitation workers actually increased because
8 we hired a class of 100 Sanitation workers and
9 that's the first new class you've hired in two
10 years. Increased from what? What is your
11 attrition, your yearly attrition in the Sanitation
12 Department?

13
14 STEPHEN GOLDSMITH: Let me explain
15 my testimony and then maybe Commissioner Doherty
16 would like to provide additional detail. The
17 number of personnel present on an average shift
18 manning the snow plows and other equipment on
19 December 26th, 2010 was 2,494. That's per shift.
20 So that's just a little less than 6,000 on the two
21 shifts.

22 Over the time from 1996, it was
23 2,356. In 2000, it was 2,490. The high point was
24 in 2005 when it was 2,560. The low point was
25 February 2010, when it was 2,239. So there had

1
2 been attrition down from the top points of the
3 department. We hired 100 to get back close to
4 6,000 total for the two shifts. The commissioner
5 used some creative staffing to put administrative
6 folks on some of those trucks.

7 CHAIRPERSON VALLONE: Thank you.
8 I'm being handed notes that I have to finish up,
9 so I have to finish you up, so I don't want to be
10 rude. So clearly the increase you're talking
11 about is just the 100 workers. But you were down
12 Sanitation workers from the last time of a storm
13 of this magnitude. You said creative staffing.
14 Who was placed in positions of, say, plowing that
15 normally would not have in the past, for you to be
16 able to maintain the same number of plows on the
17 streets?

18 JOHN J. DOHERTY: I'd like to
19 answer that, sir. We used our Sanitation police
20 officers which we haven't used in the past to
21 drive plows. That boosted it. We also really
22 thinned out our support staff where we could find
23 them, to get them out in the street and drive
24 plows.

25 CHAIRPERSON VALLONE: What would

1
2 they normally be doing during a storm if they
3 weren't driving plows?

4 JOHN J. DOHERTY: Well, the
5 Sanitation police officers might be out there
6 doing traffic control, assisting with traffic
7 control at different locations. The
8 administrative personnel may be doing some
9 clerical work or other supervisory jobs. We opted
10 to use them more in line with the snow operation
11 of plowing snow. We kept them there.

12 I think the other thing to
13 remember, too, when you look at the headcounts at
14 various points, that we were at a period there
15 that was no vacations. We have two weeks each
16 year where there's no vacation. So vacation
17 hasn't kicked in. So when one looks at last
18 year's February storm and starts to try and
19 calculate numbers, you've got to adjust for the
20 vacation period. Although, we do call people in
21 on vacation when it snows but I'm not going to go
22 into that right now.

23 CHAIRPERSON VALLONE: I've clearly
24 got so many follow-up questions on all of those
25 topics, but I want to make sure we get to my

1
2 colleagues. I'm just want to end on the salt
3 question. On page two, Commissioner Doherty, you
4 said you deployed 1,751 plows and 365 salt
5 spreaders to assigned routes on the city's
6 highways, primary, secondary and tertiary roads.
7 That's a nice way of writing it, but clearly that
8 didn't happen. You may have assigned them but
9 they weren't out there. No one saw a salt
10 spreader anywhere on the side streets of Queens or
11 most of the other boroughs.

12 Now, we're finally hearing for the
13 first time that you stopped those salt spreaders.
14 I had a memo a week ago which said you resumed
15 spreading salt at 4:30 a.m. Today, we're hearing
16 that you stopped it; I believe you said, at 7:00
17 p.m.

18 JOHN J. DOHERTY: Yes, sir.

19 CHAIRPERSON VALLONE: So, for the
20 duration, almost the duration of one of the worst
21 blizzards to ever hit the city, we fought it with
22 one hand behind our back. We did not spread salt
23 during one of the worst blizzards to ever hit the
24 city. Is that correct?

25 JOHN J. DOHERTY: No, sir. We

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CHAIRPERSON VALLONE: So then why--

JOHN J. DOHERTY: [interposing] And the field managers says they're not effective and we cancel it.

CHAIRPERSON VALLONE: I'm sorry I'm interrupting; it's just a time limit. Why then did you resume spreading salt at 4:30 a.m., presumably the height of the storm and the height of the snow accumulation during the storm?

JOHN J. DOHERTY: At that point, we were getting to a point where we were clearing the roadways and then the salt would become more effective. So that's when we put it back into the operation.

CHAIRPERSON VALLONE: Again, not based on the eyes and ears of 8 million New Yorkers. I'd love to follow up, I can't. Let me now go back to Chair James.

CHAIRPERSON JAMES: Thank you.
Council Member Crowley?

CHAIRPERSON CROWLEY: Thank you, Madame Chair, thank you, Madame Speaker. I think what we've learned so far from the testimony from the Deputy Mayor and the various different

1
2 commissioners is that there was a clear lack of
3 communication between different city agencies.
4 There was a lack of response to the state of
5 emergency that we had on our hands. Even though
6 it was a holiday weekend and maybe the
7 commissioners and the deputy mayors may have been
8 in holidays. But our city doesn't sleep. Our
9 city always moves and keeps moving.

10 That Monday, my office was office.
11 My City Council office and many of my colleagues
12 had their office open. We were inundated with
13 calls. Our staff, most of the staff that could
14 get there had to walk there on foot, but we made
15 sure that in front of our office that we also
16 shoveled the sidewalk.

17 Council Member Vallone alluded to
18 the saying that we kept hearing over and over
19 again when we had the television on, from the
20 media, from the Mayor, the Deputy Mayor, about
21 primary streets, secondary streets and tertiary
22 streets. Well, the people in Queens, we thought,
23 based on what we saw, were that primary streets
24 were just the streets in Manhattan. Many of my
25 colleagues from the outer boroughs felt the same

1 way.

2
3 Now, as I continue with questions,
4 I want to focus mainly on my committee, which is
5 Fire and Emergency Services. My first question is
6 for the Fire Commissioner. What was the longest
7 an individual had to wait in an emergency
8 situation?

9 There was a story on the media that
10 there was a woman who was 22, a woman that Council
11 Member James is friends with, that was seemingly
12 healthy and she called for help. She was in
13 labor. For over nine hours, what the media is
14 reporting, this woman had to wait for emergency
15 help, walking herself or trying to walk herself to
16 a hospital. Then delivering a baby in a portal of
17 a building, a baby that should have seemingly be
18 healthy, but what for the ordeal the woman had to
19 go through, was born dead.

20 What was the longest response?
21 What was the actual response to this particular
22 emergency situation? Can you please answer that
23 question?

24 SALVATORE CASSANO: First of all,
25 our sympathies are all out to that young woman.

1 For that particular case, it is under
2 investigation and I'm not at liberty right now to
3 discuss it.
4

5 CHAIRPERSON CROWLEY: Commissioner?

6 COUNCIL MEMBER VANN: Point of
7 personal privilege, if I might, on this particular
8 case? No? Okay.

9 CHAIRPERSON CROWLEY: Commissioner,
10 in your testimony you stated the response time for
11 firefighters, fire trucks, apparatus in emergency
12 situations where you had structural fires. But is
13 that actually the response time? At what point do
14 you start measuring it?

15 Sorry, there's a little commotion
16 behind me. That woman who happened to need
17 emergency help, that happened in Council Member
18 Vann's district, however the woman is a friend of
19 Council Member James. That's the commotion that's
20 going on behind me, just to clarify. If you
21 could, just note that for the time.

22 Back to the story, there was a
23 five-alarm fire in Elmhurst. I mentioned it in my
24 opening statement. I understand that it took over
25 20 minutes or even longer for the first due

1
2 company, engine company to actually find a fire
3 hydrant, before they even were able to get that
4 fire apparatus, that hose onto the fire to fight
5 that particular fire.

6 So my question is: from your
7 testimony, you state response times to fires,
8 structural fires, but can you actually tell me
9 when you start counting that response time? Is it
10 when the firefighter actually starts putting water
11 on the fire? Is it when a firefighter says: okay,
12 we've identified where the fire is, but we're two
13 blocks away and we really can't get that close for
14 another 10 or 20 minutes?

15 SALVATORE CASSANO: As we have
16 always measured our response times, it's the time
17 that the call comes into our dispatch office until
18 the first unit is on the scene. The response time
19 to that fire on Judge Street was 14 minutes. Now,
20 the response time means that the first unit got on
21 the scene. Now, they were met with very arduous
22 conditions. The streets were blocked with cars,
23 they were bound with snow. So from the time the
24 first unit got on the scene was 14 minutes, but
25 naturally they were looking for hydrants, which

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1 where I live, there was an ambulance on what I
2 would consider at least a secondary street stuck,
3 for hours and hours. When the Deputy Mayor spoke
4 earlier, or Commissioner Bruno, I forget exactly
5 who it was, but they said that ambulances weren't
6 stuck for long periods of time. From my own eyes,
7 I saw that that ambulance was probably there for
8 at least 20 hours.
9

10 SALVATORE CASSANO: I don't think
11 that's what Commissioner Bruno said, or the Deputy
12 Mayor or myself. We had ambulances that were
13 stuck for hours. We had other ambulances that
14 were stuck for five minutes and then they would
15 get out. But make no mistake about it, there were
16 ambulances that were stuck for very long periods
17 of time and that we were working very hard to try
18 to get them out with tow trucks. Then the task
19 force was formed on Monday afternoon, which really
20 helped clear up the problem pretty quickly.

21 CHAIRPERSON CROWLEY: Right.
22 Commissioner, who orders these ambulances? Do you
23 continuously use the same model bus year after
24 year?

25 SALVATORE CASSANO: We've looked at

1 all different types of ambulances. You know, from
2 our fleet maintenance, we have an apparatus
3 committee that looks at them. We've looked at
4 different types of vehicles all along. These are
5 the ones that have worked with us in the past.
6 This storm, just for whatever reason, we had many
7 more ambulances stuck, and last year's storm we
8 didn't have as many.

10 CHAIRPERSON CROWLEY: Why didn't
11 these ambulances have apparatus on the tires, such
12 as tire chains that Chair James had with her
13 today? Why couldn't we make sure that when a fire
14 truck was getting stuck that they were able to get
15 themselves out, they had the equipment, why
16 couldn't we ensure that the ambulances had the
17 same type of equipment?

18 SALVATORE CASSANO: Well, we've
19 used chains on fire trucks for a long period of
20 time. On the ambulances, the last time we used
21 chains was during the 1996 blizzard. The damage
22 that the ambulances received because the chains
23 would break, it would compromise their passenger
24 compartment, it would tear up the brake system, it
25 took us much longer to get our ambulances back in

1 service because of those chains.

2
3 Now, we looked at the situation and
4 we tried to find different chains. There's a flat
5 chain that we've ordered. We hope to have it in
6 by tomorrow and pilot it during this next snow
7 storm to see if it does the damage or if it'll
8 work. Hopefully, they'll be on our rigs for this
9 next snow storm that's impending on Tuesday
10 night/Wednesday.

11 CHAIRPERSON CROWLEY: Commissioner,
12 were you apart of the conversation that
13 Commissioner Doherty was having with the
14 Department of Sanitation or the Deputy Mayor in
15 terms of calling for a state of emergency?

16 SALVATORE CASSANO: No, not in that
17 particular conversation. But what happened is my
18 command chief got a call sometime around 2:00.

19 CHAIRPERSON CROWLEY: I'm sorry.
20 Who was your command chief?

21 SALVATORE CASSANO: It was Chief
22 Boyce at the time. Then we had Chief Peruggia
23 also on the EMS side. They got a call around
24 2:00, in that vicinity: do we concur with OEM
25 calling a state of emergency? Neither one of them

1
2 made the decision. It went up to the chief of the
3 department. Based on the conditions that we had
4 at the time, he says the department concurs. The
5 chief of the department emailed me, and I agreed.
6 We said that if they wanted to declare a state of
7 emergency, we were for it.

8 CHAIRPERSON CROWLEY: Did you
9 stress that you had ambulances getting stuck in
10 the snow?

11 SALVATORE CASSANO: Yes, we did.

12 CHAIRPERSON CROWLEY: And that you
13 had unusually high call volumes in your 911 call
14 taking centers?

15 SALVATORE CASSANO: Yes, we did.
16 We relayed all the facts of why we thought it
17 would be helpful.

18 CHAIRPERSON CROWLEY: Now, did you
19 have enough staff in the call taking centers?

20 SALVATORE CASSANO: We kept extra
21 staff on and we beefed it up. We got as many
22 people as we could. We held over people. So we
23 thought we had a sufficient amount, but you know
24 the calls overwhelmed everybody.

25 CHAIRPERSON CROWLEY: It was a

1 Sunday into a Monday; we didn't call a state of
2 emergency. Did you have the same amount of people
3 you would have on an average day? Did you have
4 less or did you have more?

5
6 SALVATORE CASSANO: No, we kept the
7 tour over. We kept the people that were going off
8 on Sunday into Monday.

9 CHAIRPERSON CROWLEY: This is the
10 call taking operators?

11 SALVATORE CASSANO: On the
12 emergency medical dispatch. I don't run 911. But
13 on the emergency medical dispatch we kept over
14 call takers.

15 CHAIRPERSON CROWLEY: Okay. Do you
16 know how many people were pronounced dead during
17 the time, by FDNY or EMS emergency calls?

18 SALVATORE CASSANO: No, I don't.

19 CHAIRPERSON CROWLEY: Does the
20 Deputy Mayor have a number of how many people died
21 during the storm, of deaths that could have been
22 avoided?

23 SALVATORE CASSANO: Wait a minute,
24 that's two different questions. You asked for
25 total amount of deaths and deaths that could have

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CHAIRPERSON JAMES: I would like to recognize State Senator Malcolm Smith who's in the audience. We've also been joined by Public Advocate Bill de Blasio. The commotion that you heard in the back was that the young lady who lost her child was a friend of mine. It happened in Council Member Al Vann's district. But the issue that Council Member Vann had was why was it not designated a priority. I recognize that that case is under investigation. It's rather ironic because today is the funeral of the infant. At this time, we turn it over to Council Member Jumaane Williams.

CHAIRPERSON WILLIAMS: Thank you very much. First, I just want to say pardon if I sound rude, but I have a time limit, so I will try to get directly to the answers with a minimum amount of words as possible.

I'm very much interested in the communication. So what you're getting there now is an organizational chart for the city. For the purposes of here, I'm going to be talking about the Mayor, Deputy Mayor Goldsmith and the agencies that are involved.

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2 My first question is who is
3 responsible for the minute by minute decisions
4 that needed to be made on Saturday and parts of
5 Sunday when the Mayor was out of town?

6 STEPHEN GOLDSMITH: Each
7 commissioner was responsible for his or her
8 decisions.

9 CHAIRPERSON WILLIAMS: Okay. So
10 from what I understand, this lack of snow
11 emergency was made by Commissioner Sadik-Khan and
12 Doherty. Correct?

13 STEPHEN GOLDSMITH: Correct.

14 CHAIRPERSON WILLIAMS: Did they
15 inform the Mayor of that, or did they inform you
16 of that?

17 STEPHEN GOLDSMITH: They didn't
18 inform either of us of that.

19 CHAIRPERSON WILLIAMS: So neither
20 the Mayor nor you made the final decision on not
21 making a snow emergency call?

22 STEPHEN GOLDSMITH: Correct.

23 CHAIRPERSON WILLIAMS: Was anyone
24 aware of local emergency and that option?

25 STEPHEN GOLDSMITH: I'm unaware

1
2 that it was discussed or considered until brought
3 up by the Fire Commissioner in the 2:00 or 3:00
4 a.m. on Monday morning.

5 CHAIRPERSON WILLIAMS: On Tuesday,
6 I actually asked for a state of emergency to be
7 called. On Monday or Tuesday, under the law, we
8 could have called a local emergency and asked for
9 them not to move the cars, but just prevent other
10 cars from coming on. Is that right?

11 STEPHEN GOLDSMITH: Yes.

12 CHAIRPERSON WILLIAMS: So why
13 didn't we do that on Monday and Tuesday, assuming
14 we made a mistake not doing it on Saturday and
15 Sunday?

16 STEPHEN GOLDSMITH: Maybe I'll ask
17 Commissioner Bruno to respond, who was in that
18 discussion. Let me just say carefully though that
19 conditions, by the time that was considered, were
20 substantially different than the conditions at the
21 time that it should have been. I just want to
22 separate. We recognize that a decision utilizing
23 that power made earlier would have been prudent
24 and triggered a set of better responses. That's
25 question one. Question two, it should have still

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CHAIRPERSON WILLIAMS: Not the snow

JOSEPH F. BRUNO: The discussion

CHAIRPERSON WILLIAMS: I'm sorry,

JOSEPH F. BRUNO: Answering that

CHAIRPERSON WILLIAMS: Why didn't

JOSEPH F. BRUNO: That discussion

1
2 did have. I think in the summary statement of
3 that, we had discussions in the overnight about
4 whether we need a state of emergency to tow
5 vehicles off the main streets and the answer to
6 that was we did not. We did that with the Law
7 Department and others, and we decided did not, so
8 we allowed the towing of vehicles.

9 CHAIRPERSON WILLIAMS: I'm sorry.
10 So it seems like there was never a discussion
11 about that.

12 JOSEPH F. BRUNO: Not on anything
13 you suggested about Tuesday.

14 CHAIRPERSON WILLIAMS: Okay. When
15 was the Mayor, or the Deputy Mayor, first briefed
16 on what was going on and the decisions that were
17 being made?

18 STEPHEN GOLDSMITH: There were lots
19 of discussions going on. The words "briefed us"
20 connotes one type of discussion the Mayor was in
21 and all three commissioners can talk about that.
22 But there were regular emails; there were
23 occasional phone calls, reports about the status
24 of the snow fight or the weather. There was no
25 organized conversation about whether or not to

1 declare an emergency though.

2 JOSEPH F. BRUNO: I had been
3 communicating with the Mayor from the very
4 beginning of our consideration of the weather.
5

6 CHAIRPERSON WILLIAMS: Wait a
7 minute. I was just told that he was not told
8 about not calling a state of emergency.

9 JOSEPH F. BRUNO: That's correct.
10 I'm just going to tell you what I did communicate
11 with him about.

12 CHAIRPERSON WILLIAMS: Okay.

13 JOSEPH F. BRUNO: On Christmas Day,
14 less than a hour after the blizzard warning, I
15 advised the Mayor of the conditions that were
16 happening and that the warning had been issued.
17 He communicated back to me within an hour.

18 CHAIRPERSON WILLIAMS: So, just so
19 I'm clear, neither the Mayor nor the Deputy Mayor
20 knew about the call. It was the two commissioners
21 who made that call and did not inform their higher
22 ups.

23 JOHN J. DOHERTY: That's correct,
24 sir.

25 CHAIRPERSON WILLIAMS: Okay. There

1 was an EMS chief who was demoted. The reasons
2 that were given were that he did not sound the
3 proper alarm; he did not give the information
4 needed. If that is the case, it sounds like many
5 of the commissioners did not give the information
6 needed and did not sound the proper alarm. Did
7 the Mayor have the accurate information needed
8 from Monday to Tuesday?
9

10 STEPHEN GOLDSMITH: This is an
11 important question, and I would say as of the time
12 of the news conference on Monday, midday, the
13 Mayor did not have the information he deserved.
14 It was fragmented, it was distributed, it wasn't
15 coordinated and it wasn't properly presented to
16 him in a way that would have given him a true
17 picture of the situation. That was my mistake and
18 others.

19 CHAIRPERSON WILLIAMS: So why was
20 there only one person demoted?

21 STEPHEN GOLDSMITH: All of us are
22 eager to be accountable to the public. We're
23 going through our individual agencies to find
24 points that can be increased or repaired or
25 restored and we're continuing to evaluate the

situation.

CHAIRPERSON WILLIAMS: According to this, I believe OEM reports to the Fire Department. Does OEM, in this kind of situation, control all of these agencies and then supposed to report to the Deputy Mayor, who reports to the Mayor? Or were these agencies going directly to the Mayor?

STEPHEN GOLDSMITH: I'll let Joe respond for OEM. They don't report to the Fire Department. Essentially, what we have here is a Mayor who's chosen highly competent professional administrators who operate their agencies and are free to communicate to the Mayor or to me in situations where they feel that's necessary. There is no prohibition by the Mayor about chains of command. He's open and available all the time by phone if we need him. So this process was not one where Commissioner Bruno was trying to monopolize the conversations or prevent others from talking to the Mayor me.

CHAIRPERSON WILLIAMS: What are you responsible for during these four days that Commissioner Bruno is not?

1
2 STEPHEN GOLDSMITH: I've been
3 working on the answer to that question since the
4 day of the event, to tell you the truth. We have
5 a snow fighting team that has operated efficiently
6 and correctly 70 straight times. It has 70 wins
7 in a row until Christmas Day. That was the
8 predicate for the decision-making process. We've
9 seen it under stress on the Christmas blizzard,
10 and I've learned some things from that, and I
11 would view my role going forward as being actively
12 involved in the coordination of issues across the
13 agencies.

14 CHAIRPERSON WILLIAMS: So, just so
15 I clarify, because it sounds to me that I
16 understand, from everything that was said in the
17 previous conversations, the Mayor is in charge 365
18 days of the year, but there was no one person who
19 was responsible for the minute to minute decisions
20 on the Saturday and Sunday when he was out of
21 town. Is that correct?

22 STEPHEN GOLDSMITH: Well, each
23 individual here was responsible for minute to
24 minute decisions: EMS requirements, emergency
25 management determinations and snow removal.

1
2 Bringing those things together in a better
3 fashion, some of that is OEM, but on the
4 operational side to the extent, I mean it really
5 goes back, Councilman, to the original set of
6 questions which is had there been a declaration of
7 emergency it would have catalyzed cross agency
8 resource sharing, which didn't occur and in the
9 future it will occur irrespective of whether there
10 is an emergency declaration or not. We take
11 responsibility for that.

12 CHAIRPERSON WILLIAMS: So, just so
13 I'm clear again, there was no deputy mayor,
14 including yourself, and no one commissioner,
15 anyone there, who was responsible for minute to
16 minute decisions during this whole crisis?

17 STEPHEN GOLDSMITH: I'd give the
18 same answer again. Commissioner Doherty?

19 JOHN J. DOHERTY: I think the
20 Deputy Mayor is correct. I mean, the minute to
21 minute decisions, the Mayor has put the
22 responsibility of managing snow in my hands, in
23 the department's hands. We in Sanitation were
24 making minute to minute decisions.

25 One can question whether the

1
2 decision on the emergency for the traffic, for the
3 emergency street was right or wrong. A decision
4 was made, based from experience, the right
5 decision. One could always question that. But as
6 far as the department was concerned, we were
7 coordinating with other agencies to assist us in
8 our operation. That was the plan.

9 To the degree it worked, it worked.
10 To the degree that we didn't clear the blocks as
11 quickly as one would like, it didn't work,
12 absolutely. I am concerned about that, I'm upset
13 about it, and it's not the way this department has
14 handled storms in the past.

15 STEPHEN GOLDSMITH: We have a
16 situation essentially where the process is an
17 escalation of issues. So, if Commissioner Doherty
18 sees an issue and wants help, he escalates it to
19 the Mayor or me. It relies on professional
20 judgment of folks to do that. We will better
21 organize those conversations going forward and try
22 to create a little better cross agency
23 communication.

24 CHAIRPERSON WILLIAMS: I have two
25 quick questions. Commissioner Cassano, did you

ask for there to be an emergency declaration?

SALVATORE CASSANO: At about 2:00 in the morning, we had gotten a call from OEM to say do we concur with a state of emergency being declared. Based on the amount of ambulances we had stuck, based upon our extended call time, we concurred that if OEM wanted to declare a state of emergency, we would concur with it, I agreed. I did not ask for it. We got a call and we said--

CHAIRPERSON WILLIAMS:
[interposing] Which day was that?

SALVATORE CASSANO: Sunday night into Monday, around 2:00 or 2:30 in the morning.

CHAIRPERSON WILLIAMS: Thank you.
My last question has to do with other communication. I know you're putting these SCOUTs out now, which there are a lot of good recommendations; I don't think that was one of them. Many of us on the ground were telling people what was going on. Deputy, Commissioners, inter-government people, what was happening to the information that we were providing to the Administration, to the Sanitation? How was that supposed to get to the Mayor? Where did it stop?

1
2 JOSEPH F. BRUNO: The information
3 that was being provided through the Council
4 Members in particular was coming directly into the
5 EOC. The one thing I'd like to just say with
6 regard to command, the Emergency Operations Center
7 had the command center in there. It had Police
8 Department, Fire Department, Department of
9 Transportation, the Sanitation Department and OEM
10 there. That is the command structure that we have
11 to manage an emergency. It's the same system we
12 use for any type of emergency, only the players
13 change. The information you all were giving us
14 was coming directly in to us. Before we started
15 the task force, it was being given over directly
16 to Sanitation operations, PD operations, and we
17 were putting it out the same way the information
18 we were gathering through our own resources.

19 CHAIRPERSON WILLIAMS: So how did
20 the Mayor not have that information and continue
21 to say that the streets were 100 percent plowed?

22 STEPHEN GOLDSMITH: As I picked up
23 the phone and listened to several of you on
24 Monday, it became increasingly clear that the
25 information from folks actually on the ground and

1 saw the conditions were not consistent with the
2 reports that we were receiving from official
3 reports from the department. I think in
4 retrospect, we were too slow to organize that
5 information. One of the reasons we have these
6 accountability checks in my report today is we
7 need to have the reports from the supervisors but
8 we need to also integrate reports from citizens
9 and Council Members and the GPS information and
10 the Snow SCOUTs.
11

12 To the extent your questions
13 suggest that we should have reacted more quickly
14 to the information coming in from neighborhoods
15 and from members of the City Council, the answer
16 is absolutely yes.

17 CHAIRPERSON WILLIAMS: I have to
18 wrap up now, to give my colleagues an opportunity.
19 I do have some more questions. We did hand out a
20 questionnaire about this. Hopefully, we'll be
21 able to provide to this to you tomorrow as the
22 Council Members wrap up. I want to thank you for
23 the testimony.

24 I am troubled that there was no one
25 person responsible for the minute to minute

decisions, as well as there was somebody who was demoted for what it seems like everyone did.

Thank you.

CHAIRPERSON JAMES: Due to the large number of Council Members who want to ask questions we are, as I stated earlier, we're going to try to follow a protocol that allows everyone to participate. So I will ask the members to keep to one question with some reasonable follow-up as needed for each panel. But before we do that, Council Member Crowley has a follow-up question.

SPEAKER QUINN: I just want to note the discussion that occurred when Chair Crowley was asking her questions took about a minute and a half away from her questions, so we're going to add two minutes back on the clock. We apologize, Madame Chair, for that disruption.

CHAIRPERSON CROWLEY: Thank you very much, Madame Speaker.

SPEAKER QUINN: Set the clock at two minutes please. Let's just set it, Chair, before you start.

CHAIRPERSON CROWLEY: This question may be for Commissioner Cassano or it may be for

1 the Deputy Mayor since the Mayor is not here
2 himself to answer it. There was some talk about
3 Chief Peruggia being demoted. It happened. You
4 know, the Mayor said it himself. We're curious
5 here as a Council because he's not responsible.
6 The responsibility of declaring a state of a snow
7 emergency does not fall on his shoulders. So why
8 was he the fall guy, or why was he the one that
9 demoted out of all the people to be demoted in the
10 city?
11

12 SALVATORE CASSANO: Well, nobody
13 questions the hard work that Chief Peruggia did or
14 the EMS command did. But looking at our
15 operations before, during and after the snow
16 storm, there are some changes that have to be
17 made. In consultation with the Mayor, we both
18 felt this was a good time to change the leadership
19 and just change procedures at the same time.

20 CHAIRPERSON CROWLEY: So,
21 Commissioner Cassano, did it have anything to do
22 with his performance or did it entirely have to do
23 with his performance during the snow storm?

24 SALVATORE CASSANO: It has
25 something to do with his performance during the

snow storm, but there were other factors involved.

CHAIRPERSON CROWLEY: Okay, thank you. Then lastly, my question is probably for the Deputy Mayor. Did budgetary concerns impact the way the city responded to this storm? Yes or no?

STEPHEN GOLDSMITH: No.

CHAIRPERSON CROWLEY: So there was no delay in calling the Department of Sanitation workers in, letting them know Christmas Day that we were going to have a severe blizzard and making sure that we had enough staff and we had enough equipment lined up to respond to this snow storm? There was no delaying in action?

JOHN J. DOHERTY: There was no delay. In fact, I'm quite proud of the response we got, considering we were calling additional people in on Christmas Day when most people are out with their families enjoying and playing with their children. We called them and they responded. They were in at 7:00 a.m. on Sunday morning and worked through that day and into that evening, long hours.

CHAIRPERSON CROWLEY: Right. In all fairness, Commissioner Doherty--

JOHN J. DOHERTY: [interposing]

Yes.

CHAIRPERSON CROWLEY: --in the past, when we are expecting a large snow blizzard, isn't the media invited to see the fleet of trucks that we have ready the night before the snow storm hits? Like on the cover of the New York Times on Saturday, you saw a picture of all the trucks lined up ready to go out for a snow storm. We didn't see that Christmas Day. It wasn't on TV; it wasn't in the media as we have usually seen in the past.

So for many of the people that I represent, they felt that the city wasn't ready. They thought maybe since Christmas Day and the day after, which was a Sunday that the cost of paying double time to Sanitation workers impacted the number that were brought in to work.

CHAIRPERSON JAMES: Thank you, Chair. Again, to my colleagues, as we begin this exercise, one question with a follow-up. The first three members to ask questions is Council Member Rose, Council Member Greenfield and Council Member Gentile, in that order. Council Member

Rose?

COUNCIL MEMBER ROSE: Thank you, Chair. I just want to thank my Council Members for asking such articulate questions. I think you've gotten to a number of things that I had wanted to ask. However, Commissioner Doherty, back in November, you issued three press releases that were regarding Sanitation's readiness for the snow season. Two of these releases were delivered on November 4th and the third on November 10th.

The November 4th release announced that DSNY would begin registering emergency laborers to help clear streets, bus stops and crosswalks and were registering private firms to assist with plowing. The November 10th press release announced that the department would begin its annual night plow schedule to assure that the department will have sufficient number of employees assigned to work the night shifts for each of the 59 Sanitation districts.

In the same release, you made an unequivocal statement that I am pleased to announce that the department is ready for action in the event a major snowfall hits the Big Apple.

1 All Sanitation personnel are geared up for another
2 winter that may bring heavy snowstorms. But the
3 department will be prepared whether only an inch
4 amounts of snow hits New York City. Now, I
5 believe that you made these statements in good
6 faith and that you were, in fact, prepared. So I
7 am hard pressed to believe that the problem lied
8 with Sanitation.
9

10 So I looked at what the Office of
11 Emergency Management's responsibility was in this
12 whole thing and it's to plan emergencies and
13 coordinate agencies, both during emergencies and
14 in response to emergencies. Among these plans,
15 the city's natural hazard mitigation plan, which
16 outlines measures the city must take in the event
17 of different types of natural hazards, include
18 winter storms.

19 So my question is: Commissioner
20 Doherty, when, in fact, did OEM first contact you
21 to coordinate these services?

22 JOHN J. DOHERTY: I don't
23 personally remember when the call came in that
24 came into our operations office. I did have
25 conversations with Commissioner Bruno about the

1
2 upcoming storm. So there was that coordination
3 there. What time a call came in, I really don't
4 know.

5 COUNCIL MEMBER ROSE: Did this call
6 come in prior to Sunday evening when the snow
7 started to accumulate?

8 JOHN J. DOHERTY: We had sent a
9 person over, as we always do, to the OEM command
10 center to be available as a liaison and to contact
11 back and forth between OEM and the Department of
12 Sanitation.

13 COUNCIL MEMBER ROSE: In January,
14 OEM, you said that there was, in fact you had
15 given it a NEMSIS number of three. This storm was
16 never given a NEMSIS number. Why was there not,
17 in fact, a clear, and please correct me if I'm
18 wrong. Can someone tell me when the exact call
19 came that this was a storm that needed to be dealt
20 with other than just individual agencies? All of
21 the agencies were supposed to be coordinated.

22 CHAIRPERSON JAMES: Council Member,
23 we're going to have to wrap up the question.

24 COUNCIL MEMBER ROSE: Thank you.

25 CHAIRPERSON JAMES: Thank you.

JOSEPH F. BRUNO: We communicated a number of times with the Department of Sanitation and many other agencies. At 4:38 a.m., for example, on Saturday the 25th, a notification went out of the forecast and of the issues that might be coming forward. At 1:33 on the 25th, I sent another email message to many people, but including the Sanitation Department. We spoke with the Sanitation Department at 4:00 p.m. on the 25th in our Winter Weather Steering Committee call with the National Weather Service. So those were the first communications and then they continued on after that. Of course, they were at the EOC.

COUNCIL MEMBER ROSE: I'm out of time, but thank you.

CHAIRPERSON JAMES: Thank you. If we could, put members on the clock because apparently there's some introduction and some comments and some questions. Please set the clock at three minutes per member. Council Member Greenfield, you're on.

COUNCIL MEMBER GREENFIELD: Can I use the ten on the clock?

CHAIRPERSON JAMES: No, you cannot.

COUNCIL MEMBER GREENFIELD: Okay.

You know, I think we can hold a hearing just to examine what exactly went wrong in my district, which was likely the worst served district in New York City. But as per the Chair's request, I will leave aside the fact that my streets weren't plowed in my district until Saturday night and that when you finally cleaned up on Sunday, it was a disaster from dozens of families who had carbon monoxide poisoning to crushed cars, to shockingly toppled gravestones.

So my line of questioning today is more basic. It relates to the city's policy as a whole. Are you aware that the population of the city is made up mostly of the four outer boroughs other than Manhattan? One Sanitation worker told me, "We all know that Manhattan gets cleaned first, but why did they send me on a special detail out of Brooklyn to clean Manhattan."

So my question to you is why did you? Why didn't the outer boroughs have the resources that we needed? Are outer borough residents second class citizens as far as Sanitation is concerned?

1
2 JOHN J. DOHERTY: All the boroughs
3 had the resources they needed. When you hear
4 people say that we moved--

5 COUNCIL MEMBER GREENFIELD:
6 [interposing] Come on.

7 JOHN J. DOHERTY: Sir, can I
8 answer? Thank you. When you hear people say that
9 we moved them from place to place, that is true.
10 On any given day, whether it's snow or collection
11 or cleaning operations, we move people around the
12 city to make sure that we have personnel there to
13 do the job that's required. During that storm and
14 periods after the storm, we moved people around
15 the city to ensure that we tried to clean up the
16 city equally, to get all the boroughs cleaned as
17 quickly as possible at the same level. Not
18 leaving the outer boroughs waiting for plows or
19 having the inner borough having all the streets
20 cleaned. So we do move people around, but it has
21 nothing to do with the person's opinion of what
22 goes on.

23 COUNCIL MEMBER GREENFIELD:
24 Commissioner, by every objective standard, and I
25 include the standard that the Speaker sent out a

1 questionnaire to all Council Members and district
2 managers, by every objective standard, Manhattan
3 was at least twice as clean as the outer boroughs.
4 My personal case, I had a dozen plows that were
5 sitting at my local Sanitation depot. When I
6 inquired as to why, I was told because they did
7 not have enough staff to operate the plows. So
8 please explain to me what happened? Why is it
9 that Brooklyn did not have the same exact
10 resources as Manhattan?
11

12 JOSEPH F. BRUNO: If one was to
13 look at the numbers, Brooklyn as a whole had more
14 people working there than probably any of the
15 other boroughs.

16 COUNCIL MEMBER GREENFIELD: We have
17 twice as many people.

18 JOHN J. DOHERTY: Let me just
19 continue. Brooklyn got more snow. Staten Island,
20 Brooklyn and the southern part of Queens got the
21 most snow during this storm. Manhattan and the
22 Bronx got less snow. So when you have less snow,
23 consequently it's going to clean up faster. But
24 we did move people, we did move personnel. I was
25 in the New York Community Board in the middle of

1 the night and I saw the conditions over there. I
2 moved trucks from Manhattan and front end loaders
3 over there at 4:00 in the morning on Sunday
4 morning. So to say that we weren't there and we
5 alert is not correct. Were there streets
6 unplowed, were there cars stuck? Yes, I saw them.
7 I'm not happy about that. We're here to correct
8 that and listen to the concerns of the Council so
9 that we don't have this problem again. I'm upset
10 about it just like you are.

12 COUNCIL MEMBER GREENFIELD:

13 Commissioner, I was there as well, and I saw a
14 dozen plows standing there unmanned and was told
15 that they did not have the manpower.

16 CHAIRPERSON JAMES: Thank you,

17 Council Member. Council Member Gentile, followed
18 by Weprin, Koo and Halloran.

19 COUNCIL MEMBER GENTILE: Thank you,

20 Madame Chair. I believe we all have acknowledged
21 that South Brooklyn was one of the hardest hit
22 areas in the city. In my district there was at
23 least one fatality in Bensonhurst when an
24 ambulance and medical help could not reach a 50-
25 year-old Wing Li, as she told her family she was

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17 JOHN J. DOHERTY: If one wants to
18 look at the numbers, yes. If one wants to look at
19 the numbers, you look at how much garbage. That's
20 how we determine how many garbage trucks we're
21 going to have in this city. What is the garbage,
22 what is the workload, what is the productivity of
23 the workers? So when you set your fleet size and
24 somebody talks about seeing spare trucks there,
25 that's true there were trucks sitting there. But

1
2 that doesn't mean we didn't use every person we
3 had in the department equally around all the
4 boroughs to do our job. We did do that.

5 There are time when, yes, there are
6 going to be trucks there. Some of them may be
7 down and waiting for mechanics. Some of them may
8 be a spare truck, which they often are. But we
9 had everybody working and we shared our personnel
10 and our equipment equally amongst the city
11 boroughs.

12 COUNCIL MEMBER GENTILE: You're
13 saying you shared them equally, but in fact you
14 also said that Brooklyn had more of a problem
15 because of the amount of snow and the amount of
16 streets. Therefore, it took much longer in
17 Brooklyn, especially the southern part of Brooklyn
18 to clear streets. So how can you say that
19 equipment was divided equally across the city?

20 JOHN J. DOHERTY: At the start of
21 the snow storm, it was divided equally depending
22 on the needs and what we felt the boroughs needed.
23 As the conditions changed, as I said before, we
24 moved people and equipment out of Manhattan and
25 into Brooklyn. I personally did it on Monday

1
2 night to get them over there in the morning to
3 help out because I saw the problem myself. So we
4 did move people and we continued to move them
5 after the storm to get the streets opened and get
6 the snow out of the way and get the life back to
7 normal.

8 COUNCIL MEMBER GENTILE: So the
9 fact that streets were not passable until Thursday
10 or Friday, was that just a factor of your having a
11 definition of plowed really not being passable?

12 JOHN J. DOHERTY: No. No question
13 about it, we didn't get into all of the streets.
14 It did take us a long time.

15 CHAIRPERSON JAMES: Thank you. Do
16 you want to finish your answer? I'm sorry.

17 JOHN J. DOHERTY: No, I think I
18 finished it.

19 CHAIRPERSON JAMES: Council Member
20 Weprin, followed by Koo and Halloran.

21 COUNCIL MEMBER WEPRIN: Thank you.
22 You know, we have to apologize for our anger and
23 how we feel, but you have to understand that for
24 the last two weeks we've been hearing from
25 hundreds and in some cases thousands of

1 constituents. I've been talking to Sanitation
2 workers and people on the street. The one thing
3 that is clear and you've admitted here today that
4 this is the worst response to a storm since at
5 least February 9th, 1969. Things that happened in
6 this storm people have never seen before. It just
7 seems like it's more than just the factors that
8 you laid out here today.

10 Now, I have spoken to an enormous
11 amount of Sanitation workers who were very
12 offended that certain stories were out there that
13 made them think they weren't working as hard as
14 they can. Everybody I spoke to were working
15 incredibly long shifts, 14-hour shifts and putting
16 in their effort. So those workers did an amazing
17 job of being out there working. But as Council
18 Member Vallone said before, we just didn't see the
19 plows and we didn't see the work. Things that
20 happened, we've never seen before.

21 For instance, the tandems of trucks
22 that would come through on primary streets would
23 barricade in the secondary streets and the
24 tertiary streets. I had never seen that before.
25 Generally there's a last truck that carves out

1 those local streets. We had three foot barricades
2 on local streets, so ambulances couldn't get in if
3 they had to. People were scared, and then they
4 were angry. That's how we feel now and that's how
5 we feel on their behalf.
6

7 One of the issues that came up to
8 me, a number of issues from Sanitation workers had
9 to do with the equipment. So let me ask specific
10 questions on the equipment that is out there. The
11 trucks in particular, the new trucks, the ones
12 that are called ACs and AFs, that have the closed
13 loop ventilation system, as opposed to the old
14 ones that had the straight stacks. A lot of the
15 members that I spoke to thought that those had
16 less horsepower and possibly were lighter than the
17 old trucks.

18 Every one of them complained that
19 if they had an old truck or a new truck that the
20 weight of those trucks was light because they were
21 empty of garbage and the light trucks made it very
22 difficult for them to plow streets. Is that
23 something, Commissioner that was the case? Has
24 there ever been a chance where you weigh down
25 those trucks? Have you ever done that in the

1
2 past, in any of your 70 victories? Is something
3 different today?

4 JOHN J. DOHERTY: The truck itself
5 generally weighs from 19 to 20 tons. It's a very
6 heavy vehicle. There's a lot of steel that goes
7 into that vehicle. We generally have our trucks
8 empty. Historically, we have our trucks empty.
9 We want them empty because we don't want loads
10 freezing in them. We had at times cold weather
11 conditions when we had loads freeze inside those
12 bodies and then it became difficult for us to get
13 it out when we wanted to take that truck and turn
14 it from a plow into a truck to collect garbage.
15 So we've always tried to get them empty so that
16 they're ready. They plow just as good.

17 It doesn't make that much
18 difference. One could say, well if I put a
19 sandbag in the back of my car would it be better?
20 Well, maybe it would, maybe it wouldn't. It
21 depends a lot on what kind of a driver you are and
22 the conditions you're facing out there. We faced
23 very difficult conditions. The equipment, given
24 what we had to do, it's a good piece of equipment.
25 Whether there's a little bit more weight in it or

1
2 a little less weight in it has nothing to do with
3 the operation of the truck.

4 COUNCIL MEMBER WEPRIN: Was there a
5 difference between the old trucks and the new
6 trucks?

7 JOHN J. DOHERTY: The new trucks
8 are a better piece of equipment. They weigh about
9 the same. They're a better piece of equipment.
10 They actually come with a locking device on the
11 brakes for mud and snow, where if the wheels start
12 to slip, this new device automatically or
13 manually, depending on what you want to do, will
14 lock in.

15 CHAIRPERSON JAMES: Thank you.

16 JOHN J. DOHERTY: It will brake
17 that wheel that's spinning to help you get
18 traction. You have 16 wheels in the back. I'm
19 sorry, you have eight wheels in the back and
20 they're all trying to grip at the same time.
21 Sometimes they start spinning and you throw this
22 locking device in on the new trucks. That brakes
23 it to let the other tires grab more.

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

COUNCIL MEMBER KOO: Thank you, Madame Chair and Madame Speaker and Deputy Mayor and Commissioners. I'm here to make a suggestion. We all know America is the greatest country on earth and New York City is the greatest city. Every time we have disasters, we have tons of volunteers responding. So a snow visit is a natural disaster.

I remember when I was a kid in the 70s, when President Nixon visited Beijing. There was a big storm, maybe ten times worse than this one. How did China do it? They mobilized the people. Thousands of people sweep the streets at Tiananmen Square and around Tiananmen Square. The next there was not a snowflake on the street.

CHAIRPERSON JAMES: Council Member Koo, is there a question?

COUNCIL MEMBER KOO: So my question is: can we create an emergency volunteer registry, maybe under the Fire Department so that prior to a major storm we can mobilize and we can contact the individuals to help the city workers? Every time we have a snow storm, you depend on Sanitation workers. We spend a lot of money. I heard it's a

1 million dollars to remove one inch of snow. So
2 the last time we spent over \$20-\$30 million. So
3 we can mobilize our community youth and we give
4 them certificates of merit or when they apply to
5 college, it's community service. So we can at
6 least try and get the community people involved to
7 help. Thank you.

8
9 STEPHEN GOLDSMITH: Council Member,
10 Commissioner Doherty may have a specific response
11 to your question. Let me just say that I spent
12 the last eight years until I got here as the
13 chairman for Presidents Obama and Bush as the
14 National Community Service/VISTA AmeriCorps
15 programs. Our communities, our neighborhoods have
16 great resilience and our youth have interest in
17 community service never seen before.

18 Without in any way diminishing our
19 responsibility to the people of the City of New
20 York which we take very seriously and will do
21 right the next time, your suggestion is a terrific
22 one and it's one that we've thought through for
23 other types of emergencies and will consider in
24 this case as a way to augment the response of
25 public agencies. Thank you very much.

CHAIRPERSON JAMES: Thank you,
Council Member Koo. Members should feel free if
they don't want to use all of their three minutes.
We appreciate it. Council Member Halloran,
followed by Council Member Comrie, Fidler and
Oddo.

COUNCIL MEMBER HALLORAN: Thank
you, Madame Chair. Commissioners, Deputy Mayor,
the outer boroughs were left out in the cold,
despite being 80 percent of the population of this
city and 85 percent of its street miles. We had a
test run in September. It was the tornado that
ran through our streets. In that time, logistical
confusion, interagency coordination, inaccurate
data and reporting, 911 and 311 overloads, failure
to report in the field the clearance of downed
trees, the public safety consequences that were
impacted by it and the breakdown in communication
and coordination with local and elected
constituents and the elected members of the
Council were all issues we raised back in
September.

Now, Notify NYC is a great service.
It didn't specifically tell us to stay off the

1 streets this time. But I would like to say it
2 would have been useful to have that information
3 going out a lot earlier there. But let's look at
4 the statistics and the facts that you've given us.
5 According to the Mayor's Office by 5:00 p.m. on
6 the 27th, 63 percent of the 18,000 miles of
7 roadways were cleared in the City of New York.
8 But according to Queens, Brooklyn and Staten
9 Island residents, that didn't happen until the
10 29th.
11

12 You claim that on 5:00 p.m. on the
13 28th, 89 percent of those 18,000 roadway lane
14 miles were cleared. However, Queens, Brooklyn and
15 Staten Island reported them December 31st. You
16 used statistics like DSNY claims plowed doesn't
17 mean passable. Well then that's an absolutely
18 useless term.

19 You talk about the storm tracking
20 from the National Weather Service, yet we know 26
21 hours before first snowfall, 41 before you
22 response at 11:00 p.m. on the 24th, the forecast
23 was for six plus inch snows and 50 miles per hour
24 winds. On 22 hours out, 35 hours before the
25 snowfall, at 3:58 a.m. on the 25th, there was a

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storm watch issued by the National Weather Service. Somehow, we have OEM getting the National Weather Service as its weather source. DSNY is using three separate monitoring stations. I hope we're not paying for three separate monitoring stations.

CHAIRPERSON JAMES: Council Member Halloran, is there a question please?

COUNCIL MEMBER HALLORAN: I do have one.

CHAIRPERSON JAMES: Thank you. Could we get to it?

COUNCIL MEMBER HALLORAN: I'll get to it.

CHAIRPERSON JAMES: Thank you.

COUNCIL MEMBER HALLORAN: According to the NEIS scale, this was a scale three storm, not the worst. Cat 5s and Cat 4s have hit us before with far less resources. You tell us the chains were the same. The plow angles were relative and didn't contribute to any delays. You made on-the-fly adjustments. Personnel were basically the same or at stronger strengths. The number of units were the same or at stronger

1 strengths.

2
3 You had all of these innovations
4 into the 311 system and to the Emergency Dispatch
5 Systems. Yet, in my district, we had to notify
6 the Mayor's Unit about power being out in Bayside
7 where constituents didn't even have electricity to
8 their homes.

9 CHAIRPERSON JAMES: [interposing]
10 Council Member Halloran, you have 26 seconds on
11 the clock. Is there a question?

12 COUNCIL MEMBER HALLORAN: That's
13 fine. You say that report of snow not being
14 affected by the salt came back to the Sanitation
15 office and therefore, you were able to determine
16 not to continue to salt. You also indicated that
17 you were passing down information from Council
18 Members and constituents to the Sanitation
19 workers. Yet, you said to us that there was no
20 downward communication going on. The only reports
21 were coming in at the end of shifts.

22 CHAIRPERSON JAMES: And that's your
23 time.

24 COUNCIL MEMBER HALLORAN: How is it
25 possible?

CHAIRPERSON JAMES: Is there a question, Council Member Halloran?

COUNCIL MEMBER HALLORAN: How is it possible that you were able to pass down information and get information that salting wasn't working, yet you weren't able to get information that the streets hadn't been plowed?

CHAIRPERSON JAMES: Thank you.

JOHN J. DOHERTY: Well, let me first say, when you talked about the preparation for the storm and the condition reports and the weather reports, we were getting those weather reports. We had started preparing for a smaller storm on the 24th, and we had actually issued a snow alert and we had been bringing people in to be available on Sunday, on Christmas afternoon, should it snow. So we had made preparations and we continued to make preparations.

We were also getting the National Weather Service. As the conditions increased and said it was going to get more snow, it was going to get worse we went to a full operation and got all our people in. So we moved as quickly as we can. Yes, there were streets out there that were

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2 unplowed. We know that. That's the unfortunate
3 part. That's the thing we have to correct. But
4 we were out there working and doing the plowing as
5 quickly as we could.

6 CHAIRPERSON JAMES: Thank you.
7 Council Member Comrie, followed by Fidler and
8 Oddo.

9 COUNCIL MEMBER COMRIE: Thank you,
10 Madame Chair and all the chairs. I thought there
11 was one person ahead of me. So I will just go
12 into it. In southeast Queens, we had the worst
13 response ever, in terms of cleaning our major
14 streets. We had fires that happened in the
15 district. We had just about everything that
16 happened everywhere else, but it was underreported
17 by the media.

18 What I wanted to know was what was
19 the level of response per borough and at what time
20 and how many plows did you have out in each
21 borough from Sunday evening to Tuesday afternoon
22 before the streets in southeast Queens were
23 finally done? If I could get a complement on what
24 kind of turnout per borough, since we are not
25 supposed to be district-specific, what kind of

1 turnout per borough did you have as far as
2 personnel? Is there a snow melter that is
3 assigned for the Borough of Queens, a snow melter
4 or one, that's assigned for the Borough of Queens
5 and when that assignment happened?
6

7 JOHN J. DOHERTY: There are a
8 number of questions there, sir. We had called, as
9 I said earlier, a full force in to start on Sunday
10 the 26th at 7:00 a.m. We had a full force. Then
11 at the afternoon, at 7:00 p.m. the other half of
12 the workforce was there for 12-hour shifts.

13 We had almost 2,500 people,
14 depending on a shift. 2,400-2,500 people on
15 during the course of each shift. The plows were
16 manned. We had over 1,700 plows out on a shift.

17 The numbers per borough, I do not
18 have them with me. I can provide them. But I
19 will assure you they were equally distributed,
20 depending on what the needs of that borough were.

21 COUNCIL MEMBER COMRIE: Also, I was
22 told that there was no access or no outreach to
23 the Parks Department or to DOT or to other
24 personnel that could have had the ability to put
25 equipment out on the street. When was that

1 request or opportunity given for DOT or the
2 Department of Parks personnel to have the ability
3 to snow? When was that outreach made?

4
5 JOHN J. DOHERTY: The Department of
6 Transportation, DOT worked with us. They had
7 their equipment in at 7:00 p.m. on the 26th.
8 Their plows and front end loaders working with us.

9 The Parks Department, DEP and
10 others came in after that, starting the next day,
11 they started bringing their equipment and
12 personnel in. That was coordinated through the
13 Mayor's Office of Emergency Management.

14 COUNCIL MEMBER COMRIE: Just to go
15 back, I'm very disappointed that you don't have
16 the breakdown by borough on the amount of
17 personnel that was in the street per day or per
18 time. I would have thought that that would have--
19 my three minutes are up already?

20 CHAIRPERSON JAMES: Yes, sir.

21 COUNCIL MEMBER COMRIE: I would
22 have thought that would have been a major part of
23 what you brought to the table here, since it was
24 mostly the outer boroughs that suffered most. I
25 would like--

CHAIRPERSON JAMES: [interposing]

Is there a question, Council Member?

COUNCIL MEMBER COMRIE: I would like to hear the answer on if there's a snow melter for Queens and when was that dispatched?

JOHN J. DOHERTY: There is a snow melter for Queens. There are snow melters for each borough. The snow melters were dispatched at various times, depending on when there's sufficient snow to start melting it. But they were out there.

CHAIRPERSON JAMES: Thank you.
Council Member Fidler?

COUNCIL MEMBER FIDLER: Thank you.
Deputy Mayor Goldsmith, I know it's not been a particular good couple of weeks for you. I don't imagine it got any better on Saturday night when the Jets beat that second rate team from your hometown.

STEPHEN GOLDSMITH: I was trying to figure out who might be the first person to raise that issue.

COUNCIL MEMBER FIDLER:
Notwithstanding, that was not my question.

STEPHEN GOLDSMITH: Does your question get better than that?

COUNCIL MEMBER FIDLER: No, it certainly is not.

CHAIRPERSON JAMES: The clock is going, Council Member. Thank you.

COUNCIL MEMBER FIDLER: Yes, I know. I'm trying. Notwithstanding that, Deputy Mayor, and very, very seriously, I think you kind of threw Commissioner Doherty under one of those proverbial stuck in the snow buses when you emphasized in your testimony that you relied upon his expertise and you didn't change anything.

I just want to remind you, as a representative of the Bloomberg Administration here at the table, of the words of Harry Truman about where the buck stops.

I also want to say that I think a lot of us have the gnawing feeling, and I know a lot of my constituents have the gnawing feeling that the decision not to pre-procure private equipment or to declare a snow emergency had a lot less to do with moving traffic around than with bean counting and wishful thinking. I think a lot

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2 of us feel that way, and nothing that's been said
3 here has dispelled that feeling.

4 So my question is this: I know,
5 because I was personally in touch with the Mayor's
6 Office on Tuesday and Wednesday that the Mayor's
7 Office was directly aware that the streets in
8 Southern Brooklyn were un-passable and unplowed.
9 Who makes the decision to redeploy the plows and
10 the melters and the other equipment and the other
11 personnel from the tony neighborhoods in Manhattan
12 that clearly had been plowed? When were those
13 decisions made? How much equipment was
14 redeployed? Is there a paperwork trail that would
15 tell us just when the Mayor's Office, or whoever
16 makes the decision, sent the plows to southern
17 Brooklyn where they were needed?

18 STEPHEN GOLDSMITH: John will
19 answer the last two questions. Let me just make
20 an observation. I think Commissioner Doherty is
21 one terrific commissioner. I thought it before
22 this snow storm; I think it today. Not only do I
23 not throw him under the bus, I defend his
24 professionalism and his commitment, his integrity
25 and the time on task and that of the vast number

of men and women who work for him.

Any disaster can be quarterbacked late. Not by you, by me, I'm evaluating what happened and I respected his judgment then and I respect his judgment now. There was not one single decision made at any time in this exercise where cost was evaluated. In fact, as many resources as possible were thrown at this. We admit many mistakes, but not one of them was related to money. In no way would I second guess John Doherty for what he did.

JOHN J. DOHERTY: Sir, we did move equipment around the city. We moved it out of Manhattan and we moved it into Brooklyn and even into Queens. At one point, I think we sent some stuff to Staten Island. So it was moved. The decisions are made by me, basically our operations office, they do it, and there is a paper trail of when we moved equipment around the city each day.

CHAIRPERSON JAMES: Thank you.

COUNCIL MEMBER FIDLER: I would just ask that that paper trail be provided to this committee so that we can see. Thank you.

CHAIRPERSON JAMES: Council Member,

I'll be asking for a number of snow removal forms at the end of this panel. Council Member Oddo, followed by Council Member Foster, Vacca and Koslowitz.

COUNCIL MEMBER ODDO: Thank you, Madame Chair. Deputy Mayor Goldsmith, I want to thank you for the tone that you set at the start of your testimony. I appreciate the apology to New Yorkers because I deserve it. Unlike brother Lew, I'll be a team player and apologize to you for the score of the game.

I found the most interesting testimony to be that when the snow emergency decision was made, neither you nor the Mayor was informed. Maybe it would be a good idea if we heard from both commissioners to elaborate about that.

But the most disturbing comment for me, and I don't want to sound too parochial, is the testimony that said we didn't know how bad conditions were on the ground, especially in Southern Brooklyn and Staten Island. I would say that all one needed to do was go on my Facebook page and you would have heard directly from Staten

1 Islanders how bad things were.

2
3 So my question is: I heard the
4 Deputy Mayor allude to working with the Council.
5 Is there going to be a formalized process where
6 this Administration listens to all 51 members of
7 this Council on this issue and others? I'm not
8 saying that the member who is the howlingest
9 banshee should get the attention. But we know our
10 districts better than anybody on the face of this
11 earth. We are an invaluable tool to be used and
12 we were not. In fact, to a certain degree, we
13 were ignored.

14 So, I hope in the 15 points, and
15 you talked about internal and external
16 communications and the failure, I hope in that
17 there will be a formalized process where we will
18 be players in trying to protect our districts.

19 STEPHEN GOLDSMITH: The point's
20 well taken. You know your districts better than
21 anyone and you're on the ground in your districts
22 and we're not, at least not in every district like
23 you are at the moment of an emergency. We will,
24 by Wednesday, fix the ability of members to
25 communicate directly to the OEM.

1 I did not know it at the time, but
2 I've learned that you have a designated person
3 that we actually didn't activate. I hope to
4 present to the members special numbers and emails
5 and access information. I mean, one of the things
6 that you all do is you say look, here's a person
7 on life support, here's a street with somebody,
8 this is a really serious matter, it's not just a
9 dot on the map, pay attention to it.

11 We've got to get that information
12 consolidated and moved out to the field and need
13 to organize that in advance. Part of that answer
14 will happen on Wednesday morning, assuming we have
15 another snow event and it will get better after
16 that to you and your constituents.

17 SPEAKER QUINN: Can I just jump in
18 for one second and you'll get your time back, I
19 promise? I just want to thank you for that,
20 Deputy Mayor, and just remind you I want to make
21 sure that our individual who is the OEM liaison
22 gets to participate in the restructuring because I
23 know he has a lot of ideas. So thank you. I know
24 you've made that commitment but I just wanted to
25 publicly thank you for giving us that opportunity

and reiterate it.

CHAIRPERSON JAMES: Council Member Foster, followed by Vacca and Koslowitz.

COUNCIL MEMBER FOSTER: Thank you. Very briefly, I've been talking to my colleagues in the Bronx and it's clear from our stories, compared to Brooklyn, Queens and Staten Island, that we fared better in this storm. Sanitation in the Bronx did an excellent job, or I should say a better job.

I have two quick questions. What is the protocol for clearing pedestrian walkways? My biggest complaint, from a district where drivers didn't try to move, was from my commuters trying to get to buses. There were no walkways that were clear. There was no access to bus stops.

In plowing the streets, obviously, the snow was plowed to the side, but in many cases, plowed in bus stops, plowed in crosswalks. So what is the protocol, number one, for clearing bus stops and crosswalks? Number two, when cars are to dig out themselves, where are they to put the snow if they're not to put it in the street?

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2 JOHN J. DOHERTY: On the protocol,
3 the first protocol is to get the streets cleared
4 of snow. Once we have that done, the second
5 protocol is to start clearing bus stops because
6 that is a major way of people getting around the
7 city. That takes time. There's about 14,000-
8 15,000 bus stops out there that have to be
9 cleared. We could not clear them overnight. We
10 did work on them.

11 We worked on the crosswalks with
12 our personnel and the emergency laborers that we
13 had hired. Over the course of the storm, we used
14 people from DEP and from the Parks Department to
15 assist us in shoveling. When one talks about
16 crosswalks, there are over 100,000 crosswalks in
17 the city.

18 Saying that doesn't make it any
19 better, it just shows you the enormity of the task
20 that we had in front of us and how quickly we can
21 do it. I think it was pointed out before by one
22 of your Council Members that we need to get more
23 people out there; we need to get volunteers out
24 there. That's taken well. The Deputy Mayor
25 pointed that out. We need more of that manual

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2 labor after we get the streets cleared to help do
3 that. People have to get around. We want them to
4 get around. We need to do more work in that area
5 to get people out to do that.

6 COUNCIL MEMBER FOSTER: That is
7 what, in fact, happened in my neighborhood that
8 many of the supers from the buildings actually
9 cleared the sidewalks and the crosswalks. But my
10 question specifically, and I'm sorry, I keep
11 trying to duck to see you. Specifically, once the
12 streets are cleared and obviously the snow is
13 plowed to the side, is there secondary protocol or
14 after the streets are clear that we clear the snow
15 plow stop where the streets are crossed, or we
16 just keep plowing and then eventually volunteers
17 will clean?

18 JOHN J. DOHERTY: No, no, we get in
19 to clean that. First, as I said, we want to get
20 the streets cleared. Then we want to start
21 opening up the crosswalks and the bus stops so
22 people can get around the city. That's what we
23 tried to do. We did work on that. It does take
24 time. We worked on it. There was a lot of snow
25 out there. In the Bronx, we did better, and I

1
2 thank you for saying about the people that do a
3 good job up there. It was in a little better
4 shape than other parts of the city.

5 CHAIRPERSON JAMES: Thank you.
6 Council Member Vacca?

7 COUNCIL MEMBER VACCA: Thank you.
8 As another Councilman from the Bronx, I may say
9 that you can indicate we were better, but not much
10 better. We didn't fare better than Manhattan. We
11 fared maybe a little better than Brooklyn and
12 Queens, but that was catastrophic. So we were a
13 little better than catastrophic. But
14 catastrophic, that's not acceptable.

15 I wanted to speak to you about what
16 is the definition of these streets we talk about:
17 primary, secondary and tertiary. Most of us live
18 on what's called tertiary streets. These are
19 taxpayer streets, residential streets. I don't
20 even know from your office or anyone what street
21 is what, where, what do these definitions mean. I
22 only know that we were left stranded in my
23 community and my borough. I only know what
24 happened to us.

25 CHAIRPERSON JAMES: Is there a

question, Council Member?

COUNCIL MEMBER VACCA: That is my question. What is primary, what is secondary, what is tertiary? When were these definitions created? Where are we going with this? It failed us this time, I think significantly.

JOHN J. DOHERTY: The definitions were started many, many years ago, even before my time. It basically sets up a priority for the department to move forward. One of the things you have to remember, when we talk about the snow emergency streets and the arterial highway. You have to have a system in the city where roads are cleared so emergency vehicles at least can get around the city from one borough to the other. That's the first thing you have to start being concerned about. What happens if there's a major disaster in one borough and not in the other? You need roadways cleared for that, so you have to start on that.

But on the definitions, if you want to look at the definitions, many roads are covered by the primary definition: main artery; main thoroughfare; a lifeline street such as a highway;

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2 expressway; drives and bridges; feeder approaches
3 and exits from bridges, tunnels, ferries,
4 highways, airports; all bus routes, private and
5 city-owned; all streets with concentrated food,
6 produce, industrial, financial, amusement,
7 shopping, hospital, maritime; streets that have
8 located upon them facilities such as fire houses,
9 police stations, hospitals, nursing homes, fuel
10 distribution centers, terminals, schools are even
11 included on the primary streets. All emergency
12 streets are designated by the Department of
13 Traffic. That's the snow streets we talked about
14 earlier.

15 Then the secondary streets are
16 basically those streets that feed off the primary
17 street. They're the streets that were mentioned
18 earlier that when getting plowed, get ridges on
19 them because you're doing the primary street and
20 that ridge gets built up. We know that. That's
21 one of the problems. We do that when we get into
22 the secondary streets.

23 After the secondary streets come
24 the tertiary streets. They're the streets that
25 feed off the secondary. They're the smaller,

1 narrower streets, back streets. Yes, a lot of
2 people live on them. They probably represent less
3 than a quarter of the streets in the city,
4 unfortunately. But you have to set up a system
5 where you get your roadways open, your main roads
6 and you move in. This storm, it didn't work that
7 way. The secondary streets were clogged, and that
8 was a major fault in the problem we had with this
9 storm. We didn't get in there quick enough.

11 CHAIRPERSON JAMES: Thank you,
12 Commissioner. Council Member Koslowitz, followed
13 by Dromm, Dickens and Gonzalez.

14 COUNCIL MEMBER KOSLOWITZ: Thank
15 you, Madame Chair. I want to follow-up on what
16 Council Member Koo talked about, community. We
17 have in our communities, in many communities, we
18 have what we call CERT teams, which are Community
19 Emergency Response Teams, and we have volunteer
20 ambulances throughout our communities. Were they
21 called upon during this emergency and in what
22 capacity were they called upon?

23 JOSEPH F. BRUNO: As you know, we
24 have 53 or so of these teams; almost one for every
25 community board, and that's we work out, and the

1 Council has been very helpful in getting people to
2 volunteer for this. We would not call them in
3 during the height of the storm, obviously. We did
4 make a call to CERT to come out and help on the
5 cleanup of fire hydrants. We made a call and some
6 CERT members did come and help. It's volunteer;
7 they can come out. So we have used them in many
8 emergencies, as you know. In this particular one,
9 they were called out to do that.

11 COUNCIL MEMBER KOSLOWITZ: And what
12 about the volunteer ambulance?

13 SALVATORE CASSANO: On the
14 volunteer ambulances, we put out a call for mutual
15 aid very early on. The private volunteer
16 ambulances weren't able to help us. We got a
17 couple later on, on Wednesday, to participate in
18 the mutual aid. But we put a call out right away.
19 We needed help and we asked them to help us. They
20 couldn't get to us

21 COUNCIL MEMBER KOSLOWITZ: Thank
22 you.

23 CHAIRPERSON JAMES: Council Member
24 Dromm?

25 COUNCIL MEMBER DROMM: Thank you

1
2 very much. I know that the Mayor prides himself
3 on having good managers, but clearly that wasn't
4 the case during this storm. I heard Commissioner
5 Bruno testify that on December 27th, you knew that
6 things were not going right. Yet, at subsequent
7 press conferences, the Mayor was still saying that
8 if your street was plowed, you're okay; if your
9 street wasn't plowed, then you're going to
10 complain.

11 I just want to reiterate what some
12 of the other members said which was that
13 communications need to seriously be improved. The
14 reason I bring that up is because, God forbid, we
15 should have another 9/11 disaster or something
16 like that, and we would not be prepared for that
17 type of response, for adequate response.

18 Many of the members have already
19 asked a lot of the questions that I had. But mine
20 is really in regard to the primary and tertiary
21 streets et cetera. People were brought to
22 Elmhurst Hospital on sleds. Elmhurst Hospital
23 serves a number of Council Members' districts in
24 Queens. The fact of the matter is that Broadway,
25 in front of Elmhurst Hospital was cleared,

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2 however, the side streets where the emergency
3 department entrances are, were not cleared.

4 I also got reports from people in
5 the community that nursing homes that needed
6 ambulance access were not cleared. I wanted to
7 know if that was part of the considerations in
8 terms of which streets get cleared first. Some of
9 the nursing homes and other senior places may not
10 be on primary streets. What are your plans for
11 that in the future?

12 JOHN J. DOHERTY: I think it's
13 something we'd have to look at. There are many,
14 many nursing homes I'm sure, around the city. I
15 don't know how many. That's not something that
16 went into the primary streets. In some cases,
17 they may be or may not be on there. Our primary
18 streets are basically to handle the emergency
19 networks, to get the city open and get people
20 around.

21 COUNCIL MEMBER DROMM:

22 Commissioner, the streets of the emergency
23 department itself at Elmhurst Hospital was not
24 cleared. The street in front of it was. The
25 problem that people had getting into Elmhurst

1
2 Hospital was because I guess it's a secondary
3 street and it was not cleared. So I think what
4 you need to do is to go out and to survey where
5 the access to the hospital actually occurs.
6 Whereas, Broadway is a primary street but the
7 other streets around it were not.

8 JOHN J. DOHERTY: Well, I think
9 it's a good point. We should look at that.

10 COUNCIL MEMBER DROMM: Then, just
11 if anybody can elaborate a little bit further in
12 terms of the 911 and the 311 responses. There
13 were constituents who called 311 and who were
14 getting a message that said you could not file a
15 complaint until December 29th. I don't know if
16 you were aware of that. People would have to call
17 back on December 29th in order to file a
18 complaint.

19 STEPHEN GOLDSMITH: I'm not aware
20 of that recording. I know that 311 had a number
21 of issues. They had a short busy signal resulting
22 from some Verizon overloading, that they were
23 overloaded when they hit 250,000 that they were
24 trying to redirect more of the responses to the
25 internet. But clearly, they didn't keep up. I'm

unaware of that recording, but we'll certainly look into it. Thank you.

CHAIRPERSON JAMES: Thank you.

Council Member Dickens, followed by Council Member Wills, Lander and Brewer.

COUNCIL MEMBER DICKENS: Thank you.

The Sanitation Commissioner said that the problem with this effort was that they didn't get to the secondary streets fast enough. If doing it again, as in this Wednesday, would you clear the secondary streets faster or just not clear them at all?

What, with all the pertinent questions raised today by my colleagues, I appreciate Council Member Fidler's term, "tony neighborhoods of Manhattan," and since so many of my colleagues compared Manhattan to outer boroughs, I might put-on the record that there are neighborhoods in Manhattan that apparently are considered outer borough.

Thank you, also, Commissioner, for the definition of arterial, tertiary, secondary. Apparently my colleagues looked at my notes, but arterial streets, per your definition, were not

1
2 cleared within 48 hours. Now that we acknowledge
3 that there are problems, I feel that there are
4 severe problems, what are you going to do about
5 implementing revised protocols for Wednesday's 8
6 to 12 inches of snow?

7 JOHN J. DOHERTY: Just let me
8 correct myself. Nursing homes are on the primary
9 streets. I omitted that before. Nursing homes
10 are on the primary streets. As far as moving
11 along with the storm, we have plans. We're
12 reviewing those plans; we're looking at them
13 again.

14 Normally, what happens in a storm,
15 you do two things, one, you work the primaries and
16 some of the secondaries, and depending on how fast
17 the snow is coming down, you move from the
18 primaries into your secondaries. Sometimes you
19 have to move back and forth.

20 The difficulty in this storm was
21 the snow came down so much that we didn't have the
22 ability to move as much equipment as we would like
23 to those secondary streets. In previous storms,
24 when we didn't get the downfall of snow at 1-2
25 inches an hour, we were able to do that. This

1 storm, we didn't do it. That doesn't make it any
2 better. We have to look at it. We have to look
3 at can we stick with some trucks on the secondary
4 streets and will that create a problem that
5 primary streets, which are important, not getting
6 done.
7

8 We're also looking at the V-plows.
9 We're going to be ordering some new V-plows. We
10 found that the V-plows are very good when you have
11 streets clogged. We don't want to get to that
12 point, unfortunately, and we haven't been at that
13 point since 1996. This is the first time we start
14 pulling out our V-plows and putting them in there.

15 That doesn't mean that, you know,
16 we fell behind or anything like that. I'm sorry,
17 we did fall behind a little bit and we have to
18 look at it and we have to restructure if
19 necessary.

20 COUNCIL MEMBER DICKENS: Thank you
21 so much. Would you get in touch with the private
22 vendors that are on your list faster, earlier,
23 because that was not done in a timely fashion?

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

COUNCIL MEMBER WILLS: Gentlemen,
we are in the business of governing. For a
statement to be made that you were unsure of your
powers seems to be at best an embarrassment and at
worst an untruth.

The Deputy Mayor testified that
nevertheless, the decisions were not guided by a
clear understanding of what powers and actions
such declarations would enable amongst city
agencies and other entities and how the public
would be required to act as a result.

Through our review over the past
two weeks, we believe that declaring an emergency
could have provided a triggering event for those
city agencies and other entities that utilize such
a declaration as a catalyst for action, and by the
public which potentially utilize such a
declaration--

CHAIRPERSON JAMES: [interposing]
Council Member, is there is a question?

COUNCIL MEMBER WILLS: Yes, there
is a question, but I needed to have this for
background.

CHAIRPERSON JAMES: Go ahead, thank

1
2 you.

3 COUNCIL MEMBER WILLS: But I'll go
4 directly into the question, Chair.

5 CHAIRPERSON JAMES: Thank you.

6 COUNCIL MEMBER WILLS: What I
7 wanted to know is even though that, and what
8 Commissioner Doherty had testified to seems to be
9 in contradiction, due to the admitted inadequate
10 response of the city in taking the full myriad of
11 issues that you faced, while keeping in mind that
12 many taxpaying residents whose vehicles were
13 impaired or stuck, had knowledge of mass transit
14 being stuck, but were under the belief that if
15 they made it to a primary route, they could get to
16 work. What is the city doing, how much
17 responsibility are you taking in helping those
18 taxpaying individuals with the retrieving of their
19 vehicles after being towed?

20 I have a bunch of residents or
21 constituents in my district that are complaining
22 that they're being charged to have their cars
23 returned to them, and that the people that are in
24 charge of this are being less than helpful in them
25 retrieving these cars. So that's something that's

more of peripheral effect, but that's what I need to know about.

STEPHEN GOLDSMITH: It's an important question. PD would know the answer; I don't know the answer to that question. I think it would be a case by case basis. The Police Department responds to me that they just moved many cars. They didn't actually tow them to an impound lot. We'll have to work through those on a case by case basis. I'll get you an answer to your question.

COUNCIL MEMBER WILLS: All right, thank you.

CHAIRPERSON JAMES: Council Member Lander?

COUNCIL MEMBER LANDER: Thank you, Madame Chair. Mr. Deputy Mayor, and Commissioners, thanks very much for being here and also for your forthright acknowledgement of systemic failures in the city's response.

In that spirit, I'd like to share with you a report my office prepared on what those failures looked like on the ground in my district, based on many hundreds of complaints we saw,

1 including from quite a few people whose blocks
2 were not cleared until the wee hours of New Year's
3 morning. I got several emails about the first
4 miracle of the New Year.
5

6 Our report highlights the possibly
7 preventable death of veteran Joel Grossman, who
8 made his first 911 call at noon on Monday but
9 didn't see an ambulance until after 7:00 p.m., by
10 which time he had died.

11 The terrible response at the garage
12 in Community District 12, serving Kensington and
13 Borough Park, which did far worse than Community
14 District 7 and Community District 6, the other two
15 garages in my district; and also, the insufficient
16 priority given to clearing streets around the
17 three hospitals in my district, as Council Member
18 Dromm discussed; and also the pathways to subway
19 stations, which many thousands of people need to
20 use, especially in the storms. I hope I was
21 wrong, but I thought I heard Commissioner Doherty
22 say that this is a lower priority than getting all
23 the streets cleared.

24 CHAIRPERSON JAMES: Is there a
25 question, Council Member?

COUNCIL MEMBER LANDER: But my question is simple.

CHAIRPERSON JAMES: Thank you.

COUNCIL MEMBER LANDER: How do you know when a block has been plowed? Deputy Mayor Goldsmiths' testimony acknowledges the Department of Sanitation lacks the capability to track data on street conditions other than reports after a 14-hour shift and after the snow had stopped falling. Yet, throughout the storm, the Mayor reported regularly to the public on what percent of primary, tertiary and secondary streets have been plowed citywide and in specific parts of the city. But if you don't have the capability to track the data on street conditions, where did those numbers come from? Did you make them up?

I noticed that, Commissioner Doherty, you referred to a problem with the narrow technical definition--

CHAIRPERSON JAMES: Question, Council Member, please?

COUNCIL MEMBER LANDER: I don't say this to be facetious, but I think if we're going to correct the flaws, we really have to understand

1
2 them. So I guess I would just like to understand:
3 how do you know when a block has been plowed?

4 CHAIRPERSON JAMES: Thank you.

5 JOHN J. DOHERTY: We send the
6 Sanitation workers out on their plows and salt
7 spreaders with lists, the list of their routes.
8 As they do the routes, they come into the garage
9 at the end of the shift and they report the routes
10 they did. On that route is a list of each and
11 every block that's on there.

12 So we report, on a percentage
13 basis, this is what we cleaned, based on that, or
14 what we cleared. You add up the number of routes
15 that were cleared and you find out what percent of
16 the routes we cleared in the city. Each of those
17 routes represent x number of streets.

18 COUNCIL MEMBER LANDER: So you've
19 acknowledged this didn't work and needs to be
20 replaced by a new and automated system. But I
21 really just want to make sure I understand this.
22 So, for 14 hours, they're out there with a paper
23 route sheet. If they encounter a car that's stuck
24 in the middle of a street and they can't get down
25 it because there's a car or a truck stuck in the

1
2 middle of the street, what's protocol now is that
3 they note it down on a piece of paper and some 8
4 or 12 hours later they bring it back to the
5 garage?

6 JOHN J. DOHERTY: No, they will
7 report it. Some of the trucks have radios in
8 them. Many of them do not. They report back to
9 us. We pointed out earlier, and the Deputy Mayor
10 pointed out, that we're starting to use GPS phones
11 in the vehicles the Sanitation workers take out so
12 they have the ability to contact their supervisor
13 where there is a problem. So that's something we
14 are looking at now.

15 What would normally happen, the
16 operator would see his supervisor during his
17 shift, report to the supervisor that the street
18 was blocked because of a vehicle. When the report
19 came in at the end of the day, we would show that
20 that street was not cleaned and it still has to be
21 cleaned, which is what we did as part of the
22 program to get cars removed in conjunction with
23 the Police Department. We had to go in and clear
24 out snow, move the car and then open up that
25 street.

CHAIRPERSON JAMES: Thank you.

Council Member Brewer, followed by Van Bramer, Ferreras and then Recchia.

COUNCIL MEMBER BREWER: Thank you very much. I first want to say thank you to Chris Hancock who is the superintendent in 7, and he did a great job. I'm afraid to say Manhattan, but it is a fact. Columbus Avenue, where our office is, was plowed.

Community boards, I haven't heard the word all morning. How are they part of the OEM issue and communication? Number two: the executive order states that the first deputy mayor is in charge if the Mayor is out of town. Do you need a second executive order if the different deputy mayor is in charge? Number three: the whole issue of technology, the Deputy Mayor here has mentioned a couple of times, ECTP. I'm interested in PSAC 1 and 2, NYCWiN, portals and so on. How do they play a role in the future without the union? The union members need to be involved with any technology changes? How is the union involved in technology? Those are my three quick questions.

1
2 JOSEPH F. BRUNO: With respect to
3 community boards, you know, because I know you're
4 very active in the program, CERT teams are based
5 upon community boards. We basically assign a team
6 and build a team per community board. So we have
7 contact into community boards through those
8 individual teams. The community boards themselves
9 are like any other elected official or an entity
10 that exists within different areas of the city and
11 neighborhoods. They communicate with us. We will
12 go out and meet with them. We do preparedness.

13 But in this storm, there was really
14 very little communication to community boards.

15 COUNCIL MEMBER BREWER: Well,
16 that's a change for the future.

17 JOSEPH F. BRUNO: Right.

18 COUNCIL MEMBER BREWER: Because it
19 makes no sense. I hope the Deputy Mayors that, we
20 have 59 of them. All of us, I think, are very
21 important. So how are they going to be involved
22 in the future?

23 STEPHEN GOLDSMITH: You've asked a
24 lot of really good questions. I don't want to
25 take up too much of your time. I'll do this as

1 quickly as I can. What we all knew inherently
2 before the blizzard and what we know now is that
3 residents know the real conditions in their
4 neighborhood better than anybody else does. And
5 we have to capture that information in better
6 ways. There will never be enough 311 call takers
7 to take that information.
8

9 So, we are rapidly moving to crowd
10 sourcing, social networking, total transparency,
11 text message--

12 COUNCIL MEMBER BREWER:

13 [interposing] Real time community boards would be
14 helpful.

15 STEPHEN GOLDSMITH: And we are very
16 close to the point in time where the community
17 boards will be able to go into that 311 data in
18 real time and figure out what's happening.

19 COUNCIL MEMBER BREWER: How far
20 away? I've been advocating for it for a decade.

21 STEPHEN GOLDSMITH: I'll verify it
22 when I get back. I'll say 30 days.

23 COUNCIL MEMBER BREWER: Thank you.
24 Next question; I have more questions.

25 STEPHEN GOLDSMITH: ECTP needs to

1
2 be accelerated. Clearly, this was an issue of
3 some extent. When we have Fire and PD, EMS all
4 sitting together, it will be much better. We've
5 picked up the pace and we hope to see changes late
6 summer or fall in that regard, as well.

7 So, basically, what we need to do
8 is move as much communication as we can online in
9 social networking tools. That will allow more
10 time for folks who don't use those tools to
11 receive the attention they deserve.

12 COUNCIL MEMBER BREWER: Okay,
13 Deputy Mayor, executive order, how does that work?

14 STEPHEN GOLDSMITH: Well, a couple
15 of things. The Mayor is always in charge. Any of
16 us can get the Mayor anytime, anywhere in the
17 world. He answers his telephone. So that
18 executive order, that line of succession was
19 designed 50 years ago when that wasn't the case.
20 It needs to be modernized. Somebody needs to be
21 in charge in an administrative fashion to sign
22 specific orders of declaration. The Mayor, this
23 Mayor, who works all the time, will always be in
24 charge. We will clarify who signs those orders on
25 the ground.

COUNCIL MEMBER BREWER: Can you just look at the executive order? Thank you.

CHAIRPERSON JAMES: Thank you, Council Member.

STEPHEN GOLDSMITH: We will. Thank you.

CHAIRPERSON JAMES: Council Member Van Bramer?

COUNCIL MEMBER VAN BRAMER: Thank you very much, Madame Chair. One thing I haven't heard talked about today is public housing and the residents of public housing who face unique challenges in an event such as this. I'm wondering if NYCHA is engaged in the emergency response, in these conference calls and on these task forces.

JOSEPH F. BRUNO: NYCHA is on the Winter Weather Steering Committee. They are one of the agencies, and they are activated many times during emergencies. They were not activated in this particular one.

COUNCIL MEMBER VAN BRAMER: They were not activated in this one?

JOSEPH F. BRUNO: They were not

1
2 activated, but they were on all the calls. They
3 were reporting their status when we had those
4 calls.

5 COUNCIL MEMBER VAN BRAMER: Why
6 were they not activated?

7 JOSEPH F. BRUNO: We activated the
8 agencies dealing with winter weather essentially.
9 I went through the list; I'd have to find it
10 again. It's Police, Fire, Department of
11 Sanitation, Department of Transportation, OEM,
12 Department of Environmental Protection, Department
13 of Parks. All this came in, and MTA, and others.
14 Those were the ones that had the capability of
15 responding and moving the snow.

16 COUNCIL MEMBER VAN BRAMER:
17 Commissioner, we can talk about why NYCHA wasn't
18 involved later. I have some more questions. Mr.
19 Deputy Mayor, I believe you said earlier, in
20 response to a question from Council Member
21 Williams, that you were still trying to figure out
22 parts of your role as it relates to Commissioner
23 Bruno's role and where one begins and the other.
24 Did I get that right? Is there confusion between
25 your role and Commissioner Bruno's role?

1
2 STEPHEN GOLDSMITH: I don't think
3 there was confusion. The way I interpreted the
4 question is when there isn't an emergency
5 declared--when there is an emergency declared,
6 it's pretty clear what happens. When there's not
7 an emergency declared but we have very serious
8 situations on the ground, how do we organization
9 those resources? I accept the responsibility of
10 doing that more vigorously in the future. But
11 also, to nominate up the chain of command,
12 escalate more quickly kind of the non-decisions.
13 We have a process for escalating the decisions,
14 but not the non-decisions. That was the issue
15 here and we're going to fix that.

16 COUNCIL MEMBER VAN BRAMER:

17 Speaking of which, the other thing that concerned
18 me and Council Member Williams and Oddo, I think,
19 talked about this specific part of your testimony,
20 that Commissioner Doherty and Commissioner Sadik-
21 Khan had made the decision not to declare an
22 emergency. You and the Mayor were not aware of
23 that. Is that correct?

24 STEPHEN GOLDSMITH: Yes.

25 COUNCIL MEMBER VAN BRAMER: Did you

ask them if they were declaring a state of emergency?

STEPHEN GOLDSMITH: No, I didn't.

COUNCIL MEMBER VAN BRAMER: Why would you, as the Deputy Mayor of Operations, in charge of this entire response, not think to ask the Commissioner of Sanitation and Transportation if they were declaring a state of emergency so that you could understand at least their reasoning for deciding or not deciding?

STEPHEN GOLDSMITH: That's a very good question. My answer is that I have enormous regard for John Doherty. Seventy successful snow storm fights in a row. I wasn't going to interfere with a working model. He calls me when he needs assistance or has a question. I relied on that. Maybe we'll change it. We will change it next time. That's the reason the decision was made this way.

CHAIRPERSON JAMES: Before Council Member Ferreras, I think it's totally unacceptable that the thousands of residents of NYCHA were not activated. Most of them are women with children. It was totally unacceptable. I hope that we can

do better in the future. Council Member Ferreras?

STEPHEN GOLDSMITH: We'll fix that tomorrow.

COUNCIL MEMBER FERRERAS: The three-month-old baby's funeral was yesterday. Ms. Freeman watched her mother, Yvonne Freeman die in her home in Corona. The 230 tenants on Judge Street all were very frustrated. The common thread seems to be they all called 911. They either called 911 and there was a busy signal, they called 911 and they were put on hold, or they called 911 and there was just a huge backlog.

I know that in your 15 points that you were discussing how to address moving forward, I want to hear exactly how are we going to improve 911? Because that is the first line of defense, that's how we train our children, in an emergency call 911. The good men and women that work for the city in FDNY, NYPD and all the other city agencies can't do their job if they don't get the adequate reports. Can you explain to me in your points how we're going to improve 911?

STEPHEN GOLDSMITH: As you know, the 911 calls are taken by PD. I defer to them as

1 a highly professional organization. Our
2 understanding in this particular set of problems--
3 I'll tell you what, I'm learning my role. The
4 experts behind me will give you an answer and then
5 I'll talk about it generally.

7 CHARLES DOWD: Good afternoon. I'm
8 Deputy Chief Charles Dowd from NYPD and I'm in
9 charge of the 911 operation and police radio
10 operation. So I take your question, what are we
11 going to do for the future of 911 and the
12 improvements we're looking to do?

13 First and foremost, the first
14 improvement we're trying to get, and it's part of
15 the ECTP program that's already been mentioned
16 here today, is the upgrading of the 911 system.
17 Currently, we are on a 911 switching system that
18 is from 1995. It is overdue now by a couple of
19 years for implementation. As the Deputy Mayor has
20 already mentioned, we're hoping to have that ready
21 by end of summer/late fall.

22 That new 911 system will integrate
23 the call taking. Currently, on the old system,
24 you have two switches that deliver calls to 911.
25 It's antiquated. It doesn't mesh the calls

1 together, as the new technology will; therefore,
2 putting the calls from both switches inline in the
3 order that they were received. That capability
4 will improve our ability to answer the calls in
5 the order that they were properly received.
6 Hopefully, that will reduce wait times in high
7 volume periods.
8

9 CHAIRPERSON JAMES: Thank you.

10 Council Member Recchia, followed by Council Member
11 Barron and then Council Member Vann.

12 COUNCIL MEMBER RECCHIA: Yes.

13 First of all, I would just like to say that in my
14 district, the supervisor of Community Board 15
15 garage, Fred Tuzzolino and his snow supervisor
16 Mike Carson [phonetic] did an excellent job. He
17 worked with us; the same thing with Community
18 Board 13 with Paul Mazilli [phonetic] and Lewis
19 Vacca. But Community Board 11, we had a very
20 serious problem. Councilman Gentile spoke about
21 it, and we would like to follow up, working with
22 your office, Commissioner Doherty.

23 We do believe that all the men and
24 women of Sanitation work very hard. But the
25 question that I have, I have one question for

1 Deputy Mayor Goldsmith, I don't see him here.

2 Being the Finance Chairman, I want to know the
3 cost of the GPS and when this is all going to take
4 place. Is it expense money; is it capital money?

5 But my question goes out to the
6 Commissioner of DOT. We have not heard from her.
7 We'd like the Commissioner of DOT, you know, and
8 what position did DOT take on declaring a snow
9 emergency? What was her reasoning for not
10 declaring a snow emergency? So, we'd like to hear
11 from the Commissioner of DOT.
12

13 JANETTE SADIK-KHAN: Thank you,
14 Council Member. As you know, and as you've heard
15 today, basically the decision to not declare a
16 snow emergency was taken in conjunction with the
17 commissioner--

18 CHAIRPERSON JAMES: [interposing]
19 Commissioner, can you identify yourself please?

20 JANETTE SADIK-KHAN: Janette Sadik-
21 Khan, the Commissioner of the New York City
22 Department of Transportation. It was taken in
23 conjunction with the Commissioner of Sanitation.
24 The idea was is that when I talked to Commissioner
25 Doherty, asking motorists to move their parked

1
2 cars on snow routes was deemed as not a good
3 strategy when we were trying to keep cars where
4 they were.

5 So, currently what we've seen is
6 that a one-size-fits-all response, which despite
7 its name, snow emergency, does little beyond
8 restricting parking and driving on snow routes.
9 So it's clear that this needs to be updated to
10 meet higher standards that the public has
11 regarding a flexible and swift set of responses in
12 preparations to a gathering storm.

13 COUNCIL MEMBER RECCHIA: Because I
14 come to think that cleaning the streets are more
15 important than our cars and where they're parked
16 and getting people moving around. We have to
17 really put that as a priority, not where cars are
18 parked. This is very important.

19 Deputy Mayor Goldsmith, I had a
20 question about the GPS, about how much money is
21 that going to cost? Is that going to be capital
22 money; is that going to be expense money? In
23 addition to that, we would like to make a
24 recommendation to you, Deputy Mayor, and to the
25 Commissioner of Sanitation, that every garage

1 should have a list of people from the local
2 community. We should register them before the
3 storms. There are many people in all of our
4 communities. When I hear you say we're going to
5 contract with this, contract with that, forget
6 about contracting with other people. Hire the
7 locals. I have many people in my district that
8 want to be hired.
9

10 CHAIRPERSON JAMES: Thank you,
11 Council Member Recchia, we're about to--

12 COUNCIL MEMBER RECCHIA:
13 [interposing] So could you take this under
14 consideration, and answer my question.

15 CHAIRPERSON JAMES: Thank you.
16 Yes, thank you.

17 STEPHEN GOLDSMITH: The answer to
18 the second question is sure, that's a great idea.
19 We'll do it. The answer to the first question is
20 we have these very sophisticated vehicle tracking
21 things for like \$6,000 a vehicle x years ago. You
22 can take your cell phone, as you know, and turn it
23 into a GPS device. We're going to take them and
24 use them as walkie talkies to help the men and
25 women in the department communicate with each

1
2 other. For \$40 a month they can become GPS,
3 essentially tracking devices. It's not the same
4 level of sophistication as the really expensive
5 ones, but it's affordable and tells us more or
6 less kind of where they've gone.

7 COUNCIL MEMBER RECCHIA: Thank you
8 very much. I want to give a shout out to
9 Supervisor Grimaldi [phonetic] from Sanitation
10 that did a great job.

11 CHAIRPERSON JAMES: Council Member
12 Barron, followed by Council Member Vann and then
13 Council Member Ignizio.

14 COUNCIL MEMBER BARRON: Thank you
15 very much. My question is for the Deputy Mayor.
16 It's a very difficult one.

17 CHAIRPERSON JAMES: Council Member
18 Barron, is it necessary for you to stand?

19 COUNCIL MEMBER BARRON: Yes, it is.

20 CHAIRPERSON JAMES: You're blocking
21 someone's--

22 COUNCIL MEMBER BARRON:
23 [interposing] Well, it is, because I can't see him
24 with them in front.

25 CHAIRPERSON JAMES: Okay.

COUNCIL MEMBER BARRON: You all were on TV already.

CHAIRPERSON JAMES: No, it's not necessary about being about TV.

COUNCIL MEMBER BARRON: Well, I--

CHAIRPERSON JAMES: [interposing]
Can you get to the question, sir? Thank you.

COUNCIL MEMBER BARRON: Well, let me talk.

CHAIRPERSON JAMES: I will. Thank you.

COUNCIL MEMBER BARRON: And that shouldn't count for time. You put me last. The question I have for you, Deputy Mayor, this has been an incredible hearing. I'm going to be very honest with you; I don't believe everything you've said. I don't believe that you didn't have any discussion about a snow emergency. I don't believe that the Sanitation workers should be investigated. I think you and the Mayor should be investigated. I think that's because the death that has occurred, the power of the Mayor, the power of the Deputy Mayor, and through this I notice how you conveniently diverted to the

Commissioner--

CHAIRPERSON JAMES: [interposing]

Is there a question, Council Member?

COUNCIL MEMBER BARRON: Yes, it is.

CHAIRPERSON JAMES: Okay.

COUNCIL MEMBER BARRON: Tish, other people made statements and then asked their question.

CHAIRPERSON JAMES: I understand that. Could you just sum up your statement and make a question, sir?

COUNCIL MEMBER BARRON: Well, people make their statements, then they ask--

CHAIRPERSON JAMES: [interposing]
Could you get to the question?

COUNCIL MEMBER BARRON: And they ask questions.

CHAIRPERSON JAMES: I understand that. Just finish your statement and make the question. Thank you.

COUNCIL MEMBER BARRON: And I'm not counting this time because you keep interrupting me. The bottom line is that the investigation on the Sanitation workers is a scapegoat, just as the

1 firing of the EMS is a scapegoat. Just by
2 deferring to commissioners when it's convenient is
3 a scapegoat. I think you and the Mayor are
4 responsible for what happened. You and the Mayor
5 should be under investigation, seriously, because
6 the death that occurred could have been avoided.
7

8 There is no way that I would ever
9 believe that the commissioners made all the
10 decisions, especially the ones that were critical,
11 and you and the Mayor knew nothing about it. So I
12 think that we should really look at that. The
13 attorney general's office should look at
14 investigating it. Because no matter what
15 questions were asked here today, you had an answer
16 for them, even if it wasn't accurate, even if it
17 wasn't truthful. Because I even believe that for
18 you to sit here and say you knew nothing about a
19 snow emergency is just not true; no discussion on
20 it whatsoever.

21 Then finally, the tier streets, the
22 primary streets, the secondary and all of the
23 streets are Manhattan. Manhattan is what was
24 cleaned. They even had snow removal in Manhattan-

25 CHAIRPERSON JAMES: [interposing]

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Council Member, question?

COUNCIL MEMBER BARRON: --before they got to Brooklyn. And they cleaned the bike lanes in Manhattan before they got to Brooklyn. My question for you: don't you think, honestly speaking, that you should be under investigation as well, with the Mayor, for the tragedy that occurred during this snow job?

STEPHEN GOLDSMITH: I appreciate the depths of your opinion and I obviously categorically disagree. I'll answer one part. You know, I think there is a great group of men and women who work for the Sanitation Department. In my last life, I spent time driving around in those trucks during snow emergencies. It's one tough job and it's a really tough job for 14 hours a day. We're not investigating them in any way. We applaud those who worked well. Thank you very much.

COUNCIL MEMBER BARRON: No, I said you should be investigated. Not them, you and the Mayor.

STEPHEN GOLDSMITH: You said we were investigating them as scapegoats, I believe.

COUNCIL MEMBER BARRON: No, I said you should be investigated instead of these other entities investigating the union workers.

CHAIRPERSON JAMES: Thank you.

COUNCIL MEMBER BARRON: You should be investigated along with the Mayor--

CHAIRPERSON JAMES: [interposing]
Thank you, Council Member Barron.

COUNCIL MEMBER BARRON: --not you investigating them.

CHAIRPERSON JAMES: Thank you.
Council Member Vann?

COUNCIL MEMBER VANN: Thank you, Madame Chair and Madame Speaker, leadership, colleagues. A female constituent who was pregnant went into labor on Monday, December 27 and she called 911 at around 8:00 a.m. Now, according to media reports, her call was not prioritized as an emergency situation. She gave birth to a baby in the lobby of an apartment building that she sought refuge in as she was actually trying to walk to the hospital in the storm, in the snow.

Now, another call was made to 911 around 4:30 p.m., and police officers on the scene

1
2 called FDNY an hour later to say that the baby had
3 been born and apparently was not breathing. Now
4 the call was then upgraded to the highest priority
5 and FDNY officials arrived in 12 minutes and
6 Emergency Medical Services did not arrive until
7 6:00 p.m.

8 I guess my question, and I realize
9 all of this is being investigated and you can't
10 discuss the issue per se, but my question I think
11 is legitimate in terms of how was a priority
12 established during this critical time. How did
13 you determine which was the highest priority and
14 which was the lower priority? So that I can
15 perhaps rationalize as to why this issue was not
16 the highest priority initially.

17 SALVATORE CASSANO: Without
18 discussing that particular case, when calls come
19 in they are categorized as Segment 1 to 8; 1 being
20 the highest priority, which would be arrest or
21 choking, Segment 2, 3, 4, 5 and so forth. That's
22 the way those calls were being prioritized during
23 the snow storm. That's why we were trying to be
24 proactive and telling people not to call because
25 they just kept getting more and more and more

backlogged. So, as a triage, they were from 1 to 8, and we handled the calls in that priority. Priority 1 would be first then 2, 3, 4.

Now, I can't discuss that particular case, but that's the way they were prioritized. But we had such a huge backlog, some of the life-threatening calls we weren't getting to for, as I said, about 50 minutes.

COUNCIL MEMBER VANN: So, without discussing that particular case, if a call came into 911 that a female is in labor and she's not in or near a medical facility, what is the policy to determine a priority? Is that priority 1 through 3, 3 through 6, or 6 through 9?

SALVATORE CASSANO: That's a priority 5.

COUNCIL MEMBER VANN: That's a priority 5.

CHAIRPERSON JAMES: Thank you.

COUNCIL MEMBER VANN: Then it became a priority 1 when the call came in and said the baby was deceased.

SALVATORE CASSANO: Once we get more information on a call that's prioritized in a

1 lower category, we would immediately upgrade that
2 to a higher category with more information.

3 COUNCIL MEMBER VANN: Right.

4 Without commenting on it, generally, do we
5 understand that when the lady was in labor and at
6 risk, it was a lower priority than when a call
7 came in saying that a lady gave birth and the baby
8 was not breathing?
9

10 CHAIRPERSON JAMES: Thank you.

11 COUNCIL MEMBER VANN: Do you see
12 the folly in that--

13 SALVATORE CASSANO: [interposing]
14 We understand. That's why this case is under
15 investigation.

16 CHAIRPERSON JAMES: Thank you.

17 COUNCIL MEMBER VANN: All right,
18 thank you.

19 CHAIRPERSON JAMES: Council Member
20 Ignizio. Is the Public Advocate still in the
21 building? If not, Council Member Sanders followed
22 Mealy and Eugene. Council Member Ignizio?

23 COUNCIL MEMBER IGNIZIO: Thank you
24 very much. Thank you all for being here and
25 spending so much time with us, Mr. Deputy Mayor

1 and Commissioners. Let me start by saying that I
2 have faith in John Doherty as our Sanitation
3 Commissioner, which is the reason why I think me
4 and a lot of people like me are saying what
5 happened here? Something went wrong. I recognize
6 in your report you illustrate some of that. Quite
7 frankly, we blew it.
8

9 But I want to ask some questions,
10 perhaps and get the answers relatively quickly to
11 just dispel some rumors and to dispel some issues.
12 I don't believe the Sanitation men anywhere in my
13 district laid up. I think they were working
14 really hard and I appreciate that. I know my
15 superintendent was in constant contact with me
16 regarding the issues. But clearly, something went
17 wrong this time.

18 Let me just start by having some
19 quick questions in succession to you, Commissioner
20 Doherty. Pre-salting: was the pre-salting the
21 standard pre-salting that we saw throughout any
22 other snow storm that we have? Was there a
23 difference in pre-salting this time than there was
24 previously?

25 JOHN J. DOHERTY: We don't normally

1 pre-salt, because if you lay the salt down before
2 the snow comes down, traffic only pushes it to the
3 side of the road and it's not effective. It's
4 like a grain. Just like you see dirt in a road,
5 or asphalt, it just goes to the side.

6 COUNCIL MEMBER IGNIZIO: But
7 nothing changed there, right?

8 JOHN J. DOHERTY: Yeah. Nothing's
9 changed. I think what you might be talking about
10 is on Staten Island, we did a test this year.
11 We'll see how it works out. It didn't work out
12 well during this storm. We're trying a pre-
13 salting where we are adding about 35 gallons per
14 ton of calcium chloride to the salt to try and
15 hold it down to see if it works.

16 Normally, we add about 7-10 gallons
17 of calcium chloride per ton of salt. So that was
18 something we tried it on Staten Island and we
19 tried it over in the Brooklyn/Queens area. We
20 didn't get a good evaluation on it because the
21 snow was so heavy, but it's something we're
22 looking at. You might be talking about that, sir.

23 COUNCIL MEMBER IGNIZIO: Let me
24 just move on. There were rumors and, once again,
25

1
2 I'm trying to dispel them. I'm not saying they're
3 true, but let's get them out in the open. That
4 Sanitation men and women were positioned to their
5 garage that they're assigned to, not to the
6 nearest one to their homes. Is that true, is that
7 not true?

8 JOHN J. DOHERTY: I think what that
9 comes from is all Sanitation workers are assigned
10 to various garages around the city and expected to
11 report there. On Monday morning, there was
12 difficulty with everyone getting about, no
13 question about it, including the Sanitation
14 workers. Some of them started calling in asking
15 if they could go to the nearest garage. We didn't
16 want to start an influx of Sanitation workers
17 where they may live. Like on Staten Island, we
18 have quite a few Sanitation workers who live
19 there.

20 COUNCIL MEMBER IGNIZIO: We made
21 out a little bit better there.

22 JOHN J. DOHERTY: We really have to
23 get them distributed around the city. So at first
24 we hesitated, and then we said okay, come on in.
25 If you can get into that garage, come on in and

work. So we didn't stop them for that.

COUNCIL MEMBER IGNIZIO:

Understood. In the interest of time, I'm going to keep going fast. Supervisors with Priuses and the Priuses ultimately got stuck because, clearly, they can't do the work. They don't weigh as much; they don't have plows. In the interest of being green, the city bought green Sanitation cars and they ultimately got stuck, true or false?

SALVATORE CASSANO: That's true.

Many of the Priuses, many small cars got stuck.

COUNCIL MEMBER IGNIZIO: So the

guys who were supervising plow workers couldn't, in fact, do so because some of them got stuck in the green initiative that is the Toyota Prius?

CHAIRPERSON JAMES: Thank you.

JOHN J. DOHERTY: Well, I think it

didn't really, in the long run, affect our ability to do what we did. I mean, one could question whether we did a good job or not. You know, they were still able, the ones that got stuck, we tried to get them out as quickly as we can. They had radios and they were in contact with their personnel. So they were still able to manage

their people without actually seeing them.

CHAIRPERSON JAMES: Thank you.

COUNCIL MEMBER IGNIZIO: Okay.

Some of the things were of concern.

CHAIRPERSON JAMES: Thank you.

Council Member Sanders, Mealy, and Eugene.

COUNCIL MEMBER IGNIZIO: But, thank you very much, Mr. Commissioner.

CHAIRPERSON JAMES: Thank you, Council Member. Council Member Sanders?

COUNCIL MEMBER SANDERS: Thank you, Madame Chair. First, let me draw attention that my State Senator is here. Good to see you, Senator Smith.

CHAIRPERSON JAMES: He was recognized earlier. Thank you.

COUNCIL MEMBER SANDERS: Well, it's always good to recognize him again.

CHAIRPERSON JAMES: The clock is running.

COUNCIL MEMBER SANDERS: If you'll let me speak, then I can use it. If I can also say that my district, I represent the 31st, Southeast Queens, which we kind of think of

1
2 ourselves as the Lower Ninth Ward of New York
3 City. I must admit that we felt absolutely
4 abandoned by government in this crisis that we had
5 out there. We felt that if we had 18th century
6 modes of transportation, a horse and a buggy, we
7 would have done better to get around there.

8 Now, I'm very interested in what we
9 see as a Manhattan-centric focus, a focus on
10 Manhattan that really abandons the rest of us
11 until we get around to it. You mentioned that
12 there are priorities of streets, but I want to
13 draw your attention that Queens as a whole and
14 Brooklyn, I'm sure, we had very few primary
15 streets in our community. Under those conditions,
16 by the time you get around to--I'll be kind; I'll
17 get rid of those words.

18 Your effort to hit your primary
19 streets really hurts us in the outer boroughs. It
20 certainly hurts us in Southeast Queens. Is there
21 some other means that we can use to focus on these
22 streets, a percentage for Manhattan, a percentage
23 for Queens? Something that will mean that
24 normally we get snow removal a day or two after
25 Manhattan. This time, it was three or four days

1 after. The normal is irresponsible.

2
3 CHAIRPERSON JAMES: Is there a
4 question, Council Member?

5 COUNCIL MEMBER SANDERS: Yes, my
6 question is: is there another means that we can
7 use, a fairer means that would take into account
8 the outer boroughs?

9 JOHN J. DOHERTY: We are always
10 looking at that. I mean, I don't believe the
11 outer boroughs were left out as a result of the
12 department putting more manpower or equipment into
13 Manhattan. There are many primary streets in many
14 communities. If you have a bus route, that's a
15 primary street. If you've got a firehouse, that's
16 a primary street. If you've got a hospital,
17 that's a primary street. So there are many.

18 In response to your question, we
19 are going to review things. But we still have to
20 follow a priority on our street clearing that
21 allows emergency vehicles to get around. We
22 failed in getting them into the secondary streets,
23 no question about that. But we still have to have
24 those primary streets opened up.

25 In some areas, there may be more

1 primary streets than other areas. That's
2
3 unfortunate and we'll continue to look at it. But
4 as the Deputy Mayor said, we want to get better
5 management information in. We want to understand
6 better the situations that are going on in each of
7 the communities around the city to see how we can
8 approach that problem and correct it quicker.

9 COUNCIL MEMBER SANDERS: Thank you
10 very much. Thank you, Madame Chair.

11 CHAIRPERSON JAMES: Thank you.
12 Council Member Mealy?

13 COUNCIL MEMBER MEALY: Yes. I
14 listened to my constituent, 80-years-old; she said
15 she'd never seen such a slow response. With that
16 said, do you all know the National Services have
17 issued a winter storm, 6 to 12 inches today? Do
18 you feel, all four of you all commissioners and
19 the deputy will be prepared for this, yes or no
20 answer?

21 JOHN J. DOHERTY: Yes.

22 COUNCIL MEMBER MEALY: Yes. So,
23 with all four commissioners and the deputy, why do
24 we need an expert, Skip Funk, the new Citywide
25 Emergency Communication Director? Why do we need

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2 someone else to handle what all four and the
3 deputy can handle? Why do we need to hire in
4 someone else? Can someone explain that? Quickly,
5 I don't have that much time. I have another
6 question.

7 STEPHEN GOLDSMITH: Mr. Funk has
8 been brought in to--

9 COUNCIL MEMBER MEALY:
10 [interposing] Do we really need him?

11 STEPHEN GOLDSMITH: Yes.

12 COUNCIL MEMBER MEALY: To do what?
13 To communicate, because all four departments did
14 not communicate to one another, so we're going to
15 bring in someone else?

16 STEPHEN GOLDSMITH: No.

17 COUNCIL MEMBER MEALY: Okay, I'll
18 ask the next question. You all get what I'm
19 saying. I understand that the city acquired
20 additional equipment and labor from private
21 companies to battle the snow. How much did the
22 last-minute procurement of private equipment and
23 labor costs to the city, since I'm the chair of
24 Contracts? Could you give me that dollar amount?

25 JOHN J. DOHERTY: Those numbers are

1
2 no in yet. We know the equipment we had out
3 there, but I don't have the final tally on what it
4 cost.

5 COUNCIL MEMBER MEALY: Do you know
6 how many private contractors, outside contractors
7 that you hired during the snow?

8 JOHN J. DOHERTY: Contractors,
9 there were probably about 86 various contractors.
10 A lot of them had small pieces of equipment. I
11 mean, we had a total of equipment from private
12 contractors amounting to 2,504 pieces of equipment
13 over the time period. Many of them were smaller
14 and they were slow to respond. It was difficult
15 to get them as quick as we would like.

16 COUNCIL MEMBER MEALY: So it wasn't
17 that effective. Can I ask you, how did you handle
18 people who came to do the snow removal through the
19 community? Once they got back to the depot, a lot
20 of people said that you were paid in full because
21 you're on public assistance. Is that how you
22 handle community people who come to get that extra
23 work to pay to shovel snow?

24 JOHN J. DOHERTY: I'm not aware of
25 that. We pay the snow laborers \$12 an hour.

COUNCIL MEMBER MEALY: Do you take that money from their public assistance?

JOHN J. DOHERTY: I'm not aware of that. This is the first I've heard about that.

COUNCIL MEMBER MEALY: Well, I've got about ten young men. Do you know that at BK3, it was the fight that broke out with the Sanitation supervisor because they were not informed that they would not get paid? Just because they're on public assistance, they cannot get paid for that? Thank you.

JOHN J. DOHERTY: You might be talking about the Work Experience people that we use for street cleaning. This is the same operations we do for street cleaning. They go out and do street cleaning. In this case, they went out and did snow work, such as cleaning crosswalks, catch basins and corner caps.

CHAIRPERSON JAMES: Thank you.
Council Member Eugene?

COUNCIL MEMBER MEALY: You still didn't answer the question.

CHAIRPERSON JAMES: Thank you.
Council Member Eugene, followed by Ulrich and

Garodnick and then Levin.

COUNCIL MEMBER EUGENE: Thank you very much, Madame Chair. I would like to thank Madame Speaker and all of my colleagues and the commissioners and also the deputy mayor for this wonderful forum, and all of you here.

The improper response of the city endangers the lives of New Yorkers, jeopardizes the life of New Yorkers. When we talk about life, nothing can replace and also bring life back. This is a very important issue. We don't know yet how many people died because of the situation.

What did you put in place to ensure that people with medical need get their needs fulfilled? What did you put in place, knowing what happened a few days before, to ensure that we can protect the life of the people? Do you think that it is necessary to create another emergency medical task force to deal with certain situations? I'm talking about a structure that can create coordination and communication between the Fire Department and the hospital, the nursing homes and the medical facilities. Do you think that it is important to create a new task or

another medical task force? Or what did you put in place to respond to those emergencies?

Let me give you my second question very quickly, since I don't have enough time. Deputy Commissioner Goldsmith, you said in your testimony many--

CHAIRPERSON JAMES: [interposing]
Is there a question, Council Member?

COUNCIL MEMBER EUGENE: Yes.

CHAIRPERSON JAMES: Thank you.

COUNCIL MEMBER EUGENE: Yes, my second one. You said that many private contractors with heavy equipment could not be reached. Why? Is there something that you used to do that you didn't do this time? What is the process? How did you contact them before in times of emergency? Is there something different that you don't do?

JOHN J. DOHERTY: No, I think with emergency equipment we do go out early in the year. We solicit them. We try and contact them. We reach out to the construction industry to see if they can solicit them. We put ads in the trade papers to try and get them in. Many years ago, we

1
2 used to get a lot more. Today, the construction
3 industry operates no matter what the weather is.
4 Conditions have improved. At one time, they shut
5 down.

6 We do have to reach out, as the
7 Deputy Mayor said, and work out a contract
8 procedure for hired equipment where we have them
9 to do the tertiary streets that you're talking
10 about, the back streets. Call them in ahead of
11 time so that they're ready, just like we are.
12 That's something that is being reviewed as we
13 talk.

14 COUNCIL MEMBER EUGENE: My first
15 question, anybody can answer to that. What has
16 been put in place to respond to the medical
17 emergency needs of the people?

18 JOSEPH F. BRUNO: Councilman, with
19 regard to people with special needs, we reach out
20 whenever there is bad weather coming. We reach
21 out to a whole series of people in what we call an
22 advanced warning system. But the particular one,
23 for example, with the paratransit to make sure
24 that they're aware of the weather and try to
25 arrange that people can be picked up, assuming

1
2 weather permits it. We speak to the Department
3 for the Aging. We reach out to the network for
4 the End State Renal or Dialysis Group to see what
5 their needs might be.

6 In fact, during much of the
7 activation, we were directing Sanitation to
8 particular people who needed dialysis or to get to
9 a place and we would free that up. With regard to
10 hospitals, we had direct calls come in of
11 communication with hospitals, as we do before and
12 during emergencies. Those who are having trouble
13 with their emergency room access, we were asking
14 Sanitation and Police to try to clear that out and
15 they were given priority as well, along with
16 ambulances. So we have reached out.

17 We reach out to those people with
18 special needs, to the American Red Cross and all
19 of the caregivers so that they're aware of the
20 situation, they can understand what may be coming,
21 and they can double up on service and community
22 care with their clients. We did that.

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

25 COUNCIL MEMBER EUGENE: Thank you.

COUNCIL MEMBER ULRICH: Thank you, Madame Chair. Commissioner Cassano, I'd like to start with you. You testified earlier that the Fire Department supported the idea of an emergency declaration. Is that correct?

SALVATORE CASSANO: That's correct.

COUNCIL MEMBER ULRICH: Who was that communicated to?

SALVATORE CASSANO: The Office of Emergency Management, OEM.

COUNCIL MEMBER ULRICH: So you told that to OEM that the Fire Department's position was that they actually supported the idea or the concept of declaring a state of emergency?

SALVATORE CASSANO: There was a call from OEM to us saying do we concur. Based on the conditions that we had, we concurred that a state of emergency could be called.

COUNCIL MEMBER ULRICH: Deputy Mayor or Commissioner Bruno, to your knowledge, are you aware of any other city agency, such as the Police Department or others that also supported the idea of declaring a state of emergency?

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2 JOSEPH F. BRUNO: The Department of
3 Sanitation also was contacted. We communicated
4 out to those two agencies and talked to them.
5 What turned out to be the discussion was whether
6 we had authority without a state of emergency to
7 start pushing more cars out of the way and getting
8 them out of the roadway. We brought the Law
9 Department in with all the agencies and us and we
10 determined we didn't need to have a state of
11 emergency for that particular purpose. That was
12 the purpose of that call. We decided you have all
13 the authority you need allowing Sanitation and
14 others to move those vehicles out of the way.
15 That was the issue that we had before us on that
16 particular call.

17 COUNCIL MEMBER ULRICH: So it was
18 the Office of Emergency Management that rejected
19 the Fire Department's claim that perhaps it was
20 needed?

21 JOSEPH F. BRUNO: No. We reacted
22 to their request and Sanitation's request that the
23 main interest was to try to clear up the roadways
24 so ambulances and others could get through,
25 including their plows.

1
2 COUNCIL MEMBER ULRICH: I don't
3 understand why they were even consulted though.
4 Because according to the testimony we heard today,
5 that is at the discretion of the Department of
6 Sanitation and Department of Transportation.

7 JOSEPH F. BRUNO: They were
8 questions, particularly from the Department of
9 Sanitation as to whether they had authority to
10 move cars out and we clarified that very quickly.

11 COUNCIL MEMBER ULRICH: Who else
12 was asked? Did OEM contact any other agencies?
13 What other agencies did you contact?

14 JOSEPH F. BRUNO: The two agencies
15 we talked to on this particular thing, which
16 happened in the middle of the night, were between
17 Fire, Department of Sanitation and OEM. And the
18 Law Department came in. Of course, they--

19 COUNCIL MEMBER ULRICH:
20 [interposing] What about DOT?

21 JOSEPH F. BRUNO: I don't believe
22 DOT was on that communication.

23 COUNCIL MEMBER ULRICH: I think
24 there was an overall lack of coordination on the
25 part of a lot of city agencies. I know the Deputy

1 Mayor took some responsibility for that. But when
2 we talk about accountability in the city, it's
3 hard for a lot of people to understand, for
4 instance, if OEM is in charge of handling the city
5 and coordinating multi-agency tasks in a severe
6 storm or an emergency situation how, for instance,
7 the EMS chief lost his job but you get to keep
8 yours. It's very difficult for a lot of people to
9 understand that.
10

11 [Applause]

12 COUNCIL MEMBER ULRICH: No, I'm not
13 saying that for applause. I'm not trying to
14 belittle you in any way. I'm talking about
15 accountability. It seems that no one person in
16 the Administration wants to accept responsibility
17 for the failure to coordinate the efforts of many
18 city agencies. I'll leave it at that.

19 CHAIRPERSON JAMES: Council Member
20 Garodnick, followed by Council Member Levin,
21 Rodriguez and then the last Council Member is
22 Council Member Nelson.

23 COUNCIL MEMBER GARODNICK: Thank
24 you, Madame Chair. Gentlemen, thank you for your
25 presence here today. Obviously, and just to

1
2 follow-up on the questions of Council Member
3 Ulrich, obviously the Administration made a
4 mistake in not calling for a snow emergency. I
5 think we should just put that aside for a moment
6 because those decisions are challenging based on
7 the facts that you have at the time. You are
8 obviously humans and humans make mistakes.

9 But the part which concerns me more
10 is the protocol issue that is coming up over and
11 over again in this hearing. It seems to me, and
12 this is my question, Madame Chair, that the
13 Administration has given perhaps too much
14 discretion to individual agency heads with no
15 central authority to ratify or reject their
16 decisions. Obviously, there are many more
17 emergencies than this that we might face.

18 So you said that you're reviewing
19 your protocols, Mr. Deputy Mayor. We're expecting
20 another storm in the city tomorrow. So, is the
21 new protocol that a call or a non-call of a snow
22 emergency will be reviewed by the Mayor or the
23 Deputy Mayor?

24 STEPHEN GOLDSMITH: Yes, we have to
25 formalize the protocol and show it to you. In the

1
2 meantime, we have an event, perhaps for Wednesday,
3 that we need to be prepared for. So, we're
4 essentially going to track what the formal
5 protocol would say. There will be a series of
6 escalating conversations that will involve all the
7 relevant commissioners with a recommendation to
8 the Mayor. That will be in place.

9 It started with Stage 1 with OEM
10 already. We'll have more conversations tomorrow
11 with increased numbers of commissioners nominating
12 decisions up the line of command, a clear line of
13 authority.

14 COUNCIL MEMBER GARODNICK: And at
15 the end of the day, it will be a Deputy Mayor or
16 the Mayor himself who will make the decision to
17 either ratify or to overrule the decision that has
18 been made?

19 STEPHEN GOLDSMITH: No, there's no
20 doubt in my mind about who's in charge. It's the
21 Mayor. The decision will go up to the Mayor. So
22 yes, it will be the Mayor.

23 COUNCIL MEMBER GARODNICK: Okay.
24 Now, the other types of emergency that can be
25 declared, presumably there are many, we're talking

1 about snow emergency today. I don't know if
2 Commissioner Bruno or you would be able to
3 delineate. I don't know how many categories there
4 are of types of emergency that we might face in
5 the City of New York, but the basic question is
6 this: will, going forward, a Deputy Mayor or the
7 Mayor himself be required to ratify or reject any
8 prior decisions of agency heads on what they would
9 like to do on a declaration of emergency, in any
10 type of emergency that we might face here in New
11 York.
12

13 STEPHEN GOLDSMITH: Both of us
14 will, yes.

15 COUNCIL MEMBER GARODNICK: Both of
16 you would?

17 STEPHEN GOLDSMITH: Both of us will
18 be involved, yes. Both the Mayor and the Deputy
19 Mayor will be involved. Not to the exclusion of
20 the commissioners, but based on advice from the
21 commissioners.

22 COUNCIL MEMBER GARODNICK: Is that
23 a new policy?

24 STEPHEN GOLDSMITH: Well, it's
25 clearly one we didn't follow two weeks ago.

1
2 COUNCIL MEMBER GARODNICK: I get
3 that you didn't follow it two weeks. My question
4 is: is it a new policy for the Mayor or the Deputy
5 Mayor to have to make the ultimate call on a
6 declaration of emergency?

7 STEPHEN GOLDSMITH: I don't think
8 there's been any, I mean I obviously don't have
9 the length of experience as the other three, but I
10 don't see any established policy to review a non-
11 call. When there are important events, even if
12 they don't lead to a call of an emergency, they
13 should be reviewed by the Deputy Mayor of
14 Operations and escalated to the Mayor in every
15 situation.

16 COUNCIL MEMBER GARODNICK: I agree,
17 and I thank you.

18 COUNCIL MEMBER LEVIN: Thank you.
19 Commissioner Bruno, I'm going to read from your
20 testimony. You said, "On Christmas Day, minutes
21 before our scheduled 4:00 p.m. call with the
22 Winter Weather Emergency Steering Committee, the
23 National Weather Service issued a blizzard warning
24 and predicted 9 to 14 inches of snow in New York
25 City."

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2 that night and again at 11:16. At 11:16 p.m. on
3 the 25th, the National Weather Service had upped
4 the amount of snow to 11 to 16 inches. Also, the
5 weather reports indicated that snow would begin
6 around 5:00 p.m. in earnest. It did begin
7 earlier, lighter, but--

8 COUNCIL MEMBER LEVIN:

9 [interposing] Commissioner Bruno, I'm sorry to
10 interrupt, but it does say that light snow will
11 likely begin during Sunday morning.

12 JOSEPH F. BRUNO: Correct, but the
13 heavy storm was supposed to begin around 5.

14 COUNCIL MEMBER LEVIN: That's when
15 the blizzard would be in full swing, not when the
16 blizzard began. The blizzard warning was in
17 effect at 6:00 a.m. on Sunday. Is that correct?

18 JOSEPH F. BRUNO: I understand. I
19 understand that.

20 COUNCIL MEMBER LEVIN: Thank you.
21 My other question, just following up on the
22 blizzard warning, did other members of the Unified
23 Command of CIMS, so that would be Commissioner
24 Bruno, Commissioner Cassano, Commissioner Kelly,
25 did they opine on the question of the snow

emergency on December 25th?

JOSEPH F. BRUNO: They did not.

COUNCIL MEMBER LEVIN: Thank you very much. Thank you, Madame Chair and thank you, Madame Speaker.

CHAIRPERSON JAMES: Thank you. Council Member Rodriguez?

COUNCIL MEMBER RODRIGUEZ: Isn't that true that only the Mayor in this city can declare the city in the state of emergency? Yes or no; I have other questions.

STEPHEN GOLDSMITH: No.

COUNCIL MEMBER RODRIGUEZ: Who else can declare?

STEPHEN GOLDSMITH: A snow emergency can be declared by the Transportation Commissioner.

COUNCIL MEMBER RODRIGUEZ: In the case such as the snow where not only one area will be affected but citywide?

STEPHEN GOLDSMITH: Citywide emergency, the Mayor, yes.

COUNCIL MEMBER RODRIGUEZ: The Mayor does?

STEPHEN GOLDSMITH: Yes.

COUNCIL MEMBER RODRIGUEZ: So can we agree that there were conditions in this particular snow storm to declare the city emergency?

STEPHEN GOLDSMITH: I support the decision made by the commissioners. Looking back, we should have organized a process that would have led to an emergency declaration, yes.

COUNCIL MEMBER RODRIGUEZ: But there were conditions, right?

STEPHEN GOLDSMITH: There was--

COUNCIL MEMBER RODRIGUEZ: [interposing] There were conditions to declare the city in a storm emergency.

STEPHEN GOLDSMITH: In retrospect, yes.

COUNCIL MEMBER RODRIGUEZ: Yes. So how much will this snow storm cost the city?

JOHN J. DOHERTY: What'd you say the question--

COUNCIL MEMBER RODRIGUEZ: [interposing] How much will this past snow storm cost New York City in projection, Deputy Mayor?

STEPHEN GOLDSMITH: I don't know.

COUNCIL MEMBER RODRIGUEZ: In
projection? Millions, billions?

JOHN J. DOHERTY: I can answer
that, sir. The budget is in my bureau and I'd
like to respond. We started out with \$38 million
and we're probably done, with those storm, we'll
be pretty close to spending that.

COUNCIL MEMBER RODRIGUEZ: So would
we say that by not declaring the city in a state
of emergency, we will not be receiving federal
funding?

JOHN J. DOHERTY: No. No, that's
not correct. I can let the specialist to answer
that.

COUNCIL MEMBER RODRIGUEZ: Yes.

JOSEPH F. BRUNO: With regard to
federal declaration, we are already processing the
costs of that storm. If we can meet the
thresholds that are required for the state and
individual counties, we will pursue reimbursement
through the Stafford Act. That requires the
Governor to submit that to the president and the
president to approve. We are collecting all of

1 the data we can and when we get that, we'll decide
2 with the state how many counties we can go for.
3 We certainly are going to do our best to get them
4 all.

5
6 COUNCIL MEMBER RODRIGUEZ: Thanks.

7 In response to the GPS tracking, is the
8 Administration looking to put GPS on all
9 Sanitation trucks, including street sweeping
10 vehicles.

11 JOHN J. DOHERTY: The street
12 sweeping vehicles actually have radios. They're
13 probably ahead of some of the trucks.

14 COUNCIL MEMBER RODRIGUEZ: GPS?

15 JOHN J. DOHERTY: GPS?

16 COUNCIL MEMBER RODRIGUEZ: Yes.

17 JOHN J. DOHERTY: We're going to be
18 looking first with the Sanitation trucks because
19 of the plows. As we see how well it works, we
20 will look at those. But you've got to remember,
21 the sweepers are not involved in snow removal. So
22 our priority is snow removal vehicles at this
23 point and understanding where they are and what
24 they're doing and how well we're accomplishing--

25 COUNCIL MEMBER RODRIGUEZ:

1 [interposing] Then later on we can look at the
2 sweeping truck.
3

4 JOHN J. DOHERTY: The collection
5 trucks and salt spreaders. That's the priority.
6 That's the snow fighting equipment and that's
7 where we want them.

8 COUNCIL MEMBER RODRIGUEZ: Thank
9 you.

10 CHAIRPERSON JAMES: Council Member
11 Nelson?

12 COUNCIL MEMBER NELSON: This is
13 directed towards primarily Commissioner Doherty.
14 Your work has been incredibly great in the past,
15 as has been said many times today. They're like
16 snow eaters. So that's why I think we're so
17 amazed, it's like incredulous and irate, and at
18 least 80 percent of the city has been irate. Any
19 potential sabotage I know is under investigation.
20 But did you get reports about Sanitation plow
21 vehicles, specifically, being driven all over
22 South Brooklyn with raised plows, like one to two
23 feet above the ground? I saw it myself, but I
24 also had many, many phone calls calling up with
25 very, very upset constituents about this. Did you

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get calls about that?

JOHN J. DOHERTY: I had heard some reports. I think what sometimes gets confused in the heat of battle is what's actually going on out here. Sometimes that truck may be traveling from the garage to the route. Depending on the conditions on getting there, the instructions are to put the plow down if there's snow. If there's no snow there, move on to where your route is and concentrate on that. Don't be delayed someplace else. So there are various reasons that the plow may be up, if it's traveling from one place to another. Maybe they've been reassigned to a different route in a different part of the section, so they want to get there quickly. They're not going to get that plow down and spend time with a route that's maybe being covered by someone else.

COUNCIL MEMBER NELSON: Well, that may be the case. That may be the case. But I saw people going, and I know I'm not supposed to be provincial, but up and down Ocean Parkway and Ocean Avenue and other parts and I never saw the plow down up until perhaps Thursday. So just take

1
2 that into consideration please. When you review
3 everything, you'll see that. It's not just been
4 on YouTube but we have seen this with our very
5 eyes.

6 Do you have a plan, you know there
7 are other types, police precincts for instance,
8 hospitals, dialysis units, if you will, they're on
9 a secondary/tertiary street, but do you have it in
10 your plans that those will be taken care of along
11 with the primaries or right after the primaries?
12 We saw that vehicles could not get to a hospital
13 in my area. I saw that all over YouTube as well.
14 It seems that it's life and death situations that
15 they don't have to run with people on the
16 stretcher a block or two.

17 JOHN J. DOHERTY: Hospitals, police
18 stations are on the primary streets. No doubt
19 about it, there was some difficulties in some of
20 our primary streets where buses in some cases
21 broke down because they couldn't move and cars
22 broke down. Depending on what point of the storm
23 you talk about, there may have been some problems.
24 But we were very aware of hospitals. We tried to
25 work through OEM on these type of emergencies

1 where there was a snow problem to address it as
2 quickly as possible. But hospitals, police
3 stations and things like that are on our primary
4 streets.
5

6 COUNCIL MEMBER NELSON: Considered
7 primary streets in other words, because they're
8 not necessarily primary streets.

9 JOHN J. DOHERTY: They are primary
10 streets.

11 COUNCIL MEMBER NELSON: Regardless
12 if it's like on E Street or something, or a small
13 street?

14 JOHN J. DOHERTY: If there is a
15 hospital or a police station--

16 COUNCIL MEMBER NELSON:
17 [interposing] It's considered primary?

18 JOHN J. DOHERTY: It's a primary
19 street, yes, sir, even schools.

20 CHAIRPERSON JAMES: Thank you.

21 COUNCIL MEMBER NELSON: Thank you,
22 Commissioner. Thank you, Madame Chair.

23 CHAIRPERSON JAMES: Thank you,
24 Council Member Nelson. Deputy Mayor Goldsmith, et
25 all, this has concluded this part of the hearing.

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2 Before you leave, I just have three rapid fire
3 questions which require yes or no answers. One:
4 are the streets south of 96th Street or 59th
5 Street considered secondary streets, yes or no?

6 JOHN J. DOHERTY: Most of those
7 streets are primary.

8 CHAIRPERSON JAMES: They're
9 primary?

10 JOHN J. DOHERTY: Most of them are
11 primary. There are secondary in there I believe.
12 You know, I'm trying to remember off the top of my
13 head.

14 CHAIRPERSON JAMES: Okay.
15 Commissioner Doherty, if you had 500 additional
16 workers would that have improved snow removal
17 efforts, yes or no?

18 JOHN J. DOHERTY: You have to
19 balance the work that--

20 CHAIRPERSON JAMES: [interposing] I
21 said yes or no.

22 JOHN J. DOHERTY: It's not a yes or
23 no answer, Madame.

24 CHAIRPERSON JAMES: Go ahead,
25 Commissioner. You can have the final word on

1
2 that. You're the only who's getting a little more
3 time. You've earned it.

4 JOHN J. DOHERTY: One has to look
5 at how many people we need in the department over
6 time, not just for the winter season, but for the
7 rest of the year.

8 If one builds up and has a large
9 force of 7,000 or 8,000 people and pays for it,
10 the Council is going to be saying, hey where's the
11 money for what I need. You know, these are things
12 we have to evaluate. I think what we have to look
13 at, as was pointed out, we have an optimum
14 workforce, in my mind, of 6,000 people. That's
15 what we need for doing our job and for doing snow.

16 In storms like this, we have to see
17 about quickly getting in hired equipment and what
18 we can do, as the Deputy Mayor pointed out, on
19 different contracts, different approaches.

20 CHAIRPERSON JAMES: Thank you.

21 JOHN J. DOHERTY: I think that's
22 the way we're going to have to go.

23 CHAIRPERSON JAMES: Thank you.

24 Lastly, is there any evidence, based on your own
25 internal reviews that the Department of Sanitation

supervisors engaged in a slowdown or a wildcat?

JOHN J. DOHERTY: No.

CHAIRPERSON JAMES: Any evidence?

JOHN J. DOHERTY: No.

CHAIRPERSON JAMES: No? Thank you.

JOHN J. DOHERTY: No, in Sanitation in my mind. There's an investigation going on.

CHAIRPERSON JAMES: No, I understand.

SPEAKER QUINN: Thank you. I just want to remind my colleagues, those questions are really enforcement for the law enforcement entities that are looking at this, not for the Council, which is not a law enforcement entity. But just to wrap up, I want to first thank all of the chairs who convened this hearing, in particular the Chair of the Sanitation Committee, who had the unfortunate job of the clock, which Chair Williams was running very well. Thank you.

I want to thank the members of the panel from the Administration. People may or may not have liked every answer you gave, but you were incredibly forthcoming and provided a great deal of information and have committed to provide more

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2 information. I want to thank you very much for
3 that frankness and for the commitment to continue
4 to work with us in the same forward-looking frank
5 way that you conducted yourself at this hearing.

6 I want to thank your staff, who
7 worked, I know, very long and hard in preparing
8 for today. I also want to thank all of the City
9 Council staff who worked very, very long and hard-

10 CHAIRPERSON JAMES: [interposing]
11 Yes.

12 SPEAKER QUINN: --in making sure we
13 all had the information that we needed to conduct
14 a focused and professional hearing. I want to
15 thank all the Council Members, who I know it
16 killed them to only have three minutes, but all
17 who were cooperative and professional. We will
18 now start a series of other panels with union
19 representatives, civic leaders and others. Thank
20 you very much, Mr. Deputy Mayor and all of the
21 Commissioners.

22 CHAIRPERSON JAMES: Thank you.
23 Deputy Mayor, we will be requesting some snow
24 removal forms. You'll get that in the form of a
25 letter.

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2 Based on advice of counsel, the
3 representatives from Local 444, representing the
4 Sanitation Officers Association, will not be
5 testifying. The next panel, representing the
6 Uniformed Sanitationmen's Association is Harry
7 Nespoli and Mr. Jon Del Giorno.

8 [Pause]

9 SPEAKER QUINN: We need to get the
10 other panels up. I recognize there's a lot of
11 press and administration folks, but if the
12 sergeant-at-arms and Carl could assist the
13 Administration in exiting, we could get the next
14 panel up.

15 [Pause]

16 SPEAKER QUINN: Anyone who is doing
17 any interviews, you need to conduct those in the
18 Red Room, to the back to the right. We need to
19 continue the hearing. If you're doing interviews,
20 they should be done in the Red Room. Otherwise,
21 clear the floor please. People who are exiting
22 need to exit. Interviews with the press need to
23 be done in the Red Room so we can start the next
24 panel, which has been very patient. We need to
25 clear the middle aisle. Thank you very much.

Give us a couple of seconds.

[Pause]

SPEAKER QUINN: If the two witnesses could identify themselves for the record. The sergeants-at-arms are giving out your testimony. I don't know if you're both testifying. Harry is testifying, so just both identify yourself for the record. If we could, get a little quiet in the chambers please.

HARRY NESPOLI: Harry Nespoli, President of the Uniformed Sanitationmen's Association.

SPEAKER QUINN: President Nespoli, just move the mike closer. I know I usually don't have to tell you to speak up, but move the mike closer so we can hear you. Thank you.

JON DEL GIORNO: Jon Del Giorno, representing the Sanitation Workers Union, with Pitta Bishop Del Giorno and Giblin.

SPEAKER QUINN: Go right ahead, President Nespoli.

HARRY NESPOLI: All right. I already handed out my testimony. I'm just going to try to do this as quickly as possible. There

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2 are some statements that I have to make, and I
3 promise you, I won't keep you here too long. I
4 want the questions.

5 The 5,900 people that I represent
6 worked 12 to 14 hours a day for two weeks.
7 They're out there today still doing that, and also
8 getting ready to fight another storm that's coming
9 in.

10 My members live in your
11 communities. You know them and I know them, and
12 you know me. I want to make one thing perfectly
13 clear before we move on. This union, the men and
14 women of this union would never put the people in
15 jeopardy during a snow storm. It just doesn't
16 happen. The people before me taught me well. The
17 people before them were taught also.

18 When it comes to snow, I take my
19 contract book and I put it on the side for this
20 department and for the people, to do one thing, to
21 clean up these streets and to get the emergency
22 services through. As soon as that storm is taken
23 care of, I pick my contract book up and I go back
24 into it. That's an understanding I have with
25 management. That's an understanding I was taught.

Under no circumstances did this union or any of the men and women of this union participated in a job slowdown. So what happened?

SPEAKER QUINN: President Nespoli, as I said before, those are questions that are really being addressed by law enforcement. So the members are not particularly going to ask a lot of questions about that, because that's just not in our purview. I appreciate your statement about that, but I just wanted to be clear on that.

HARRY NESPOLI: Speaker, I just had to clear that up.

SPEAKER QUINN: No, I understand.

HARRY NESPOLI: First of all, we got hit with a major blizzard. That's what we did. The eastern coast, not just New York, Pennsylvania and Jersey also. It took everybody by surprise. Trains were out. Airports were shut down. The mail took three days before it was delivered.

Back in September, I approached this Administration and I told them I was worried. I'm doing this a long time. I'm going into a winter with the lowest amount of manpower that

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2 this agency ever had. I was worried about a major
3 storm hitting this city. And guess what? I wish
4 I was wrong, because it happened. I was told: do
5 more with less. That's what I was told.

6 I approached many of you Council
7 people on this matter and I spoke to you about it.
8 I'm worried. When I see tornadoes hit New York
9 City, something that I've never seen in my
10 lifetime, I don't know what's going on out there.
11 But 5,800 men and women aren't enough for a major
12 storm.

13 With that, I'll take whatever
14 questions anybody wants to ask.

15 CHAIRPERSON VALLONE: Thank you,
16 Mr. Nespoli. I only have a few quick questions.
17 Did you have more men to fight this storm this
18 Christmas or last February?

19 HARRY NESPOLI: Last February, I
20 believe we had 6,150.

21 CHAIRPERSON VALLONE: And what did
22 you have this Christmas storm?

23 HARRY NESPOLI: Manpower?

24 CHAIRPERSON VALLONE: Right.

25 HARRY NESPOLI: We went in with

1
2 5,900, because I received 100 new personnel three
3 weeks prior to the storm.

4 CHAIRPERSON VALLONE: I mention
5 that because the Mayor's people put out a
6 statement contradicting what I had said earlier,
7 that you had fewer men last year than you had this
8 year. I just wanted to make sure. Less people,
9 the Speaker reminds me. Yes, less people. Less
10 this time than last time.

11 HARRY NESPOLI: Excuse me,
12 Councilman.

13 CHAIRPERSON VALLONE: Yes, sir.

14 HARRY NESPOLI: I think the way
15 they answered you was they had the same amount of
16 people driving the trucks.

17 CHAIRPERSON VALLONE: No. They put
18 out a statement to certain press after I was
19 finished saying I was mistaken. That you had more
20 this time than you did in February. I was not
21 mistaken.

22 This last storm, Friday, or this
23 non-storm that happened did your members pre-salt
24 the street?

25 HARRY NESPOLI: Yes, they did.

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CHAIRPERSON VALLONE: I thought so.

But they didn't do it during the massive blizzard.
Any idea why not?

HARRY NESPOLI: I thought they did.

CHAIRPERSON VALLONE: I'm pretty
sure the commissioner said they didn't. In your
experience, is it normal to not salt? Okay, they
want me to define pre-salt. Maybe that's a good
idea.

HARRY NESPOLI: Pre-salt is prior
to a large amount of snow on the ground.

CHAIRPERSON VALLONE: It can be as
the snow is actually falling?

HARRY NESPOLI: Sure.

CHAIRPERSON VALLONE: So you did
that during this Friday's storm. During the
Christmas blizzard, we're told that they did not
salt the streets from 7 p.m. to 4:30 in the
morning. First of all, is that your
understanding? Second of all, is that the way to
fight a massive blizzard like that?

HARRY NESPOLI: We lost the storm
by 7:00 p.m. shift. We couldn't keep up with the
fall of 3 inches an hour. Brooklyn, Staten Island

1
2 and Queens had 30 inches of snow and the Bronx had
3 20 and Manhattan had 20, the way I understand it.

4 CHAIRPERSON VALLONE: That's true.
5 I just want to get your expertise using salt
6 during a storm, perhaps behind plows or as the
7 snow is falling.

8 HARRY NESPOLI: Look, my members
9 drive the trucks and we get our orders. During
10 snow, you follow your orders. They did drop salt,
11 not on the 7:00 p.m. shift because I believe there
12 was just a little too much snow out there. They
13 do stop salting at certain inches. I don't know
14 what the inches exactly are.

15 CHAIRPERSON VALLONE: Okay, we'll
16 further discuss this when we have some time.
17 Chair Crowley?

18 CHAIRPERSON CROWLEY: Thank you,
19 Co-chair Vallone. Mr. President Nespoli, do you
20 believe that the Administration hesitated with
21 this storm? Do you believe that cost might have
22 been a factor in fighting the storm? In other
23 words, were your members called in early enough?
24 Were they prepared to fight this blizzard?

25 HARRY NESPOLI: The department

1 notified me on the day before Christmas, they were
2 going to call in manpower and I worked with them.
3 Some of my shop stewards came in to set up for
4 Sunday morning. They had enough manpower in on
5 Christmas Day. They also, the next day we had a
6 full force at 7:00 a.m., and we had a full force
7 at 7:00 p.m. We were in place.

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9 CHAIRPERSON CROWLEY: Were there
10 enough Sanitation workers in place?

11 HARRY NESPOLI: There are never
12 enough Sanitation workers to fight a blizzard.

13 CHAIRPERSON CROWLEY: Did you have
14 the right equipment?

15 HARRY NESPOLI: We had the
16 equipment. Over the years, the budget always
17 affects every agency. One thing that my workers
18 take pride in is snow. That's what we do. We
19 handle snow. But we have to keep that equipment,
20 the modern technology continually humming on the
21 job. Two years ago, I went to the Commissioner
22 and I spoke about smaller vehicles for smaller
23 areas that can move better in snow. "I don't have
24 the money for that. It costs too much." I made a
25 suggestion to them to turn around, to Goldsmith

1
2 himself; we're in danger going into this summer,
3 5,800 men.

4 You might have had the same amount
5 on the street trying to fight the storm. Now you
6 took 100 officers, and when I say officers, police
7 officers that are Sanitation men, and put them on
8 plows. During the storm those 100 are in the
9 street, during the blizzard, directing traffic,
10 moving trucks around. So now you lost that part
11 of fighting the storm. We had smaller trucks to
12 hit where the public has to cross, with salt in
13 the back. They just don't exist on this agency
14 anymore. You can only cut so much from the
15 services that are directly in contact with the
16 public. You have to be careful.

17 CHAIRPERSON JAMES: Mr. Nespoli,
18 earlier you saw the chains that I brought forth.

19 HARRY NESPOLI: Yes.

20 CHAIRPERSON JAMES: Have the men
21 and women of the Department of Sanitation
22 indicated to you that the new chains are a
23 problem? If so, how are they a problem? Are they
24 inferior to the steel chains that we used in the
25 past?

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2 HARRY NESPOLI: I've got complaints
3 this storm about those chains. As far as exactly
4 what they are, where they're made out of, where
5 they come from, are they as strong as the old
6 ones, I don't know.

7 CHAIRPERSON JAMES: Did they break?

8 HARRY NESPOLI: Chains break off no
9 matter it is. During a snow storm, they break
10 off. If you're out there with even thick chains,
11 you're going to have some you're going to lose.

12 CHAIRPERSON JAMES: Did a lot of
13 the plow trucks break down because of the new
14 types of chains that are currently being used by
15 the Department of Sanitation?

16 HARRY NESPOLI: I wouldn't know.

17 CHAIRPERSON JAMES: Was there a
18 problem with respect to the trunnions and where
19 they were positioned?

20 HARRY NESPOLI: Yes.

21 CHAIRPERSON JAMES: Did you hear
22 from your men? Could you elaborate further?

23 HARRY NESPOLI: My men were telling
24 me, and it's because I'm right in that union hall.
25 If they're fighting the storm, I'm with them. I

1
2 try to make the operations from the department to
3 my men as easy as possible. That's my job.
4 There's a lot of people that get tired after 28
5 days of 12-hour shifts. That was the last storm.
6 But they're going to work.

7 CHAIRPERSON JAMES: Do you believe
8 that Deputy Goldsmith is operating government on
9 the cheap?

10 HARRY NESPOLI: I don't know what
11 Deputy Goldsmith is doing right now as far as in
12 this agency is concerned. But I know he has many
13 ideas that he wants to institute in all the
14 agencies in the City of New York.

15 CHAIRPERSON JAMES: Is he basing
16 his staffing levels based on garbage collection,
17 which is at an all time low, as opposed to winter
18 storms and snow?

19 HARRY NESPOLI: His idea of one
20 plow, one driver, one plow, one driver, one plow
21 should cover this; it's wrong. You run into too
22 many problems out there. They actually, not they,
23 a few years ago said if my men move at five miles
24 an hour and continuously move, they could cover x
25 amount of miles by the end of the day. Those

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2 computers, they're not doing the job. That's not
3 the real thing. The real thing is you're walking
4 there and you're going to run into problems as you
5 go along.

6 CHAIRPERSON JAMES: Did we try to
7 fight this storm based on plowing and plowing
8 alone? You don't know?

9 HARRY NESPOLI: I don't know. What
10 else do we have?

11 CHAIRPERSON JAMES: Well, using
12 just the regular plow trucks as opposed to the v-
13 trucks and the bulldozers and the front end
14 loaders.

15 HARRY NESPOLI: No, we put our
16 bulldozers out there also. We lost the storm.
17 Losing the storm means you can't keep moving.
18 When our trucks got out there to start the impact
19 of plowing, they couldn't go anywhere. To fight a
20 storm, those plows have to keep on moving. Once
21 you stop at three inches an hour, you're never
22 going to catch up.

23 CHAIRPERSON JAMES: So why did they
24 stop? Because they were stranded or stuck?

25 HARRY NESPOLI: Because of buses

2 out there, because of cars out there, because the
3 public just wasn't aware of it.

4 CHAIRPERSON JAMES: Is it because
5 we failed to declare a snow emergency?

6 HARRY NESPOLI: Whenever you use
7 the word blizzard?

8 CHAIRPERSON JAMES: Yes.

9 HARRY NESPOLI: There better be two
10 words after it: snow emergency.

11 CHAIRPERSON JAMES: Thank you.
12 Council Member Williams?

13 CHAIRPERSON WILLIAMS: Thank you
14 very much. My first question: was work mandatory
15 when your members were called in? Was it
16 mandatory for them to come?

17 HARRY NESPOLI: During snow,
18 everything is mandatory. You just don't get off.

19 CHAIRPERSON WILLIAMS: Now, when
20 you had the discussions about the man and woman
21 power needed with the Administration, did you
22 specifically discuss snow?

23 HARRY NESPOLI: That's the only
24 reason I discussed it.

25 CHAIRPERSON WILLIAMS: What was

1
2 their response?

3 HARRY NESPOLI: Do more with less.

4 CHAIRPERSON WILLIAMS: Did your
5 members feel that there was clear direction on
6 what they should be doing, when they should be
7 doing, in terms of snowing and what routes they
8 should be going to?

9 HARRY NESPOLI: I have to say yes.
10 I didn't hear any complaints about anything with
11 supervisors or anybody.

12 CHAIRPERSON WILLIAMS: Do you think
13 that we are prepared for the snow that's coming on
14 Tuesday and Wednesday?

15 HARRY NESPOLI: We better be.
16 We're in early winter here. We better be ready.
17 Because I'll tell you something, my workforce is
18 tarnished, and they don't like it. They don't
19 like it. This is when we make our bones. If you
20 think anybody is going to lay down out there
21 during snow, not this workforce.

22 CHAIRPERSON WILLIAMS: Now, I want
23 to go back to the salt question. I want to know
24 when it's good to lay salt and when it's not.
25 They were saying that it wasn't a good time to lay

1 salt because they couldn't have done it before and
2 they couldn't have done it in the middle. So when
3 is it not appropriate to put salt down?
4

5 HARRY NESPOLI: When you have this
6 much snow out there, salt is doing nothing. You
7 have to plow it first. Then you could drop it.
8 Or you have to drop it prior to the snow coming
9 down.

10 CHAIRPERSON WILLIAMS: If it was
11 dropped prior to the snow coming down, would it
12 have made a difference?

13 HARRY NESPOLI: Not in this
14 blizzard. I don't think the salt was the problem
15 here.

16 CHAIRPERSON WILLIAMS: All right,
17 thank you.

18 SPEAKER QUINN: Thank you. What
19 was the problem, Harry?

20 HARRY NESPOLI: The problem was
21 manpower. The problem was that those plows--

22 SPEAKER QUINN: [interposing]
23 Harry, do you think the problem was staff power in
24 number or staff power in not the right people?
25 Not personally, but you know.

HARRY NESPOLI: It was in number.

SPEAKER QUINN: Number, okay.

HARRY NESPOLI: Definitely number.

When you have been so successful to protecting the citizens of this city with x amount of workforce, and I was quoted in the Staten Island Times in October, don't roll the dice. They rolled the dice here.

SPEAKER QUINN: Now Harry, they would say, and I don't mean to interrupt, but the Administration would say we had the same number of workers on the street, so to speak, or whatever the right way to phrase it is, fighting this storm as we had last February. Though it's clearly irrefutable that what you said is correct, we lost this storm.

I know you did it with Chair Vallone, but do it again, because I remain confused. The Administration asserts we had the same number of staff and you say we didn't have enough staff. Is that because you think we needed more or you don't agree with their characterization that we had the same number? I'm just confused.

1
2 HARRY NESPOLI: With higher
3 numbers, we did more. We had the plows out there.
4 We had our salt spreaders out there, yes. You
5 didn't have your Sanitation police out there with
6 the traffic, moving people around, holding up,
7 letting trucks get through. You didn't have tow
8 trucks. I found out one thing that many of my
9 union people have been telling me: you can't order
10 in privates. You could order in city workers; you
11 can't order in privates. That's what happened.

12 SPEAKER QUINN: So Harry, your
13 disagreement with the number of people or entities
14 we had is not necessarily that we did not have
15 enough Sanitation workers. You would, it sounds
16 to me, disagree with the decision to have pulled
17 the Sanitation police to do snow removal, and then
18 also with the issue of the privates. Maybe that's
19 where the confusion is, you're not speaking only
20 about the Sanitation workers.

21 HARRY NESPOLI: Also, the fact the
22 numbers are so low that--

23 SPEAKER QUINN: [interposing] The
24 numbers of what, Harry?

25 HARRY NESPOLI: Us.

1
2 SPEAKER QUINN: Okay.

3 HARRY NESPOLI: We used to have
4 Chevy Luvs, the small trucks on the job. What
5 they used to do was they used to have salt in the
6 back and they used to have one man and a plow.
7 They used to open up the cross streets where the
8 people had to walk across and get to the other
9 side.

10 SPEAKER QUINN: When we had those,
11 Harry, what were the numbers per shift? We've
12 been told the numbers per shift in the Christmas
13 storm was 2,000. That obviously did include, as
14 was said by the Administration, the Sanitation
15 police doing snow removal. What were the shift
16 numbers when we had the folks you're talking about
17 now?

18 HARRY NESPOLI: We lost; I don't
19 know what the shift numbers were. We lost those
20 Chevy Luvs years ago.

21 SPEAKER QUINN: It would be great,
22 and we don't have to go through it now, and it's
23 not in any way, shape or form that we are
24 disputing, but if you guys could get us numbers of
25 what you believe the shift strengths were at the

1
2 different storms, that would be very useful as we
3 continue this oversight and as we move into the
4 budget as well. Because I think there is
5 confusion and a lot of different numbers out
6 there, so, if we could follow-up on that that
7 would be terrific.

8 HARRY NESPOLI: Speaker, I can't
9 get those numbers. I don't have those numbers.
10 The department has those numbers.

11 SPEAKER QUINN: It would be great
12 if we could try to put our heads together and
13 figure out what the union could provide. The
14 department is saying that the number of works on
15 the street, because they added the Sanitation
16 police, was the same as it was. Now they're only
17 saying the Sanitation police was 100-150. It
18 sounds to me just like you have a deeper concern
19 than that. So maybe there's some way we can talk
20 after the hearing about how we can get greater
21 clarity. Because otherwise, we're going to end up
22 in a situation where you guys keep saying that's
23 not what it is, that's not what it is, and they
24 are going to say aside from the police, it is what
25 it is, and we're not going to be able to move the

1
2 dialogue forward.

3 HARRY NESPOLI: When this ends
4 today with me, everybody, I've spoken to people
5 here one-on-one, and anybody that wants to sit
6 with me at any time and discuss anything
7 pertaining to this blizzard or anything with the
8 Department of Sanitation, I'm available.

9 SPEAKER QUINN: Great. If Jon, you
10 and others can work on the numbers, that would be
11 terrific. I know Ramon will follow up. Harry,
12 just lastly, I want to thank you. You reached out
13 and we played extended phone tag. But you reached
14 out to me and I know spoke to Ramon a lot,
15 certainly before the first flake hit. So thank
16 you very much for always reaching out and
17 recognizing the Council's role in these
18 situations. Thank you.

19 HARRY NESPOLI: Well, I want to
20 thank the Council too for having these hearings.

21 SPEAKER QUINN: Thank you.

22 CHAIRPERSON JAMES: Thank you.
23 Council Member Sanders and we are now back on the
24 clock. Council Member Sanders?

25 COUNCIL MEMBER SANDERS: Thank you

1 very much. Mr. President, I've heard many
2 different things. I've looked at the number that
3 has been put out there, around 5,900 workers. It
4 seems to me that that's approximately 1,200 per
5 borough. It's unfair to ask you, but let me do
6 it. The Administration should have answered this
7 question. Are those numbers divided evenly?

8 HARRY NESPOLI: Tough for me to
9 answer.

10 COUNCIL MEMBER SANDERS: All right.
11 I've heard you mention equipment that we basically
12 had enough equipment and even people power, with
13 the exception of certain people power. Then what
14 seems to be missing, if you have those elements,
15 then the question is a question of leadership
16 under those conditions. If you have the people,
17 if you have the equipment and you still can't get
18 a thing done. Well, let me do it different. When
19 would you have called a state of emergency if you
20 were sitting in that great seat?

21 HARRY NESPOLI: As soon as somebody
22 mentioned to me whiteout conditions and blizzard.
23 That would have been called. Look, that snow
24 emergency with moving cars and everything, if the
25

1 cars just stay still, we can turn around and get
2 the job done. The problem is that people were
3 driving around, thinking that they could take care
4 of their business and come home at the end of the
5 day. They got stuck out there. When I heard that
6 it wasn't until Thursday, that they turned around
7 and got to some streets in Brooklyn and Queens,
8 that's a disgrace.

10 COUNCIL MEMBER SANDERS: I can
11 attest to that, coming from Queens, the Lower
12 Ninth part. Why are we hearing about this issue
13 of a slowdown?

14 HARRY NESPOLI: I have no idea,
15 other than the fact that you know the stuff goes
16 to the bottom. Now, all of the sudden they're
17 talking about a slowdown.

18 CHAIRPERSON JAMES: I don't want to
19 interrupt you, but that is the subject of an
20 investigation by other government officials. So
21 at this point, we're going to basically defer to
22 them and focus on issues where we have
23 jurisdiction over.

24 COUNCIL MEMBER SANDERS: I stand
25 corrected.

1	COMMITTEE ON SANITATION	301
2	HARRY NESPOLI: I did already.	
3	CHAIRPERSON JAMES: Thank you.	
4	HARRY NESPOLI: And I will do	
5	again.	
6	CHAIRPERSON JAMES: Thank you.	
7	Council Member Sanders, does that conclude your	
8	questions?	
9	COUNCIL MEMBER SANDERS: Yes, that	
10	concludes. Thank you, Madame Chair.	
11	CHAIRPERSON JAMES: Thank you.	
12	Council Member Mealy?	
13	COUNCIL MEMBER MEALY: Yes, I want	
14	to thank you for being here today. Could you tell	
15	me what percentage of your employees came in at	
16	the last minute, right before Christmas holiday?	
17	The majority?	
18	HARRY NESPOLI: Christmas holiday,	
19	they called in, they wanted x amount of people.	
20	They notified me that they were going to call in	
21	some people on Christmas Day. I said okay, I'll	
22	get the word out. They all showed up.	
23	COUNCIL MEMBER MEALY: So that's	
24	good; no one did not want to work?	
25	HARRY NESPOLI: No.	

COUNCIL MEMBER MEALY: So that's good. I just wanted to ask you, how did your union feel with working with the citizens with the \$12 an hour, outsourcing snow removal in a snow storm?

HARRY NESPOLI: We've done this before. They've called in laborers and we've done that before. I know that they had to turn around, and after a while, seeing what actually hit the ground, I knew they were going to call in privates. They've done it before.

COUNCIL MEMBER MEALY: But do you think that was efficient work of calling in the privates? Because if we couldn't get around, how could they come all the way from Jersey? You would know that that would take hours to get here also, right?

HARRY NESPOLI: They drive bigger pieces of equipment. But they're based here in New York too. Here's the problem: you can't order in somebody that's not a city worker.

COUNCIL MEMBER MEALY: So it wasn't effective for them calling in private entities?

HARRY NESPOLI: They didn't show

1
2 up.

3 COUNCIL MEMBER MEALY: And
4 outsourcing our union jobs?

5 HARRY NESPOLI: They didn't show
6 up. When you have a municipal worker, they have
7 to show up.

8 COUNCIL MEMBER MEALY: Right.

9 HARRY NESPOLI: This force is a
10 dedicated force right here.

11 COUNCIL MEMBER MEALY: I hope your
12 union really finds out how much they spend on
13 outsourcing. If your union can do it, let's see
14 how they can put it back in to paying our people's
15 salaries.

16 I want another question, do you
17 have a special unit in regards to, or maybe you
18 should start thinking about it. I got a lot of
19 calls in, in regards to the in-curbs. After the
20 snow removal, with wheelchair accessible, I had to
21 get groups from my community to plow or shovel out
22 the in-curves for wheelchair accessible just to
23 get across the streets. So is there any way that
24 when a snow storm comes, we have to clean out
25 those curb cuts, because our people still impaired

1
2 have to get around just as well as everyone else
3 walking.

4 HARRY NESPOLI: I wish I had that
5 power to hire and get another group in there just
6 for that.

7 COUNCIL MEMBER MEALY: I thought
8 about this. Do you think you could sit down with
9 the city and see all those extra people with \$12
10 an hour, let them, their specific job is just to
11 clean out the curb cuts. Just consider it.

12 HARRY NESPOLI: Consider it. I
13 will go to the commissioner with it.

14 COUNCIL MEMBER MEALY: Thank you so
15 much.

16 CHAIRPERSON JAMES: Mr. Nespoli,
17 before I call on Council Member Weprin, isn't it
18 true that the private cars that got stuck and
19 stranded, that your men and women cannot legally
20 tow private cars, and we had to wait on NYPD?

21 HARRY NESPOLI: None of my workers
22 in my union tow.

23 CHAIRPERSON JAMES: Right.

24 HARRY NESPOLI: As far as for
25 private cars at all. We don't tow. They called

1 out for private tow trucks that told them no.

2 CHAIRPERSON JAMES: Okay. Council
3 Member Weprin?

4 CHAIRPERSON WILLIAMS: Wait, just
5 one second, just a follow-up. Would it have
6 helped if they did have the power to tow those
7 cars?

8 HARRY NESPOLI: We used to have tow
9 trucks. I just can't spot you. Where are you?
10 We used to have tow trucks in every garage.
11 They're long gone.

12 CHAIRPERSON WILLIAMS: So yes, it
13 would have helped if you had the ability.

14 HARRY NESPOLI: Without a doubt.

15 CHAIRPERSON JAMES: So there are
16 not tow trucks in every garage in the city of New
17 York?

18 HARRY NESPOLI: No.

19 CHAIRPERSON WILLIAMS: So you
20 didn't have the capability to tow?

21 HARRY NESPOLI: We don't have the
22 capability to tow. At one time, there used to be
23 a tow truck in every garage. It was responsible
24 for their area.
25

CHAIRPERSON JAMES: Currently, we do not have any?

HARRY NESPOLI: Long gone.

CHAIRPERSON WILLIAMS: Thank you.

CHAIRPERSON JAMES: Council Member Weprin?

COUNCIL MEMBER WEPRIN: Thank you, Madame Chair. Mr. Nespoli, Mr. Del Giorno, thank you for being here. Harry, I want you first to say, I want you to tell your members that the members of this Council and the people we represent have the utmost respect for your workers and for the men and women who were out there and for the amount of hours they put in.

HARRY NESPOLI: thank you.

COUNCIL MEMBER WEPRIN: Absolutely, everyone I speak to feels that same way.

HARRY NESPOLI: Thank you very much.

COUNCIL MEMBER WEPRIN: You're welcome. You mentioned by the time you guys got out there that we had lost this storm. Now, I spoke to a number of your members. One of them told me that he was called in Christmas night.

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2 Originally went in ready to go and they said come
3 at 7:00 for the 7:00 a.m. tour. Got there for the
4 7:00 a.m. tour and they said we don't need you
5 yet, come back at 7:00 p.m. By the time he went
6 out, he described it as something out of a science
7 fiction movie on those streets. There were cars
8 everywhere, and blocking every road that he went
9 to.

10 Is it unheard of to have a member
11 come into a shift in the middle? Like let's say
12 noon of that day?

13 HARRY NESPOLI: During a blizzard
14 and snow, whenever you could come in, you start
15 working and you start putting eight hours.

16 COUNCIL MEMBER WEPRIN: Why would
17 this member possibly have been told not to come
18 back until 7:00 p.m. when the snow started coming
19 down at 10:00 a.m. and coming down two inches an
20 hour at 3:00 p.m.?

21 HARRY NESPOLI: I wish that member
22 would have called the union. Because we would
23 have told him go to work. I would have contacted,
24 or the business agent would have contacted the
25 department to tell them that man has to go to

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work.

COUNCIL MEMBER WEPRIN: I want to be clear. He wanted to go to work.

HARRY NESPOLI: And he should have went to work.

COUNCIL MEMBER WEPRIN: But as you mentioned, you've got to follow orders. I mean there is a battle plan here. You can't just go out and get in a truck and start driving.

HARRY NESPOLI: No, you follow orders, and then you walk out and you call the union and let us do the battle. That's what we do.

COUNCIL MEMBER WEPRIN: I heard that from a number of members that they didn't get started fast enough. When you say those strong words that we have lost that storm by 7:00 p.m. that's when a couple of these guys first went out on the street.

HARRY NESPOLI: That's when we found out how many buses and cars were out there. When we started plowing, we couldn't go.

COUNCIL MEMBER WEPRIN: Well that's what I heard, but that was later on in the

1 evening. If they would have been plowing earlier
2 it wouldn't have been as difficult to plow them
3 out.
4

5 HARRY NESPOLI: But there was
6 nothing to plow.

7 COUNCIL MEMBER WEPRIN: Well, at
8 3:00 in the afternoon there was.

9 HARRY NESPOLI: Look, they set up
10 the plowing at a certain point.

11 COUNCIL MEMBER WEPRIN: Let me
12 touch on a couple of other things because I know
13 the clock is strict here. Salting, you mentioned
14 that you generally do pre-salt. The commissioner
15 was here before and said they didn't pre-salt.
16 Usually it's a treated salt with like a magnesium
17 chloride or a calcium chloride that helps to stop
18 the bonding of that snow to the street. Is that
19 correct?

20 HARRY NESPOLI: That I don't know
21 about, the salt sticking to the street. Usually,
22 when you get a little cover of snow, you start
23 salting. That holds the salt in place.

24 COUNCIL MEMBER WEPRIN: Well, we
25 heard that that didn't happen before the snow, you

1
2 know even after the snow started lightly. One
3 last thing, I know Council Member James talked
4 about her chains.

5 CHAIRPERSON JAMES: They're not my
6 chains.

7 COUNCIL MEMBER WEPRIN: Well, I
8 won't ask any personal questions. But I'm curious
9 about the vehicles. I heard a lot of complaints
10 about the newer vehicles, these ACs and AFs type
11 of vehicles, and what also Council Member James
12 raised about the plows, the way they were put on.

13 HARRY NESPOLI: Yes.

14 COUNCIL MEMBER WEPRIN: Did you
15 hear from your members a lot of complaints about
16 the trucks, the equipment, not only the chains but
17 the other items as well?

18 HARRY NESPOLI: I heard from my
19 members of those plows tripping.

20 COUNCIL MEMBER WEPRIN: Yes, on
21 manholes very often, right?

22 HARRY NESPOLI: Well, not manholes.
23 They started tripping when the snow got higher in
24 the plow, which I couldn't understand and I still
25 don't understand. I understand now, because I was

sitting in the back, they changed the angle on it to prevent it. I guess we're going to find out quick enough.

COUNCIL MEMBER WEPRIN: Last quick question, I mentioned--

CHAIRPERSON JAMES: [interposing]
No, Council Member Weprin. Thank you very much, notwithstanding the reference to the chains.

COUNCIL MEMBER WEPRIN: Was it the chain line?

[Laughter]

CHAIRPERSON JAMES: Council Member Halloran?

COUNCIL MEMBER HALLORAN: Thank you, Chair. Mr. President, I'm glad you're here and I'm glad you're answering questions for us today. I do appreciate the uniformed services. In fact, you're not going to find anything other than us standing up for the uniformed members of the city's services. I count Sanitation workers amongst them.

You indicated that you received reports from many of your members of problems: the salting that hadn't been done, the tripping of the

1
2 plows, the cars that weren't functional in this
3 weather. Was that coming in to you as the storm
4 was progressing, after the storm, or both and all?

5 HARRY NESPOLI: It came into the
6 union hall as the more inches that got out there,
7 the bigger the problem was.

8 COUNCIL MEMBER HALLORAN: Did you,
9 at any time, reach out to the Sanitation
10 supervisors, the brass, and say: hey listen, my
11 workers are telling us this isn't working;
12 something's not happening, you've got to change up
13 what you're doing?

14 HARRY NESPOLI: No, I didn't.

15 COUNCIL MEMBER HALLORAN: But
16 you're telling us that you were getting these
17 calls from the beginning, as this was happening,
18 and the salting issue, the tripping of the plows,
19 they were all out there. Did you have a concern
20 that maybe the brass didn't know what was going
21 on? You know, seeing what was happening from your
22 rank and file members, that maybe it wasn't just
23 that you guys were running behind but that they
24 had completely lost control over what was
25 happening out there?

1
2 HARRY NESPOLI: I have to believe
3 that the people in charge of the department knew
4 what was going on out there. I stay away. The
5 calls come to the union hall from management,
6 asking for help on the callouts. All I do is take
7 their callouts and get it to my men so that they
8 understand it and the idea is to go to work. I
9 don't contact them and tell them about plows,
10 about streets, about what's going on. That's not
11 my job. I'm the union. My men and women are
12 driving those trucks. That's what I'm concerned
13 about. I can't turn around and try to take charge
14 of a snow storm. That's not what I do for a
15 living.

16 COUNCIL MEMBER HALLORAN: I
17 understand that. I'm just trying to get at what
18 may have gotten to the brass, gotten to these
19 people about what was happening in the field.
20 Obviously, they're claiming that they didn't have
21 any idea this was going on, up until almost
22 Tuesday.

23 Brass is saying to us, the
24 commissioners who sat here and testified, said to
25 us that effectively they didn't have words, and

1
2 called in more of your men on Saturday the 25th,
3 the day prior to the storm?

4 HARRY NESPOLI: I don't know. They
5 read the storm and what they do is they make the
6 callouts. They give the numbers. All we do is
7 make sure--

8 COUNCIL MEMBER GENTILE:
9 [interposing] But it wouldn't be unusual for that
10 to happen, had it not been a holiday? Because, as
11 Councilman Weprin just went through about asking
12 them to come in at 7:00 a.m. and then telling them
13 to come back again. The fact is that Saturday
14 would have been a holiday and they would have had
15 holiday pay.

16 HARRY NESPOLI: I got the call that
17 they had to call in men on Christmas Day. I said:
18 go ahead, go with it. I'll make sure. I'll
19 contact my stewards, my business agents. They
20 were worried about actually getting people in for
21 that.

22 COUNCIL MEMBER GENTILE: On the
23 25th?

24 HARRY NESPOLI: On the 25th.

25 COUNCIL MEMBER GENTILE: Okay, so

there was a call in for the 25th.

HARRY NESPOLI: There was a call in for the 25th.

COUNCIL MEMBER GENTILE: Okay, I wasn't aware.

HARRY NESPOLI: And they did make their numbers, and their numbers were in. We came and contacted the men for a full force for Sunday and Sunday night. We were in place.

COUNCIL MEMBER GENTILE: Let me just go on to one other thing. We talk about chains a lot, but one other issue, in terms of equipment, that came up in BK11, in my area of Brooklyn, was the fact that they had shovels that had to be assembled but the bolts were not provided for the assembly of those shovels. Was that accurate as it was reported?

HARRY NESPOLI: I never heard of it. This is the first time, Mr. Gentile, that I've heard that. I swear to God.

COUNCIL MEMBER GENTILE: Okay. I got those reports, and it was reported in the press that that's what happened at BK11. Now, alternate side street parking is back in effect today. Were

2 your members told to remove the rock hard snow
3 that is now blocking the curbs along the streets?
4 I would imagine the purpose for having alternate
5 side on a snow day.

6 HARRY NESPOLI: I don't know. I
7 know the focus since the snow went away was
8 picking up the garbage. That was the most
9 important thing. The public had a right to start
10 arguing about when they are going to get the
11 service. That's the only thing I know that the
12 department was focused on totally.

13 COUNCIL MEMBER GENTILE: So you
14 don't know if there's any focus to get the snow
15 off the curbs today?

16 HARRY NESPOLI: I wouldn't know
17 that.

18 COUNCIL MEMBER GENTILE: Okay,
19 thank you.

20 CHAIRPERSON JAMES: Council Member
21 Comrie?

22 COUNCIL MEMBER COMRIE: Thank you,
23 Madame Chair. I just want to take a minute to
24 compliment you. I know it's been a tough day and
25 you've been doing a yeoperson's job. I think that

1
2 we all deserve to at least give you a pat on the
3 back when the day's over.

4 President Nespoli, I just want to
5 take a minute to thank you and your men. The
6 Sanitation Depot 12 and 13 and 9 in Queens that
7 touched my district, when I went and talked to the
8 men, they were doing as best as they could with
9 the orders that were given to them.

10 HARRY NESPOLI: Thank you.

11 COUNCIL MEMBER COMRIE: I already
12 heard from you earlier that you don't know the
13 deployment for those particular boroughs, or the
14 borough deployment. I know that you don't want to
15 go into detail. If given the opportunity, what
16 would you recommend to the commissioner to ensure
17 that the outer boroughs get the same type of focus
18 and service to make sure that primary roads are
19 cleared so that people can get to work, especially
20 in the fact that we have more civil servants in
21 the outer boroughs than in Manhattan that need to
22 get to work to service the city.

23 HARRY NESPOLI: The same thing I
24 recommended to Mr. Goldsmith and John Doherty in
25 September. I need more manpower. The budget

1 cuts, if you look at it, we had two budget cuts.
2 This is the only agency that made their budget
3 numbers twice. Look at the other agencies.
4

5 If you don't think that takes a
6 toll on what you're going to fight a blizzard
7 with, you're mistaken. Until everybody wakes up
8 and realizes and looks at our past, what we've
9 been doing, and we were snow fighters, the best
10 around. They closed down D.C. last year. They
11 never closed down New York.

12 We got crippled here. This was a
13 disaster. Until you wake up and everybody
14 realizes, especially Mr. Goldsmith, it's not
15 nickels and dimes when it comes to people's lives.
16 My workforce is hurting. Their morale is down.
17 People are saying things to them they've never
18 heard before. It's not right.

19 COUNCIL MEMBER COMRIE: I
20 appreciate that. But if there was one thing that
21 you could get him to do, other than acknowledge
22 the manpower, because I also think that there was
23 a change in deployment. I remember if you sent
24 one, there wasn't a one truck type situation. A
25 truck would go either double wide or one right

1
2 behind the other so that one would hit the snow at
3 one level and the other would then hit the street
4 level.

5 HARRY NESPOLI: Tandem.

6 COUNCIL MEMBER COMRIE: The way
7 that they sanded it, the way that they plowed it.
8 You know, when there was ten inches or more, the
9 one plow would hit the first ten or the first
10 eight and then the next plow would hit the bottom
11 four. I thought there was definitely a change in
12 deployment. I didn't see that either out in the
13 streets. It was like they were trying to send one
14 plow to do 20 inches, or one garbage truck to do
15 20 inches. Could you talk about that and what
16 your men felt about that, the type of deployment?
17 How can we get back to where it makes more sense
18 and where they're more effective going down the
19 street?

20 HARRY NESPOLI: Again, what you're
21 talking about is wider streets. The smaller
22 streets were the problem here. You need more
23 trucks, more manpower. We're cut so tight. We're
24 cut so tight here. My smaller vehicles, two years
25 ago I asked for, that could have helped.

1	COMMITTEE ON SANITATION	321
2	CHAIRPERSON JAMES: Thank you.	
3	Council Member Levin?	
4	COUNCIL MEMBER LEVIN: Thank you,	
5	Madame Chair.	
6	COUNCIL MEMBER COMRIE: Was my time	
7	up already? I didn't hear a beep.	
8	CHAIRPERSON JAMES: I know you gave	
9	me a compliment, but yes.	
10	COUNCIL MEMBER COMRIE: All right.	
11	[Laughter]	
12	COUNCIL MEMBER LEVIN: Thank you,	
13	Madame Chair. Thank you, Mr. Nespoli and Mr. Del	
14	Giorno. My question is: for the 7:00 a.m. to 7:00	
15	p.m. shift on Sunday, you mentioned in your	
16	testimony that there were 2,500 Sanitation men and	
17	women out on that shift. Is that correct?	
18	HARRY NESPOLI: That's what the	
19	department said, there were 2,500.	
20	COUNCIL MEMBER LEVIN: Okay. Then	
21	there were 2,500 on the next 12-hour shift from	
22	7:00 p.m. Sunday night until 7:00 a.m. Monday	
23	morning, correct?	
24	HARRY NESPOLI: Yes.	
25	COUNCIL MEMBER LEVIN: Now, did you	

1
2 get any reports from any of your members, my
3 concern with that would be is: are these the same
4 folks? Around, say, 5:00, 6:00, 7:00 on Sunday,
5 travel was virtually at a standstill. It would be
6 very difficult to get into work. I'm wondering,
7 your members, were they having difficulty getting
8 in? That's a lot of folks to be trying to get
9 into work at 5:00, 6:00, and 7:00 p.m. Did you
10 hear reports that folks were having a hard time
11 getting to work for that shift?

12 HARRY NESPOLI: I heard that they
13 had tough times coming in, naturally. But they
14 left early; they had enough time to dig their cars
15 out and to start to come in. We already had some
16 of the main streets, supposedly, hit already. We
17 had this covered. They asked me for 14-hour
18 shifts and I gave it to them.

19 COUNCIL MEMBER LEVIN: I'm just
20 wondering, was there a full 2,500 on that 7:00
21 p.m. to 7:00 a.m. shift?

22 HARRY NESPOLI: There was a full
23 force both shifts.

24 COUNCIL MEMBER LEVIN: Okay. Were
25 there any kind of carryovers from that previous

12-hour shift or was it a whole new turnover?

HARRY NESPOLI: No, it was a whole new shift.

COUNCIL MEMBER LEVIN: A whole new shift. Now going into like Monday and Tuesday and on into Wednesday, if you could identify one or two major problems faced by your workers that were different from previous storms of similar snow depths. So you had 20 inches. In previous experiences, your men and women have dealt with 20 inches before.

HARRY NESPOLI: And more.

COUNCIL MEMBER LEVIN: And more. What happened this time around that we missed the 36 hour mark and we missed the 48 hour mark and probably missed the 56 hour mark or whatever, you know, the 60 hour mark, and went on and on? What were the one or two major things faced by your workers that was different this time around than it was in previous similar snow accumulations?

HARRY NESPOLI: We ran into traffic out there. There were stalled buses. I don't know, I think in the New York Times, 1,076 stalled buses.

COUNCIL MEMBER LEVIN: That's never happened before?

HARRY NESPOLI: No. Not that I remember. I've never seen that. I'd like to know the number of how many cars throughout the city that were towed out. Once you're fighting a blizzard at three inches an hour and you're not continuously hitting those streets, you've lost it. You're gone. Then you get into a street that's got 25 inches on it and now all of the sudden you're bogged down. Your back wheels are bogged down in snow. We had a lot of trucks that were stuck out there.

CHAIRPERSON JAMES: Thank you.
Council Member Greenfield?

COUNCIL MEMBER LEVIN: Thank you,
Mr. Nespoli.

COUNCIL MEMBER GREENFIELD: Thank you, Madame Chair. Thank you, Mr. Nespoli, for coming out here today. I know it's a tough time for many of your employees. I, too, can attest to that. I spent many late nights, some nights as late as 3:00 a.m. at the local Sanitation depot. The only thing that I saw was Sanitation workers

working very hard.

HARRY NESPOLI: Thank you.

COUNCIL MEMBER GREENFIELD: So I thank you for that.

HARRY NESPOLI: Thank you.

COUNCIL MEMBER GREENFIELD: Let me just ask you a question. On some of those late nights, when I was speaking to Sanitation workers, I got some complaints. The complaints varied, but the gist of it basically was, and these were the Sanitation workers in Brooklyn, they were telling us that they didn't have enough staff. They did not have enough tow trucks. They didn't have enough front end loaders. Do these three complaints sound about right to you for folks in Southern Brooklyn?

HARRY NESPOLI: Yes.

COUNCIL MEMBER GREENFIELD: Okay. We had the commissioner here before and I asked the commissioner if he had the right amount of resources in Brooklyn specifically, especially the outer boroughs in general. I asked him specifically about the fact that there were over a dozen plows that were lying idle in my Sanitation

1 depot. Now, when I asked the Sanitation workers
2 what's going on, they said: well, some of our
3 people were sent on special details and so we
4 don't have the manpower. The Commissioner says
5 it's not the case, Brooklyn had plenty of
6 manpower. Did Brooklyn have plenty of manpower?
7

8 HARRY NESPOLI: I don't know what
9 those special assignments would be in snow. The
10 only thing I know in snow is that you have to go
11 out and open the roads for the public. I don't
12 know what the special assignments are.

13 COUNCIL MEMBER GREENFIELD: The
14 commissioner acknowledged that there were special
15 details and individuals were pulled out of certain
16 districts and pulled into other districts because
17 in their perspective they were trying to
18 reapportion the resources.

19 HARRY NESPOLI: Moving people
20 around?

21 COUNCIL MEMBER GREENFIELD:
22 Correct.

23 HARRY NESPOLI: Out of town?

24 COUNCIL MEMBER GREENFIELD:
25 Correct, exactly.

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2 HARRY NESPOLI: Okay, moving people
3 out of town.

4 COUNCIL MEMBER GREENFIELD: Out of
5 town, okay.

6 HARRY NESPOLI: Yes, there was a
7 lot of out of town work.

8 COUNCIL MEMBER GREENFIELD: Does
9 that make sense to you that there were folks taken
10 out of town from Brooklyn and put into Manhattan?

11 HARRY NESPOLI: No, it doesn't.

12 COUNCIL MEMBER GREENFIELD: Let me
13 ask you this: your folks received some criticism
14 about the number of sick calls. Was that unusual?
15 It seemed like it was a relatively high number of
16 folks who called in sick.

17 HARRY NESPOLI: Sick changes on the
18 day-to-day. You have to look at how many were out
19 sick prior to the storm and then whoever called in
20 during the storm. Then you would get 100 back the
21 next day. So I don't know much about the figures,
22 as far as the callout and sick.

23 COUNCIL MEMBER GREENFIELD: All
24 right, the final question, so from your
25 perspective, you're the expert, you've been doing

this for years. You represent the Sanitation workers. Who's to blame over here? All right, I mean, you know, someone has to be at fault. We heard a lot of people and there's finger pointing and it's this person and it's that person. Who is to blame for the fact that the streets were not cleared?

HARRY NESPOLI: Look, for these trucks to keep on moving, there should have been a snow emergency called. I'm not going to lie. You wanted to have it done, not only just for the people, to notify the people. Look, there's something going on. So they could tell their teenage daughter, listen there's a snow emergency, there's a blizzard out there, stay home tonight. When I hear blizzard, and I was always taught, you dig in. You don't go about. If you don't make that announcement out there to warn the public, to let them know, and my trucks are going out there to keep that flow of the three inches off, we can never do it. We need the cooperation from everybody.

CHAIRPERSON JAMES: Thank you.

COUNCIL MEMBER GREENFIELD: Thank

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you.

CHAIRPERSON JAMES: Council Member
Rose, Williams, Dickens and Crowley to end this
panel.

COUNCIL MEMBER ROSE: Hi, Mr.
Nespoli. I just wanted to talk about my fear is
that the Sanitation workers are going to be
scapegoated for this entire fiasco. I really
would like to know who's at fault. But I heard
rumors that there were actually Sanitation
workers, trucks that were just idle on the side of
roads, waiting for some direction from
supervisors. Were there, in fact, enough
supervisors out overseeing and giving direction
for this storm?

HARRY NESPOLI: I wouldn't know
that, ma'am.

COUNCIL MEMBER ROSE: You wouldn't?
Okay. I'm not sure whether or not this actually
took place, but usually in the fall there is a
mock snow storm and everyone is called in,
everyone finds out where their work assignment
would be and what they would have to do. Did this
in fact happen this November or this fall?

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2 HARRY NESPOLI: What I know of it,
3 they do it ever year and they send out a teletype
4 order to the department calling for a mock snow
5 storm preparing--

6 COUNCIL MEMBER ROSE: [interposing]
7 Did this, in fact, happen this year?

8 HARRY NESPOLI: I couldn't swear on
9 it, but what I remember of it, they do it every
10 year.

11 COUNCIL MEMBER ROSE: So is there
12 something that changed in terms of orders, of
13 operating procedures that was somewhat different
14 this time with this storm?

15 HARRY NESPOLI: As far as I know,
16 they contacted me every time, just like they
17 contacted me every time in the past. That's all I
18 know.

19 COUNCIL MEMBER ROSE: All right, so
20 then you've had a stellar record in the past and
21 now, suddenly, you guys just can't get it right.
22 Why is that?

23 HARRY NESPOLI: Well, you've got to
24 understand something. We drive the trucks; that's
25 what we do. If we can't move the snow, then we're

1 in trouble. That's where everything came out. We
2 could not get in to move the side streets at all.

3 COUNCIL MEMBER ROSE: That's what
4 I'm trying to find out. Why couldn't you move the
5 snow? What attributed to the fact that you could
6 not move the snow?

7 HARRY NESPOLI: Well, one of the
8 reasons was the tripping of the plows, which
9 slowed everything down. The other thing was the
10 public that got stuck out there because there was
11 no snow emergency. People actually felt safe
12 driving around in the blizzard. They didn't
13 realize it. It was a holiday week.

14 COUNCIL MEMBER ROSE: So it was a
15 systemic failure on the top that never called the
16 snow emergency? Is that what you are saying?

17 HARRY NESPOLI: That was part of
18 it, and the rate of the amount of snow that fell
19 at that time.

20 COUNCIL MEMBER ROSE: Thank you.

21 CHAIRPERSON JAMES: Thank you.

22 Council Member Dickens?

23 COUNCIL MEMBER DICKENS: Thank you,
24 Madame Chair. Thank you, President Nespoli, and
25

1
2 Jon, it's good to see you. Per your testimony, on
3 page two, minimally, and correct me if I'm wrong,
4 you feel that if the city had hired 400 additional
5 uniformed and kept them on the payroll, on the
6 budget, that New York City would have been able to
7 deal with this blizzard. Is that correct?

8 HARRY NESPOLI: I feel we would
9 have handled it a whole lot better. But I
10 couldn't guarantee you that if those cars were
11 still there and there was no snow emergency
12 called, and the buses were there, that we could
13 have done it with 400 or 500.

14 COUNCIL MEMBER DICKENS: Is there
15 sufficient equipment that was sitting there not
16 being utilized for these 400 uniformed personnel
17 that were not on the payroll?

18 HARRY NESPOLI: What would have
19 happened is whatever we've done in the past with
20 our Sanitation police would have been out there in
21 the field guiding traffic. If the snow emergency
22 was called, they could have guided cars through.
23 We could have had smaller vehicles with the Chevy
24 Luvs so that we can help the public get from one
25 street to another.

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COUNCIL MEMBER DICKENS: So the 400 personnel that you're referring to were the rank and file workers or were they the Sanitation police?

HARRY NESPOLI: Sanitation police are rank and file.

COUNCIL MEMBER DICKENS: Well, let me differentiate then between the Sanitation police and the workers that normally run the plows and pick up the garbage. The 400 that you were referring to, which one were they, or a combination?

HARRY NESPOLI: It's a combination. They're both in my union. They're both sanitation men.

COUNCIL MEMBER DICKENS: Now, do the Sanitation police run those plows or do they guide the traffic, et cetera?

HARRY NESPOLI: Normally, they're out in the blizzard or in the storm guiding traffic, guiding trucks and backing them up and doing everything they possibly can to keep the thing moving. Now, they came up short with personnel and somebody came along with a great

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idea. They're Sanitation men, let's take them out of their blues and put them behind driving the trucks. That's their title, sanitation men, and that's what they did. They cut us to the bone.

COUNCIL MEMBER DICKENS: Thank you so much.

HARRY NESPOLI: Thank you.

CHAIRPERSON CROWLEY: Thank you, President Harry Nespoli, and thank you to your members for the hard work that they do.

HARRY NESPOLI: Thank you.

CHAIRPERSON CROWLEY: We understand that this fault of the snow storm happened at the top. We're not going to ask you any more questions. We really appreciate you being here today.

HARRY NESPOLI: Thank you for having me.

CHAIRPERSON CROWLEY: One more question.

HARRY NESPOLI: Well, one or two.

CHAIRPERSON WILLIAMS: Sorry. Two questions.

HARRY NESPOLI: Sure.

CHAIRPERSON WILLIAMS: Were there any unmanned or women trucks that were sitting in any depots that you know of?

HARRY NESPOLI: I don't know. That I wouldn't know.

CHAIRPERSON WILLIAMS: Denis Hamill, one of the articles in the Daily News, he said how about the frigging shovels. They come disassembled. You've got to put them together, the handle into the blade, except they didn't have any bolts to fasten them. Is there any truth to that?

HARRY NESPOLI: This is the first I've heard of that. Why those shovels weren't manned, I have no idea.

CHAIRPERSON WILLIAMS: Thank you.

HARRY NESPOLI: But I will look into it, because I'm supposed to know about that. Somebody should have complained to me.

CHAIRPERSON CROWLEY: Thank you, Council Member Williams. Thank you, again, President Nespoli.

HARRY NESPOLI: Again, anybody, I'm open for conversation with anybody. Thank you

1 very much.

2
3 CHAIRPERSON CROWLEY: Great. I'd
4 like to call our next panel up. We're going to
5 have four people come up, and if you could testify
6 in the order in which you're called up. Patrick
7 Bahnken from the Uniformed EMT Paramedics; Steven
8 Cassidy, representing the Uniformed Firefighters
9 Association; Patrick Reynolds, representing the
10 Uniformed Fire Officers Association; and Vincent
11 Variale, representing Uniformed EMS Officers FDNY.

12 [Pause]

13 CHAIRPERSON CROWLEY: Mr. Bahnken,
14 when you're ready you can begin your testimony.
15 Please identify yourself for the record.

16 PATRICK J. BAHNKEN: Good
17 afternoon, my name is Patrick Bahnken and I am the
18 President of the Uniformed EMTs, Paramedics and
19 Inspectors of the New York City Fire Department
20 and I thank you for the opportunity to testify
21 today.

22 On December 26th, a blizzard hit
23 New York City. This is not the first storm that
24 hit this city, nor did it sneak up on us. In
25 fact, a significant warning flare was sent up when

1
2 the National Football League decided to cancel the
3 Philadelphia Eagles football game at 12:30 that
4 afternoon.

5 The failure to recognize that a
6 sizeable storm was pounding the city of
7 Philadelphia and moving north was perhaps the
8 first but certainly not the last failure and the
9 results crippled the city for days.

10 A failure to declare a citywide
11 emergency, ordering all nonessential vehicles off
12 the road should have been declared. In my
13 opinion, it was this specific decision that set
14 the stage for all the problems that followed.

15 In the early morning of December
16 27th, I began to receive information about surging
17 call volume, large numbers of ambulances stuck in
18 snow on unplowed streets and rising response
19 times. All off-duty personnel were ordered to
20 report, all vacations and pass days were cancelled
21 and all available personnel and spare vehicles
22 were pressed into service.

23 Aside from the impact of abandoned
24 vehicles and unplowed streets, we were plagued
25 with logistical problems that include some of the

1 things that I have listed here. Spare vehicles:
2 if a significant amount of snow is expected, all
3 spare vehicles should be redeployed throughout the
4 city rather than being concentrated at 58th Street
5 in Maspeth.
6

7 A detail should be required at
8 least a day out to have all vehicles started, all
9 fuel tanks topped off, all fluid and all stocked
10 sufficient so that we are prepared to go. We
11 should start deploying those vehicles out
12 throughout the city.

13 Also, mechanics should be recalled
14 so that vehicles that can be repaired are done
15 immediately. Instead, at the end of eight hours,
16 our mechanics were told to go home. But we had no
17 reserve fleet left.

18 Snow Chains, enough said.

19 Public Education: at least 12 hours
20 prior to the impact of any storm, we should be
21 making sure that we advise the public not only to
22 keep their personal vehicles off the road, and by
23 off the road, I don't mean removed from curbside.
24 They shouldn't be out driving. If you're not a
25 cop, a firefighter, a paramedic, an EMT or a plow

1 driver, you have no business being out in the
2 middle of a blizzard. This is not rocket science.

3
4 Before I go into tow trucks; public
5 service announcements. We should be educating the
6 public on when it's appropriate to call for an
7 ambulance. We had people calling for ambulances
8 because they're sick. We had people calling for
9 ambulances because they hurt their finger. We
10 actually had one call where a person called 911
11 because they had the hiccups. The hiccups, I
12 can't make it up.

13 Tow trucks: while clearing of city
14 streets is important, to clear abandoned vehicles
15 so the plows can get through, a number of tow
16 trucks should be assigned throughout each borough
17 with an EMS supervisor with the specific task of
18 pulling stuck ambulances out of the snow. We
19 backlogged 1,300 calls. We had over 120
20 ambulances stuck in the snow.

21 Well, no wonder you're backlogging
22 calls. We had ambulances stuck for upwards of 20
23 hours. People are dying for an ambulance and we
24 can't get them out of a snow bank? Despite the
25 belief that some people have said that EMS crews

1 should be taught not to drive on snow-covered
2 streets, we don't need to be taught that. The
3 problem is that the only streets that were plowed
4 were in midtown Manhattan. If we were to park our
5 vehicle on plowed streets and walked to the call,
6 every vehicle would be located in midtown and my
7 members would be walking to all the outer
8 boroughs. We did not need to be told what to do.

10 I gave you each a picture there,
11 included with my testimony, of what my members
12 were doing, taking spinal immobilization boards,
13 tying them to the bottom of stretchers, so that
14 they could pull people numbers of blocks to get
15 patients to hospitals. That specific case, my
16 unit had a 300-pound patient who was an asthmatic.
17 They had to carry her more than two blocks through
18 the snow because the ambulance got stuck because
19 the streets weren't plowed, there were no snow
20 chains, and they couldn't get them through. They
21 didn't need to be taught how to do that. We don't
22 need additional training.

23 Mutual aid from local 911
24 participating hospitals was minimal. But it's not
25 their fault. Nobody tripped the switch and said

1
2 hey, we need help. It's just like the citywide
3 recall; it didn't go out until 3:00 in the
4 morning, after everybody was already snowed in at
5 home. You're going to call people at 3:00 in the
6 morning and say hey listen, there's a foot and a
7 half, two feet of snow outside, come on in, we
8 need you.

9 When the Philadelphia Eagles
10 football game was canceled at 12:30 that was a
11 pretty good flare that, you know, we're a
12 northeastern seaboard city. Philadelphia gets
13 snowed in and the storm's moving north. What's
14 north of Philadelphia? Hey, New York City, what
15 an idea here.

16 I have a bunch of other stuff in
17 here, but I want to make just a couple of points
18 clear. First, yes, there were lives lost. Some
19 of them were lost needlessly and it shouldn't have
20 happened, not in the greatest city in this
21 country. But I will tell you that countless more
22 lives were saved because of my members and their
23 efforts. They went well beyond. Anybody trying
24 to point fingers at my members and question any of
25 their actions, whether it was my personnel and

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2 communications or my members on the line, ought to
3 be ashamed of themselves.

4 I also hear earlier today the
5 process by which decisions are made at the Office
6 of Emergency Management. I listened today and I
7 heard that there are 30 various leaders or
8 representatives from various agencies all over the
9 state. How does one lead by committee? In a
10 crisis situation, somebody has to be on-point with
11 the authority to make decisions. I have said
12 before that the Office Emergency Management failed
13 to manage the emergency.

14 At 2:30, 3:00 in the morning, when
15 OEM called the FDNY and said: hey, what do you
16 think about declaring a snow emergency? And the
17 Fire Department said we support it. But the
18 Department of Transportation overrode that. We're
19 the group, we're the ones that respond and save
20 lives, not bicycle lanes. We save lives. When we
21 say we can't get the job done, that the wheels are
22 falling off the train, that's an indicator.
23 Nothing else should trump that, nothing. Instead,
24 politics did.

25 When I listened before to how the

1
2 decisions were made and all the different
3 committees that have to go through, eight layers
4 of separation, I'm telling you this: when I get
5 back to my office tomorrow, I'm going to go in and
6 I'm going to purchase a Magic 8 ball and I'm going
7 to send it over to OEM because you couldn't do
8 worse with it. Instead of having 50,000 people
9 decide all different things, we'll just ask the
10 Magic 8 ball. Should we declare a citywide
11 emergency? We'll shake it three times. That'll
12 be the protocol. I'll include a protocol. Then
13 we can read it and if it says not likely, hey,
14 it's about as much thought as went into this
15 storm. I'm sorry.

16 I want to close with one other
17 thing. A lot of stuff has been laid at John
18 Peruggia, the chief in charge EMS. It's no secret
19 to anybody here that he and I at times have been
20 at loggerheads. We have not always been allies.
21 There are many times we've been adversaries,
22 viscous adversaries. But John Peruggia was out
23 there from the minute the first flakes fell, side
24 by side with my rank and file members, taking a
25 shovel and digging out ambulances, pulling

ambulances out of snow banks, responding to 911 calls to render aid.

I don't know all the reasons why he should be the first head to roll, if at all, but I doubt there was any other three star chiefs from any agency out there digging vehicles out of snow banks. That was unwarranted. I'll be happy to answer any questions you have. I'll turn it over to President Cassidy.

CHAIRPERSON CROWLEY: Thank you.

STEVE CASSIDY: Thank you, Speaker Quinn, all the respective chairs. I don't have any prepared testimony. I just want to say that I listened to the entire testimony of Deputy Mayor Goldsmith and all the commissioners.

CHAIRPERSON WILLIAMS: Can you identify yourself for the record please?

STEVE CASSIDY: Steve Cassidy, President of the Uniformed Firefighters Association.

I listened to everyone's testimony and I'm still bewildered. On the 26th, the snow started falling at 9:00 a.m. and yet I'm hearing discussions that at 2:00 a.m. on the 27th they

were trying to decide whether or not to declare an emergency.

I will tell you that this is an email that I sent to the chief of the department on the 26th at 12:00 in the afternoon. The chief of the department is Ed Kilduff. "Ed, I'm hoping the department will increase staffing and at least put a fifth firefighter on every engine company for tonight's 6 by 9 and tomorrow's 9 by 6 shift."

"By all accounts, this storm will deliver well over a foot of snow over the next 24 hours with very high winds. As you know, this combination will increase our workload, decrease unit availability and make fighting fires even more difficult and dangerous. Public safety and firefighter safety should come first."

"Please let me know what the department intends to do. Additionally, I would add that road conditions on Long Island are already terrible. If you decide to increase staffing, early notification will allow firefighters the extra time to travel."

12:06 p.m. on December 26th, the chief of the department got back to me, in less

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2 than an hour and said staffing was increased. At
3 1:00 on the 26th, the New York City Fire
4 Department knew they needed to increase staffing
5 and did so. Yet, I'm led to believe that 13 hours
6 later, after well over a foot and a half of snow
7 was already on the ground, they weren't sure
8 whether they should declare an emergency. The
9 fight was already over. Harry Nespoli testified
10 here that the fight was already over when his
11 staff came in at 7:00 p.m. that night.

12 Now, I want everyone to recognize
13 that we know that there could be certain disasters
14 and/or weather conditions that will create an
15 environment that make it extremely difficult for
16 us to provide the kind of services in a timely
17 fashion that the city expects.

18 But, you know, this idea that they
19 weren't sure if they could declare an emergency,
20 they weren't sure whether or not they had the
21 rights and/or protocols. It's just offensive to
22 hear this when firefighters had to operate in
23 horrible conditions because they did not make the
24 right decisions early enough. This we could do
25 better, anybody could do better. Anybody could do

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better. That mea culpa doesn't cut it.

The bottom line was it was the day after Christmas and maybe people just weren't around that should have been around that make decisions in the New York City government. At 2:00 in the morning on the 27th, the fight was over. The snow stopped six hours later for Pete sakes. It's outrageous.

What firefighters encountered as a result of the fact that cars were stuck, snow could not be removed, is obvious. I won't repeat it to everybody on this Council. You already know. You were out in your districts. You know the results.

One thing I do want to point out is when the fire commissioner testifies about response times, let me make it clear. When he said that response times were not that dramatically up, he's talking about when a fire engine pulled up two blocks away from a location that they couldn't get to because the streets were blocked, stopped and hit a 10-84 button that stopped the clock. They then had to carry the equipment they needed two blocks through two or

1 three feet of snow to get to the front of the
2 building. That's another five or seven minutes,
3 and then they had to begin fire operations that
4 took another five or seven minutes. They're not
5 counting that time. Make no mistake about it. If
6 you're having a heart attack, being two blocks
7 away does you no good.
8

9 The system that the New York City
10 Fire Department uses to record response times is
11 deliberately misleading. It is so because they're
12 going to use that statistics, those statistics to
13 close firehouses when this fight starts again.
14 I'm outraged that they say they were only slightly
15 up.

16 There's a building in Queens that
17 housed 66 families. None of them are there
18 anymore. A small fire in one apartment got
19 completely out of control because firefighters
20 couldn't get there quickly. That's what happens.
21 But their response time will reflect that one unit
22 was there in about four and a half minutes. Well,
23 it took about 22 minutes to begin to get water on
24 the fire. By that time, that small fire was a
25 dramatic blaze that turned into a fifth alarm.

Sixty-six families are homeless.

It's outrageous for them to say that they couldn't make a decision the day they needed to. It's outrageous to reflect response times that absolutely do not reflect reality. Those are the issues I wanted to raise today.

CHAIRPERSON CROWLEY: Thank you.
Mr. Reynolds?

PATRICK REYNOLDS: My name is Patrick Reynolds, and I'm a Captain with the New York City Fire Department. I am testifying today on behalf of Captain Alexander Hagan, President of the UFOA. I also serve as the Recording Secretary of the Uniformed Fire Officers Association, a union of over 2,500 lieutenants, captains, battalion chiefs, deputy chiefs, supervising fire marshals and medical officers of the FDNY.

We appreciate the invitation from Speaker Quinn and the committee chairs to speak on the recent blizzard and the difficulties encountered by the FDNY.

The UFOA has a written statement, but I ask that it simply be included in the record of this hearing. I can sum up my testimony and it

1 is this: urgent emergency situations like the
2 Christmas blizzard can happen in New York City at
3 any time. The UFOA urges each and every Council
4 Member to visualize what would happen if the city
5 eliminates 20 fire companies effective July 1.

6 Thank you.

7 CHAIRPERSON CROWLEY: Thank you.

8 Mr. Variale?

9 VINCENT VARIALE: Good afternoon.

10 My name is Vincent Variale. I am the President of
11 the Uniformed EMS Officers Union, representing 450
12 EMS captains and lieutenants of the New York City
13 Fire Department. I thank you for this opportunity
14 to testify today.

15 The blizzard on December 26th, 2010
16 highlighted the logistical failures that exist
17 within the EMS Command. Although the officers of
18 the EMS Command have learned to operate under
19 these conditions, the failure to declare a
20 citywide emergency compromised our ability to
21 function normally.

22 The failure to clear the streets of
23 unnecessary vehicles prevented the streets from
24 being plowed. While this is perhaps the greatest
25

1 failure it is not the only failure. Some of the
2 problems encountered by my members include: span
3 of control, tow straps or cables, fuel supplies
4 and fuel containers.
5

6 Span of Control: according to the
7 FDNY Incident Command System and the Citywide
8 Incident Management System, safety and sound
9 management practices dictate that a ratio of seven
10 individuals to one supervisor should be maintained
11 for a span of control to exist. Maintaining an
12 effective span of control is important to ensure
13 the safety, coordination and support to the
14 members operating in the field.

15 The current ratio in EMS is one
16 supervisor to twenty individuals. In many cases
17 that ratio expands to one supervisor to forty
18 individuals. If EMS operated with the appropriate
19 span of control, it would enable EMS officers to
20 provide an effective amount of support. The
21 result would mean more people receiving emergency
22 medical care and more ambulances would get to the
23 hospital.

24 Logistics: tow straps or cables
25 should be issued to all stations so supervisors

1
2 may assist ambulances stuck in the snow. During
3 the blizzard, some EMS officers took initiative
4 and purchased or used their own tow straps. These
5 straps were used to pull ambulances free from the
6 snow. The second day of the blizzard, the
7 department issued tow chains to some stations, but
8 they were the wrong size and could not be used.
9 This is two days into the snow storm, when the
10 snow has already done its damage.

11 Fuel: some stations didn't receive
12 fuel orders that were submitted prior to the
13 storm, leaving them without fuel. This required
14 ambulances to rely on alternative fuel sites.
15 Some ambulances got stuck in the snow for long
16 periods of time and began to run out of fuel.
17 Officers had to grab any containers or jugs they
18 could find and fill them up with fuel to go to
19 these ambulances before they ran out of fuel.

20 Logistics Coordinator: a Deputy
21 Chief in every EMS Division should be assigned as
22 the logistics point person. They would report
23 directly to the Fire Department Operations Center
24 prior to a storm. The Deputy Chief would notify
25 FDOC which stations in their division are in need

of fuel and supplies and ensure they receive them.

In conclusion, we are saddened by any lives that were lost during the storm. If not for the commitment and dedication of the members in the EMS Command, many more lives may have been lost. I look forward to the implementation of these recommendations, so tragedies like these are not repeated in the future. Thank you.

CHAIRPERSON CROWLEY: Thank you, Mr. Variale. I'm going to ask a few questions of the panel, the co-chairs and then we'll limit it to two minutes for each member. Mr. Bahnken, when you have battalions of EMS or EMS ambulances rather, just on the streets of the city of New York, are they only on primary streets, or are they on secondary and tertiary streets?

PATRICK J. BAHNKEN: Actually, a good number of our ambulance battalions are on secondary streets. We do have battalions that are on the grounds of hospitals, but even being on the grounds of hospitals does not necessarily mean we are on the primary street.

In Council Member Vallone's district, for example, we have an EMS battalion

1
2 that's located on the grounds of the old Astoria
3 Hospital. One would think that plowing Crescent
4 Street would be enough; however, the entrance to
5 this battalion is on the side street behind. So
6 getting ambulances in and out of that facility, we
7 still have to go down a secondary or from what I
8 heard today is a tertiary street. I don't know
9 what that means. I think that means, you know,
10 we'll send carrier pigeons in with bread crumbs or
11 something. I don't know.

12 CHAIRPERSON CROWLEY: Right. I
13 don't know what that means either. In fact, I
14 think I have ambulance detail on a tertiary inside
15 a mall in Glendale. The Atlas Park Mall is where
16 one of the EMS battalion hangs out. That's not a
17 real city street. Those were the last to be
18 plowed. So go figure when it came to emergency
19 services.

20 How about your workers? Were they
21 called in to work? They were told to stay
22 overtime? What was the ratio there in terms of
23 getting them?

24 PATRICK J. BAHNKEN: That's an
25 excellent question. When the recall goes out,

1 this is not the first storm that my members have
2 encountered, nor will it be the last, most EMS
3 personnel are taught by their mentors to keep what
4 we call a jump bag. You know, certain necessary
5 items: shaving cream, toothbrush, change of
6 undergarments, or at least a couple of day's
7 change and spare uniforms. We know when we're
8 going in, we tell our loved ones: I'll see you in
9 a few days.

11 While my members are out in the
12 field, some of them for 16, 18 and 20 hours, when
13 they got back to their battalions, there was no
14 provision for them. There was no food. There
15 were no sleeping arrangements. EMS battalions do
16 not have bunk rooms. We had members that were
17 sleeping on cement floors after working 20 hours
18 out in the snow, carrying people through waist-
19 deep snow. Many battalions were left to forage
20 for food.

21 The EMS battalions that are
22 affiliated to hospitals were fortunate to have
23 some sort of food provided. In some cases, a room
24 was made available where members could recuperate.
25 But many more EMS battalions were left on their

own.

What makes that particularly galling is that at the Department of Citywide Administrative Services warehouse, there were hundreds of cots available. I'm not talking about wide comfortable cots, simple camping cots. I keep one in my own office for just such an occasion.

There were military rations, meals ready to eat, or MREs, thousands of them in the DCAS warehouse. But men and women who were out there who can't get home--how are we going to go home? You can't get on the roads. It's the same problems you have when people finally made it in; you want them to stay there. If they go home, they may not make it back in. But what was provided for them? Go sleep on the cement. Go eat a snow cone; we've got plenty of that. But insofar as actually, you know armies move on their feet, they move on their stomachs. There was no provision made for the personnel, none whatsoever.

CHAIRPERSON CROWLEY: Thank you, Mr. Bahnken. Mr. Cassidy, I think you made a good call there when you reached out to the chief of

1
2 the department and asked him to put a fifth man on
3 all engines. So thank you for your foresight. I
4 agree with you and also with Mr. Reynolds that we
5 would have been in even worse shape if 20
6 companies were closed and thank God they weren't.
7 With that, I am going to turn the mike over to my
8 co-chair.

9 CHAIRPERSON VALLONE: Thank you.

10 Let me thank all of you. I can't tell you how
11 many stories of heroism I heard about all of your
12 members. Right around the corner from my house, a
13 young child had cardiac arrest and had to be
14 carried five blocks by the EMS workers to get to
15 the bus. There were so many stories of
16 firefighters getting where the ambulances couldn't
17 because they were stuck, and helping them out and
18 carrying people.

19 I led off with a story about
20 Michael Halberian, who unfortunately died, but I
21 don't even know how your guys got up that hill at
22 any amount of time. He lived on the top of a
23 lonely hill at the Steinway Mansion. If that hill
24 is unplowed, you need hiking gear to get up there.
25 But you got up there.

1
2 And really, just story after story
3 about the heroism of all of your members. I don't
4 know of anyone that I know of that ever pointed a
5 finger at all of you people. If they did, they'd
6 have to come through us.

7 Pat Bahnken, you mentioned there
8 were 15,000 people making these emergency
9 decisions. It's worse than that; there were
10 15,000 people on a conference call making these
11 emergency decisions. There was no leadership and
12 apparently the decisions that were made after that
13 conference call were never even conveyed to a
14 deputy mayor or mayor.

15 You've heard the Administration say
16 they're going to do better, and I agree with you
17 Mr. Cassidy, almost anyone could at this point.
18 But they did come up with a 15-point plan and some
19 of it seems very meritorious, especially the
20 definition changes of snow emergencies and how
21 it's called and things like that. What
22 improvements would you make to that plan?

23 PATRICK J. BAHNKEN: I think that
24 we need to be a lot more proactive as opposed to
25 reactive. We tend to govern in crisis. It was

1
2 after September 11th that EMS personnel received
3 gas masks, many months afterwards. The big
4 question then was what if there's a chemical
5 attack because of anthrax or whatever these other
6 ones were.

7 I pointed out then to your
8 predecessors on the City Council that at that
9 time, as you were about to shuck your mortal coil
10 and take your last breath, you would see all the
11 EMS people a quarter mile upwind with all the
12 antidotes because we're the ones who administer
13 them but we never received the operations training
14 or had the gas masks to enable us to operate.

15 CHAIRPERSON VALLONE: I just want
16 to get to the--

17 PATRICK J. BAHNKEN: [interposing]
18 So what would I do now?

19 CHAIRPERSON VALLONE: Now is the
20 chance to be proactive. What would we do?

21 PATRICK J. BAHNKEN: What would I
22 do proactively? We've got a storm coming in on
23 Wednesday. By tomorrow, if it's predicted that
24 there's going to be ten inches or more, I would be
25 telling every resident in this city: your car is

1
2 to be parked no later than perhaps 6:00 p.m., or
3 10:00 p.m. Anybody who's out on the road after
4 that, we're going to tow your car. Your car
5 should be parked, that way the plows can get
6 their.

7 That was the one thing, the one
8 issue, that one failure to make a good decision
9 that was the catalyst to everything else going
10 wrong, that one decision: the failure to keep the
11 roads open for the plows.

12 CHAIRPERSON VALLONE: Great. Does
13 anyone else have an improvement we could make as
14 part of this 15-point plan?

15 STEVE CASSIDY: I didn't look at it
16 in detail, but let just say it's all about
17 communication and managing the public's
18 expectations. So no two storms are alike, no two
19 disasters are alike. You can't have a blueprint
20 in advance that says we're going to do the
21 following 15 things.

22 If they had gone on the air on
23 Sunday at some time, noon, 1:00, 2:00 or 3:00 in
24 the afternoon and said conditions are blizzard-
25 like, they're projected to get worse, we're asking

1 people not to come into New York City, or not to
2 travel in New York City, they would have had
3 better results. What happened was people didn't
4 realize how bad it was going to be. Part of that
5 is the history of a storm is forecast and it turns
6 out to fizzle. This was the one that didn't
7 fizzle.

8
9 I think they needed the
10 communications from the Mayor or somebody on his
11 staff. They have the ability to take control of
12 the airways. They could have an immediate press
13 conference. If you live in New York City New York
14 One is on 24 hours a day. They could get that
15 word out if they needed to. If they had done
16 that, I think things would have been entirely
17 different. Easier for Sanitation to get the
18 streets plowed and then, therefore, easier for
19 everybody else in emergency services.

20 CHAIRPERSON VALLONE: Absolutely, I
21 would go further. I think all nonessential
22 businesses should have been closed and everyone
23 told to stay home, not just off the streets. Just
24 don't come to work. We had people stranded on
25 trains and buses and it was ridiculous. Any other

1
2 very quick improvements we could make, the city
3 could make?

4 PATRICK REYNOLDS: I didn't see the
5 plan in detail either. However, any plan for
6 emergency preparedness requires what's known as
7 flex time. It's a Fire Department term that's
8 used in probably other agencies where you realize
9 a problem but you also have to factor in the
10 amount of time that's going to be required to get
11 your resources there. During a snow storm, you're
12 going to need two to three times more time to get
13 your people and your equipment in the location
14 than you might need under normal conditions. So a
15 flex time component of any emergency plan is going
16 to be needed. Thank you.

17 VINCENT VARIALE: I think in the
18 future, we have a citywide incident management
19 system and a Fire Department incident management
20 system, a command system. We should follow it. I
21 didn't see that being followed anywhere. Every
22 division was doing something different. I'm glad
23 that my members were taking the initiative to go
24 out there and do what they did. It saved more
25 lives and it helped free up more ambulances.

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CHAIRPERSON WILLIAMS: Is there anything that you know of or anything that was reported as to why he was demoted?

PATRICK J. BAHNKEN: No, the only thing that I heard was what was said in the press statements of the Administration when the question was asked. They said it had to do with the failure of the EMS system during the snow emergency.

CHAIRPERSON WILLIAMS: Were there any failures that you were aware of with the EMS system?

PATRICK J. BAHNKEN: The only failure that occurred was the failure of the Office of Emergency Management to manage the emergency.

CHAIRPERSON WILLIAMS: Thank you. I had one more question.

CHAIRPERSON CROWLEY: Thank you, Co-chair Williams.

SPEAKER QUINN: You're playing the role of Tish James.

CHAIRPERSON WILLIAMS: Oh yes, when you talked about how they counted the response

1 time, is that normally how they count it, but
2 because we had so much snow it just got expanded?

3 STEVE CASSIDY: No. The department
4 has a policy of calculating a response to an
5 emergency or a fire as one unit in front of a
6 building. I've always argued that's not an
7 accurate reflection.
8

9 If you're on the 15th floor of a
10 burning building and the Fire Department stops in
11 front of that building and says we were there in
12 four minutes, but nobody gets there for another
13 six minutes, I'm pretty sure when you dialed 911
14 until some firemen pops that door open and comes
15 through there and saves your life, you don't think
16 that they were there in four minutes. You know it
17 took them ten minutes.

18 This Administration has always done
19 that. It was exacerbated by the fact that they
20 were parking vehicles two or three blocks away and
21 still saying we were there in four minutes when
22 now instead of four and ten it was four and
23 twenty. That's my point.

24 CHAIRPERSON WILLIAMS: So how do
25 you logistically fix that?

STEVE CASSIDY: Easy. They could reflect accurately a response time when they are knocking on your door.

CHAIRPERSON WILLIAMS: So the EMT that knocks on the door would then relay back to the bus?

STEVE CASSIDY: Absolutely. They could easily do that. They don't want to do that because it'll dramatically increase the response times which will argue against the cuts they're about to bring to the Fire Department, both on the EMS side and the Fire side.

CHAIRPERSON WILLIAMS: Is there something legislatively that can be fixed?

STEVE CASSIDY: Well, I've argued and I'd like the Council to consider it. Certainly, if you dial 911, from the time you actually get your phone call answered until somebody knocks on your door, I think that's a real response. If it takes 20 minutes to put water on a fire, don't tell me a ladder company was there in four minutes and everything is okay. Because you know what, your house burned down. God forbid, some people could have lost their

lives. That is not an accurate response.

CHAIRPERSON WILLIAMS: In the terms of the firefighter, they would start to spray the water and then say that we got here? How would that be done?

STEVE CASSIDY: Well, first of all, all firefighters have radios. There's a chief on the scene. Pat Reynolds could talk about the officer's responsibility in terms of communication from a chief. The bottom line, it would be very easy for them to do.

I offered them a proposal to do so a few years ago. They flatly rejected it because if they make cuts to the Fire Department and they were measuring how long it takes them to get water on the fire, then this body would see how those cuts actually impact.

The example I will give you is if they close an engine company in a double house that has an engine and a ladder and there's a medical emergency across the street, the ladder company won't even go. If there's a fire across the street and they pull up by themselves, they'll say: hey, don't worry; we were there in three and

1 a half minutes. The bottom line is there was
2 nobody there to begin to put water on the fire
3 which is the most critical lifesaving thing they
4 do. They deliberately mislead the public about
5 response times because that's their matrix for
6 closing companies and reducing staffing.
7

8 CHAIRPERSON WILLIAMS: Thank you.

9 CHAIRPERSON CROWLEY: Council
10 Member Greenfield?

11 COUNCIL MEMBER GREENFIELD: Thank
12 you, Madame Chair. So, Patrick, I have good news
13 for you. I went to Google and typed in: as the
14 Magic 8 ball. I typed in: should we have called a
15 snow emergency and pressed ask and the answer was
16 yes. So apparently, the Magic 8 ball actually
17 does work very well.

18 Just to paraphrase you, because I
19 was typing some notes, you said that anyone
20 blaming your members ought to be ashamed of
21 themselves. Well Patrick, I have some bad news
22 for you, they fired the head of EMS. I think
23 they're clearly blaming your members. So what's
24 your response?

25 PATRICK J. BAHNKEN: Well, first,

1
2 the chief in charge of EMS, like anybody else at
3 that level, serves at the pleasure of the
4 commissioner. What the media reports had stated
5 or what the Administration stated was "among other
6 issues" was the EMS system.

7 I will say this: not one single EMT
8 or paramedic or EMS officer out there in the field
9 or in the communication center was ever asked if
10 we should declare an emergency, what we should be
11 doing better. Had they asked those of us that
12 actually do the work, we would have told them,
13 like we did back in 1996, call out the National
14 Guard.

15 We did it in '96. I know I
16 personally recommended that to the department the
17 morning of the 27th. I said when is the National
18 Guard being called? I heard people say, Mr. Bruno
19 say, well the National Guard doesn't have
20 resources. That's a load of crap. I was
21 personally working in a Humvee in 1996 in Queens.
22 The Humvees were able to get through. The six-ton
23 trucks were able to pull ambulances out of the
24 snow.

25 You know, this is like a tornado.

1
2 I've been around the head of this union for a long
3 time. At the very top of the tornado is where
4 this thing starts, but all the damage that's
5 wrought is at the very bottom. At the end of the
6 day, the one thing we can say about the very top
7 like all tornadoes is: they suck. That's exactly
8 what happened at OEM.

9 COUNCIL MEMBER GREENFIELD: That's
10 a fair assessment. Let me ask you, Patrick, who
11 should have been fired here?

12 PATRICK J. BAHNKEN: Quite frankly,
13 if it were me?

14 COUNCIL MEMBER GREENFIELD: Yeah.

15 PATRICK J. BAHNKEN: If I was the
16 Mayor.

17 COUNCIL MEMBER GREENFIELD: Yep.

18 PATRICK J. BAHNKEN: Mr. Bruno
19 would have been packing his office that morning.

20 COUNCIL MEMBER GREENFIELD: What
21 about you, Steve?

22 STEVE CASSIDY: I'm not sure. I
23 wasn't really involved in the whole chain. But I
24 can tell you that the presentation today was
25 centered around 2:00 in the morning on the 27th,

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and the disaster was already over. So, I mean if they were trying to decide whether to declare an emergency at 2:00 in the morning on the 27th, where were they at 4:00 in the afternoon on the 26th? That's the real question, and I didn't see anybody get an answer to that today.

COUNCIL MEMBER GREENFIELD: What about you, Patrick and Vinny, what do you think?

PATRICK REYNOLDS: We'll go with Harry Nespoli: blizzard equals snow emergency. I don't think you need any complicated metrics to figure when and who should declare one.

VINCENT VARIALE: I have to agree. Whoever failed to declare the snow emergency; head on, as soon as you hear that there is going to be a blizzard, or when they cancel a football game because of a large amount of snow. I can't remember the last time they ever did that, because they play football in the snow all the time. That's the person that should be responsible.

COUNCIL MEMBER GREENFIELD: Thank you.

CHAIRPERSON CROWLEY: Thank you, Council Member Greenfield. I don't think there

1
2 are any other Council Members with questions for
3 the panel. I thank the panel for testifying today
4 and for sticking around as long as you did, for
5 your patience, and the work your members do.
6 Thank you.

7 The next panel, we have Joseph
8 Colangelo, Local 246 auto mechanics. Is Ryan
9 Gunning still here, of the New York Volunteer
10 Ambulances? And the last to testify would be
11 Brian Kuntz, Uniformed Fire Alarm Dispatchers.
12 That's for this panel. There will be another
13 panel after this.

14 Before you begin, if you could,
15 identify your name for the record and then begin
16 your testimony.

17 JOSEPH COLANGELO: Hi, my name is
18 Joe Colangelo. I'm the President of SEIU Local
19 246. I represent the auto mechanics throughout
20 the city of New York in all the different city
21 agencies. I have to correct my testimony because
22 I put "good morning" members of the committee. So
23 I'll have to change it to "good evening" to
24 Speaker Quinn and the Council Members.

25 My name is Joseph Colangelo. I'm

1
2 the President of SEIU Local 246 and I am here
3 today to speak on behalf of my members and the
4 service they provided during the blizzard of
5 December 26th, 2010.

6 My members are the auto mechanics,
7 machinists and other automotive trades, the titles
8 that work for the Police, Fire, Sanitation,
9 Department of Transportation and all other
10 agencies in the City of New York.

11 My members reported to work both
12 the day of the snow storm as well as the Monday
13 following the storm. The members that reported to
14 work on the day of the storm, in some cases,
15 stayed on city premises for up to 24 hours,
16 sleeping at their location on hard wooden benches
17 and front seats of passenger cars and trucks. All
18 this in an effort to make sure that the Police,
19 Fire and Sanitation Departments could do their
20 job.

21 On Monday some members left their
22 homes at 1:00 a.m. and 3:00 a.m. in an attempt to
23 get to work because the services they provide are
24 essential to public safety. Some members whose
25 normal work shift starts at 6:00 a.m. did not

1 arrive until 10:00, 12:00 and even 1:00 p.m. on
2 Monday, but all were asked to put in a full 8 hour
3 shift or 12 hour shift, and they did.

4 Some of these members actually got
5 rides from department vehicles that were in the
6 street working, only to find out when asking
7 supervisors if there was a way they could get a
8 lift back home, were instructed that they are not
9 in the business of providing transportation.

10 Some of these members were leaving
11 work at 8:00 and 9:00 at night on that night. One
12 member specifically, who works for the Police
13 Department, and was on duty for well over 20 hours
14 and called my office on Monday morning concerned
15 that he was being told they he was not going to be
16 relieved because the department was not sure if,
17 in fact, the other mechanics were going to be able
18 to get to work that same day.

19 I point this out because when I
20 received the call, he told me that he was
21 concerned for his wife who was 4 months pregnant
22 and he had left the day before at home and didn't
23 even know if she'd be able to need him in case to
24 get back. Fortunately, the other members did show
25

up and he was able to return home.

I would also like to tell you about the members who work for the Department of Sanitation. I am sure most of you have seen the giant snow melters are used for clearing the snow. As was written in the Daily News article this past week, two of my members became ill while working around the machine that was malfunctioning.

Neighbors on the block had called the fire department to complain about carbon monoxide detectors that were going off in their homes. The department responded and at that point my members, who had initially refused medical treatment, were transported to the hospital by their supervisors and treated for carbon monoxide exposure.

Last year, at the end of the snow storm in February, when another snow melter malfunctioned, two of my members were transported to the hospital by EMS for extremely high levels of carbon monoxide in their blood. I tell you these stories because these civil servants put themselves in dangerous situations not only to get to work, but while at work and doing what's needed

1
2 to be done.

3 Although I know this committee is
4 not investigating this, there are some who have
5 suggested that the distribution of parts in all
6 city agencies be done by an outside contractor.
7 With the outside contractors own employees inside
8 city buildings and the parts rooms themselves
9 would now be that company's property.

10 This means that in a situation like
11 last week, if these employees for that particular
12 company did not show up to work, the city
13 mechanics would not be allowed to enter those
14 parts rooms for parts and would have made them
15 unable to repair the equipment. I wonder how many
16 auto parts stores were open Sunday, the day of the
17 storm, and Monday, the day after the storm, and
18 how many car dealerships with repair mechanics
19 were also open on those days.

20 I point this out because my members
21 were at work. My members took their lives in
22 their hands to get to work, and these are the
23 individuals who I am proud of. Unlike others in
24 the administration, my members were at work, and
25 not in constant contact through blackberry and

1
2 emails, because as we all know, blackberrys and
3 emails don't get the job done. It's the hard
4 working civil servants of this great city that get
5 the job done.

6 Thank you for this opportunity to
7 speak today to you on behalf of my membership.
8 Thank you.

9 RYAN GUNNING: Good evening, Madame
10 Chair and fellow Council Members. My name is Ryan
11 Gunning and I am the Chairperson of the New York
12 State Volunteer Ambulance and Rescue Association
13 District 4. The agencies I represent encompass
14 most of Queens, Brooklyn, Staten Island and
15 Manhattan.

16 I am here today to bring forward
17 the areas that we feel delayed, prevented or
18 hindered our member agencies' EMS response to the
19 aforementioned blizzard.

20 A large amount of our volunteers
21 left their families and spent countless hours,
22 staffing volunteer ambulances throughout the five
23 boroughs without hesitation. This is what we do.
24 Our volunteers, just like the municipal EMS
25 system, fought heavy snowfall, high winds, and

1
2 traffic obstacles in order to reach patients that
3 required emergent care.

4 Unfortunately, our task was made
5 more difficult during this storm due to a
6 combination of reasons, when combined, spelled
7 disaster.

8 In preparation, all of our squads
9 were notified in advance of the storm through the
10 NYC Regional EMS Council's Notification System.

11 In response, our volunteers began readying their
12 vehicles, staff and equipment for what would prove
13 to be an ardent task.

14 Unfortunately, it wasn't until the
15 storm's wrath hit, that FDNY EMS requested
16 volunteer participation to aid in the enormous
17 call backlog. What made matters worse was most
18 squads were instructed during the height of the
19 storm to report to the nearest EMS Borough's
20 Division offices to pick up FDNY EMS radios. For
21 many that was Fort Totten in Queens. Making this
22 request during the height of this storm was not
23 prudent in terms of safety and delayed the
24 activation of our additional resources in upwards
25 of 45 minutes.

At one point during this snow

1 event, crews at the Glen Oaks Volunteer Ambulance
2 Corps could not move their vehicles off their
3 property. As such, the Glendale Volunteer
4 Ambulance Corps had similar issues, as their curb
5 side parking location became a dumping ground for
6 large piles of snow. Flagging down local plow
7 trucks and supervision proved futile, as they also
8 had their tasks to accomplish.
9

10 There must be a mechanism in place
11 that provides priority to our member agencies so
12 they are not obstructed from responding and when
13 they are, can call in to a help line to get them
14 plowed out.

15 The Volunteer EMS agencies logged
16 hundreds of responses and brought out over 100
17 plus responders from Sunday at noon, through
18 Tuesday at midnight. Volunteer agencies utilized
19 their ambulances, first response vehicles and many
20 utilized personal 4x4 vehicles to assist their
21 crews and other EMS crews within their
22 communities.

23 While some blame was directed
24 toward EMS ambulance operators for getting stuck
25 in the snow, it is our position that the primary

1
2 reason for this significant occurrence was
3 unplowed primary and secondary streets. EMS
4 vehicle operators are aware that during this type
5 of storm that you park on a side street and you
6 walk to the call. However, this was not possible
7 during this storm because nothing was plowed. In
8 fact, Park Slope Ambulance has a 4x4 Ambulance,
9 and that too, was stuck in the snow.

10 With that said, many units,
11 volunteer, voluntary, private and municipal were
12 placed in unnecessary danger by Fire Department,
13 as these units were being dispatched to calls for
14 which many of the patients already left for the
15 hospital by private means, long before the call
16 was assigned to an EMS unit.

17 When the backlog ensued, EMS should
18 have tasked members to call back to the patients
19 for which calls were holding and cancel
20 assignments when it was determined that the
21 patient is no longer at the scene. This tedious,
22 but important task, would have significantly
23 reduced the number of backlogged calls, and
24 therefore would have reduced the danger for
25 responding units and ultimately, fewer units would

1 have been stuck in the snow.

2 Individually, all these areas of
3 concern that have been reported may not be a
4 considerable problem unto its own. However,
5 jointly, these areas all combined to hamper EMS
6 response from the volunteer perspective.
7

8 The volunteer agencies that I
9 represent are always there when the call goes out
10 and we need to work on improving the utilization
11 climate and activation of these organizations so
12 we do not delay the implementation of their
13 resources when needed.

14 We would be most interested in
15 meeting with the respective agencies in the near
16 future to address our concerns and work toward a
17 more efficient and collaborative working
18 environment.

19 Just on another quick note, if I
20 may, about a response made by Commissioner
21 Cassano, in response to a question asked by
22 Councilwoman Koslowitz, who unfortunately is not
23 here, that the FDNY reached out to the volunteer
24 ambulance. Commissioner Cassano stated that they
25 did and nobody responded. The commissioner may be

misinformed or misunderstood the question.

However, the volunteer ambulance community, as written in my testimony, staffed over 100 responders and answered upward of 100 calls. This further proves our continued quest for improving our communication and improving the utilization of the volunteers. Thank you for your time.

BRIAN KUNTZ: Good afternoon, Speak Quinn, committee chairs, committee members. Thank you for the opportunity to speak today. My name is Brian Kuntz. I am the President of the Uniformed Fire Alarm Dispatchers Benevolent Association, a 191 member union consisting of fire dispatchers, supervisors and chief dispatchers.

I'm going to be as brief as I can in injecting a little truth into the operational deficiencies that occurred during the blizzard, which by everybody's timing was Sunday to Wednesday. So my parameters will be from 1:00 p.m. Sunday to midnight on Wednesday the 29th.

There were really two major failures that contributed to deficiencies in the operation: the UCT system, which I'll touch on, and the PSAC. The UCT, as everybody is aware, is

1
2 the Universal Call Taking System. From Wednesday
3 to Sunday, the Universal Call Taking System
4 electronically transmitted 4,447 runs to fire
5 dispatchers, which is quite an increase from an
6 average period.

7 Of these fire trucks were sent to
8 2,134 of them. Of the remaining 2,343 incidents,
9 150 of them were duplicate calls to alarms that
10 already existed. That equates to 2,193, or 48.9
11 percent of those calls sent to us never should
12 have been sent to us. For whatever reason, they
13 were sent to us completely in error. I can't
14 explain how that happened.

15 Naturally, this took away from our
16 dispatching fire trucks to the citizens'
17 legitimate emergencies that got put on the back
18 burner. This also assisted in producing an
19 unnecessary strain on our CAD system called
20 Starfire.

21 As the Fire commissioner mentioned,
22 and I think everybody here mentioned, the fifth
23 alarm that was Monday afternoon in Corona, there
24 was just one point that was left out. The
25 overwhelming calls coming into our system caused

1
2 the normally assigned first due engine company and
3 the first due ladder company to be held in the
4 computer system. When a run comes in, the run
5 says I need this engine, I need this ladder and I
6 need this chief. The problem is when the system
7 gets overloaded, it says I need this engine but I
8 don't know to what.

9 So the initial alarm was sent out
10 with second due units instead of the first due
11 units being assigned to that incident. After much
12 hubbub, they found the companies, they went
13 through a few more runs, they dispatched more runs
14 and they found out that the computer just had them
15 stuck. That is, again, because of an overload,
16 like in the blizzard, like in the tornado, like in
17 any thunderstorm that comes through the city at
18 one time. The system gets overloaded and it
19 doesn't respond how it's programmed to respond.

20 I would just like to add that one
21 of the main problems with UCT is that the calls
22 are being put in and put in and put in and put in
23 by up to 100 call takers and there are five people
24 to handle those hundreds of people entering at the
25 same time. We have to manage our resources, as

effectively as we can as dispatchers, which traditionally have been done, right up until May 4th of 2009.

We don't send a fire truck from downtown Brooklyn to Coney Island to handle a broken tree limb. We would send them in case of a fire, but in case of storms like this one, it's trees down, it's wires down, it's water leaks from snow on the roof that we can't do anything about. We go as the local fire companies become available. We put those into our computer as the local fire companies become available, not to overload the system with calls that we're not immediately responding to, the nonessential emergency, so to speak.

I'd just like to add that amongst the 2,193 incidents that came in needlessly, that was among another 12,000 or so incidents that the dispatchers handled during this blizzard. That doesn't necessarily mean a fire truck went to a run. It means the phone rang, whether it was an emergency, it wasn't an emergency, we had to handle all of the incoming information from 311, from 911, direct from the callers, and everything

1
2 was dramatically increased. 14,000 calls in three
3 and a half days is quite an increase for the Fire
4 Department.

5 The other issue is the Public
6 Safety Answering Center in downtown Brooklyn. The
7 Public Safety Answering Center is undoubtedly the
8 most ineffective, unprofessional operation that
9 basically ever existed as far as fire dispatch
10 operations. It verges on humane; there are no
11 facilities in the building to house personnel for
12 extended occupancy, like this storm where people
13 couldn't go home because they couldn't even get
14 out of Metro Tech, never mind trying to make the
15 trip home at 7:00 at night, at 7:00 the next
16 morning, at 7:00 that Monday evening. People
17 still were having trouble coming and going.

18 Traditionally, we've always had
19 facilities to cook a meal if we were essentially
20 stuck in the building for a couple of days, to put
21 our head down for a few hours in between tours so
22 that we can return to work, unlike this storm
23 where some people who were fortunate enough to get
24 out couldn't come back because it took them 5, 6,
25 7 hours to get home.

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1
2 it. But it's just not happening. The latest
3 story that I was told was that when PSAC 2 is
4 completed, we were going to close PSAC 1, fix all
5 the deficiencies so it'll be perfect when you go
6 back. But as everybody knows, no one knows when
7 PSAC 2 is even going to get built anymore.

8 So, I have a very, very simple
9 solution to this problem with this Public Safety
10 Answering Center, which, by the way, will fail
11 time and time again in the condition it's in. It
12 will never work properly for any kind of extended
13 operation. Close the Public Safety Answering
14 Center down until it can be repaired. Manhattan
15 operations, which currently operates out of PSAC
16 can be moved to the Bronx Central Office where
17 there is already equipment waiting to be used.
18 Brooklyn operations and Staten Island operations
19 can be moved to the Queens central office where
20 there is already equipment waiting to be used.
21 Those buildings are far better prepared now than
22 PSAC ever will be to handle these types of
23 situations. It will cost virtually no money to
24 make this move.

25 CHAIRPERSON JAMES: Could you

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conclude your statement?

BRIAN KUNTZ: Yes.

CHAIRPERSON JAMES: Thank you.

BRIAN KUNTZ: To make it right, it will cost the city virtually no money. They're all ready to go; they're built. Thank you, again, for the opportunity to speak today. At this time, we can take any questions.

CHAIRPERSON JAMES: Thank you. I would like to pose a question to Mr. Colangelo.

JOSEPH COLANGELO: Colangelo. That was close.

CHAIRPERSON JAMES: Colangelo. Sorry if I butchered your name. The Sanitation workers that got sick as a result of the salt spreaders, I'm going to have an oversight hearing specifically with respect to that and I would urge for you to come and testify.

JOSEPH COLANGELO: Yeah, those are the snow melters.

CHAIRPERSON JAMES: Thank you snow melters, exactly.

JOSEPH COLANGELO: I would just like to point out as a reference, the smaller

1 machines burn 86 gallons of diesel fuel per hour
2 without the engine that operates the burner, which
3 it goes to about 120 gallons of diesel an hours,
4 two gallons per minute. Some of the fuel tanks on
5 these machines are well over 700, 800, 1,000
6 gallons. They require a fuel/oil delivery truck
7 to deliver diesel fuel to those units.
8

9 CHAIRPERSON JAMES: At some point
10 in time, perhaps you and I can schedule a meeting
11 so that we can through it.

12 JOSEPH COLANGELO: Absolutely.

13 CHAIRPERSON JAMES: Thank you. Are
14 you responsible for fixing the plow trucks if they
15 break down?

16 JOSEPH COLANGELO: We fix
17 everything in the city of New York. We keep New
18 York City rolling. The only things we don't fix
19 are the buses.

20 CHAIRPERSON JAMES: Okay. So my
21 question is: were there problems with the chains
22 on the trucks and the trunnions?

23 JOSEPH COLANGELO: The
24 responsibility for the chains is the Sanitation
25 workers union. The mechanics don't install the

1 chains. The snow plows, anything related to the
2 plows and anything related to the chains on the
3 Sanitation trucks is the Sanitation workers'
4 responsibility, not the mechanics.
5

6 CHAIRPERSON JAMES: Thank you. Do
7 my members have any questions? First is Chair
8 Crowley.

9 CHAIRPERSON CROWLEY: Thank you.
10 Mr. Colangelo, I have a question as it relates to
11 the ambulances vehicles, the buses, in other
12 words.

13 JOSEPH COLANGELO: Sure.

14 CHAIRPERSON CROWLEY: Are you
15 familiar with them?

16 JOSEPH COLANGELO: Yeah, I worked
17 for the Sanitation Department for 30 years. I
18 know that there has been some discussion about the
19 chains on the ambulances. I've spoken to my shop
20 stewards. It's our understanding, in speaking
21 with them; we've never really used chains on the
22 ambulances. I believe that Commissioner Cassano
23 pointed out that the boxes, as we call them, the
24 ambulance boxes are aluminum. What happens is if
25 you have snow chains on the ambulances, if those

1
2 chains are to let go, they cause extensive damage
3 to the boxes and also because they carry oxygen
4 onboard.

5 There might be issues, you know I
6 don't know, but I think, in my opinion in this
7 particular case, because the ambulances were sent
8 out in such heavy snow, we've never had that
9 before, I think that's where the problem lies. I
10 know they're looking into a different type of
11 chain to put on the ambulances so that they can
12 use them in heavy snow. That's about my extent of
13 knowledge on that.

14 CHAIRPERSON CROWLEY: Thank you,
15 Mr. Colangelo. My last question is for Mr. Kuntz.
16 As it relates to your workforce, were there enough
17 workers there that day to take in the call volume?
18 Were you staffed on holiday staff? Did you
19 members know that there was an emergency coming
20 and that there should be more workers at the site
21 to take the calls coming in?

22 BRIAN KUNTZ: The staffing levels
23 are maintained by management all the time.
24 However, we are not allowed to leave work unless
25 there is somebody there to replace us. We don't

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have part time hours, holiday hours, peak times;
our staffing levels are our staffing levels.
People are stuck there until someone comes to
relive them. There is no option for them to go
home.

CHAIRPERSON CROWLEY:

Understandably, when there are emergencies such as
snow storms or tornadoes, you're going to have
more calls. I mean, at least the snow storm, we
had awareness for at least 24 hours to 36 hours.
So was there a call to your members for more of
them to come in, in anticipation of the blizzard?

BRIAN KUNTZ: There was not a
specific call for more members to come in at any
given time. No, there was not.

CHAIRPERSON CROWLEY: Okay. That's
my only question.

CHAIRPERSON JAMES: Council Member
Recchia?

COUNCIL MEMBER RECCHIA: Yeah. How
are you doing, Mr. Colangelo, I have one question
for you.

JOSEPH COLANGELO: Sure.

COUNCIL MEMBER RECCHIA: Did any of

1
2 your mechanics hear that the new chains that they
3 put on were snapping from the tires?

4 JOSEPH COLANGELO: Like I said,
5 it's not our responsibility.

6 COUNCIL MEMBER RECCHIA: No, no, I
7 understand that. But did you hear anything or did
8 anybody say that they were snapping off of the
9 Sanitation trucks?

10 JOSEPH COLANGELO: You know, I
11 would be disingenuous if I were to respond to
12 that, being that it's not the mechanics
13 responsibility. I think that more appropriately
14 would be Harry Nespoli, the Sanitation workers,
15 because they're driving the trucks. They're more
16 familiar with how long the chains in the past, if
17 they've broken on the routes and if there's an
18 increase. They would be better suited to answer
19 that question.

20 COUNCIL MEMBER RECCHIA: Did any of
21 your mechanics hear that the hybrids didn't have
22 enough power compared to the older Sanitation
23 trucks? The new hybrid trucks that they have,
24 that they did not have enough power to plow and
25 move the snow?

1
2 JOSEPH COLANGELO: You know, with
3 most of the Sanitation vehicles, there's what's
4 called a governor which limits the speed of the
5 engine on the vehicle. That might have been one
6 of the reasons why they can't power them up. But
7 I would have to go back and ask my mechanics.
8 When it relates to hybrids, the agency is using a
9 few different types of hybrid vehicles. I would
10 need specifics before I could comment on something
11 like that.

12 COUNCIL MEMBER RECCHIA: We heard
13 that some of the new hybrid trucks didn't have
14 enough juice, didn't have enough power to plow the
15 snow. They had a lot of problems with them.

16 JOSEPH COLANGELO: They do have,
17 the newer vehicles, the diesel vehicles do have a
18 new type of emission system that's in the exhaust.
19 If that is not working properly, it would diminish
20 the power of the engine. It would become clogged,
21 to use that word. That might have been happening.
22 I don't know. But then again, I'd have to get
23 back to you on that.

24 COUNCIL MEMBER RECCHIA: Yeah,
25 we're very curious. As the Finance Chairman of

1
2 the City Council, we're very interested in sitting
3 down with you and talking with you about the
4 outsourcing that the Administration wants to do
5 about auto parts.

6 CHAIRPERSON JAMES: Thank you.

7 COUNCIL MEMBER RECCHIA: I'm very
8 interested in meeting with you and discussing that
9 to see that it doesn't happen.

10 JOSEPH COLANGELO: I believe it's a
11 very, very dangerous road to go down. The
12 lifeblood of the auto trade is our parts. Even to
13 suggest bringing in a private company to take over
14 an area in a city building and put the private
15 worker in the city building distributing parts and
16 therefore would become that company's property.
17 We would not be able to go in there and distribute
18 parts. We couldn't function. You're basically
19 handcuffing us.

20 CHAIRPERSON JAMES: Thank you.

21 Council Member Greenfield.

22 COUNCIL MEMBER GREENFIELD: Thank
23 you, Madame Chair. I want to thank all of you
24 today and I want to thank your members. To borrow
25 your words, we're very grateful that you keep New

1
2 York City running.

3 I just have a couple of quick
4 questions. During the late hours, when I was
5 hanging out at the Sanitation depot, some of the
6 folks there pointed out the differences to me
7 between the old plows and the new plows. They had
8 a theory that the new plows were inferior and were
9 causing the trucks to get stuck. Do any of the
10 three of you have any information about this or
11 have heard about this?

12 JOSEPH COLANGELO: Like I
13 previously stated, the Sanitation or the worker's
14 union would know.

15 COUNCIL MEMBER GREENFIELD:
16 Nothing? Final question: do either one of you
17 have theories on why so many of the trucks got
18 stuck this time as opposed to in past blizzards?
19 I mean I think we saw an inordinate amount of
20 Sanitation trucks with plows that were actually
21 stuck. Just as folks who have a technical
22 background, might you have a theory on what was
23 causing that?

24 JOSEPH COLANGELO: In my opinion,
25 and it's been stated time and time again today, I

1 started with the Department of Sanitation back in
2 1981. I have over 30 years on the job. I worked
3 through many, many, many snow storms.
4

5 I think that not calling a snow
6 emergency and not giving the message out to the
7 public to stay home. In the day before the storm,
8 on Christmas Day, it was being called that
9 afternoon; it was all over the news: there's going
10 to be a blizzard, there's going to be a blizzard,
11 there's going to be a blizzard.

12 I think that in and of itself is
13 one of the reasons why that that call was never
14 made. I'm not an expert, I don't profess to be an
15 expert, but I'd say that that call not being made,
16 made a lot more people go out into the street, do
17 their return, their Christmas shopping returns and
18 everything that goes along with not, you know,
19 waking people up to the fact that there is going
20 to be a serious problem here. But then again,
21 that's my own opinion. And that's all it is, is
22 an opinion.

23 COUNCIL MEMBER GREENFIELD: Thank
24 you.

25 CHAIRPERSON JAMES: Thank you very

much. Thank you gentlemen, thank you for your testimony, and thank you for your public service.

The next panel is Ron Arnero from DC 37. Then, the very last panel, and I would ask these individuals to sit in the front row to expedite matters, is: Kelly Singleton from the Cambria Heights Civic Association, Tom Hernandez from Fraser Civic Association, Fran Vella-Marrone from Dyker Heights Civic Association and Michael Morrell from the Westerleigh Civic Association. If there are any other civic groups, please join them. This panel is DC 37, Mr. Ron Arnero. Mr. Arnero, you're on.

RON ARNERO: Thank you very much. Again, my name is Ron Arnero, and I do want to add my greetings to Chairperson James, Chairpersons Crowley, Vallone and Williams and members of the City Council.

My name is Ron Arnero and I'm Assistant Director in the Clerical Division at DC 37. I'm testifying on behalf of Eddie Rodriguez, President of Local 1549. With me, here on right, going back here is Diana Marenfeld. She's a Grievance Representative. I have Cynthia Hill,

1
2 who is an SPCT at 911 Emergency and also Rhonda
3 Spaulding who is a Grievance Representative at DC
4 37.

5 New York City Clerical
6 Administrative Employees Local 1549 represents
7 approximately 18,000 public employees in almost
8 every city agency in New York. This includes
9 1,200 PCTs and SPCTs, that's Police Communication
10 Technicians and Supervising Police Communication
11 Technicians at NYPD's 911 call center in downtown
12 Brooklyn.

13 On December 26th, 2010, New York
14 City was devastated by a massive and historic
15 blizzard. Twenty inches of snow fell with
16 whipping winds, creating chaos on our streets.
17 The city was virtually shut down. Public, private
18 and commercial transportation was at a standstill.
19 Yet, employees, including thousands represented by
20 Local 1549 in the Police Department, Fire
21 Department, Sanitation, Health and Hospitals
22 Corporation, 311 and numerous other agencies, made
23 their way to work to serve citizens of New York.
24 Many walked miles through the storm at their own
25 risk.

1
2 An army of 911 emergency operators,
3 dispatchers and supervisors in the police
4 communication technician and supervising police
5 communication technician titles braved the
6 treacherous elements to get to 911's downtown
7 Brooklyn operation headquarters or to a nearby
8 police precinct, which then they are transported
9 to 911 for mobilization and transportation to 911
10 headquarters.

11 They had no way of knowing what
12 conditions they would be facing at work, or
13 whether they would be trapped indefinitely at
14 their work location. The city's 911 personnel
15 risked their health and wellbeing because of their
16 sense of duty and pride in what they do. The vast
17 majority of 911 personnel reside and raise
18 families in the city. Their concern for the city
19 is reflected in the outstanding and often
20 thankless job they do each and every day.

21 During a 48-hour period, while the
22 effects of the storm raged on, 911 was inundated
23 with nearly 100,000 calls for assistance.
24 Included in those 100,000 calls were non-emergency
25 calls, duplicate calls, callers who were

frustrated trying to reach through the 311 call center that would revert back to 911.

Despite the voluminous number of calls, 911 personnel, working double tours and already emotionally and physically exhausted, processed the calls with professionalism, efficiency and concern. New York and New Yorkers have had more than their share of devastation over the past few decades, but 911 personnel have always risen to the occasion and performed magnificently. Their dedication and commitment remains on display.

We would be glad to answer any questions at this time. Thank you.

CHAIRPERSON JAMES: Two questions. Is it your position that the Administration should have called a snow day for nonessential employees?

RON ARNERO: You mean a snow emergency?

CHAIRPERSON JAMES: Well, does a snow emergency definitely necessitate a snow day for municipal employees?

RON ARNERO: Well, our experience is that management at 911 will look at a situation

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COMMITTEE ON SANITATION 405

RON ARNERO: I'm going to ask Rhonda to talk about that.

CHAIRPERSON JAMES: Thank you.

RHONDA SPAULDING: The calls that the 911 operators took came up to 49,478 calls in a 24-hour period.

CHAIRPERSON JAMES: 49,000?

RHONDA SPAULDING: Yes.

CHAIRPERSON JAMES: Can you describe a little bit, give a synapses, a summary of the calls?

RHONDA SPAULDING: I'll pass that on to Ms. Hill.

CHAIRPERSON JAMES: Thank you.

RHONDA SPAULDING: She was a supervisor at 911 at that time.

CHAIRPERSON JAMES: Thank you, Madame Hill.

CYNTHIA HILL: There were medical calls, there were people stuck, there were calls of non-emergencies from 311. Anything and everything that could have come into 911 came in to 911.

CHAIRPERSON JAMES: Well, thank you

1	COMMITTEE ON SANITATION	406
2	for your public service.	
3	CYNTHIA HILL: Thank you.	
4	CHAIRPERSON JAMES: And keeping	
5	people calm throughout the blizzard. Do any of my	
6	colleagues have any questions? Council Member	
7	Williams.	
8	CHAIRPERSON WILLIAMS: Thank you.	
9	Did you say that 911 are considered essential	
10	employees?	
11	RON ARNERO: Yes.	
12	CHAIRPERSON WILLIAMS: What other	
13	employees do you cover?	
14	RON ARNERO: We cover the 311	
15	personnel.	
16	CHAIRPERSON WILLIAMS: So just 911	
17	and 311?	
18	RON ARNERO: No, 311 is call center	
19	representatives and they're part of DoITT. But we	
20	cover in the Police Department; there would be	
21	Police Administrative Aides and Clerical	
22	Associates and secretarial staff.	
23	CHAIRPERSON WILLIAMS: Are you	
24	members being forced to take a vacation day for	
25	the day that they missed on the Monday?	

1
2 RON ARNERO: They were required to
3 come in. They were not given a vacation day for
4 it.

5 CHAIRPERSON WILLIAMS: So if they
6 didn't come in, they lost pay?

7 RON ARNERO: No, they had to come
8 in. They don't have a choice.

9 CHAIRPERSON WILLIAMS: Okay, but
10 there were some people who couldn't make it in.

11 RON ARNERO: Then they were granted
12 a vacation day, but then they have to prove why
13 they couldn't come in. It becomes a procedural
14 situation which, as a union, we are addressing any
15 type of disciplinarian action that comes forth
16 regarding that.

17 CHAIRPERSON WILLIAMS: The question
18 that my colleague asked was about a snow day,
19 which is different than a snow emergency. If the
20 city had granted snow days, they would not have to
21 have taken a vacation day.

22 RON ARNERO: That's nonessential
23 personnel.

24 CHAIRPERSON WILLIAMS: All of the
25 people you mentioned, aside from 911--

1
2 RON ARNERO: [interposing] Are
3 essential personnel.

4 CHAIRPERSON WILLIAMS: Are
5 essential. Okay, thank you.

6 CHAIRPERSON JAMES: Council Member
7 Greenfield?

8 COUNCIL MEMBER GREENFIELD: Thank
9 you. I want to thank especially all the essential
10 personnel for the work. I know that many of them,
11 of course, worked overtime and clearly, as you
12 mentioned, were stuck and were in a very difficult
13 situation. I'm curious to know, you know we
14 haven't really heard, except for what's been
15 reported in the media, any definitive numbers in
16 terms of emergencies that were not responded to
17 and therefore there were catastrophic results. Do
18 you folks have any sorts of numbers or do you have
19 any stories?

20 Because I imagine when you call 911
21 and you're asking for an ambulance and an
22 ambulance doesn't call, you probably call 911 back
23 and say, hey, where's the ambulance, right? Then
24 in many cases you literally have a transcript of
25 people having a conversation with someone who, in

1
2 certain cases, it could be that person is
3 literally dying and hasn't received any sort of
4 response from New York's emergency services.

5 So, have you heard stories about
6 that? Do you have any statistics about that? Is
7 there anything that you can tell us, feedback from
8 your membership as to what you heard? I imagine
9 it was a pretty crazy 48 hours there.

10 RON ARNERO: Oh, it definitely was.
11 But I know through the tape center where requests
12 for tapes of 911 calls are requested through a
13 subpoena, I'm sure that many of those folks who
14 may seek some type of legal action, their
15 attorneys I'm sure will be asking for those tapes.
16 As far as us ourselves, at this point we do not
17 have that type of information.

18 COUNCIL MEMBER GREENFIELD: How
19 about you, ma'am, as a supervisor at 911, do you
20 have any information or did you hear stories, or
21 is there anything that you can share with the City
22 Council that would be helpful in terms of our
23 evaluation and oversight on what happened that day
24 and the lack of response by emergency services?

25 CYNTHIA HILL: If you're talking

1
2 about EMS in particular, well we called them every
3 day. We are in contact with them every day as to
4 if there are any backlogs of anything. I came in
5 that morning at 6:35. At 6:35 there were already
6 200 or 300 calls behind. I came in at 6:35. That
7 was Monday. By the end of the day, it was over
8 1,000.

9 COUNCIL MEMBER GREENFIELD: All
10 right, thank you.

11 RON ARNERO: Thank you.

12 CHAIRPERSON JAMES: Thank you. Are
13 there any backlogs as of today?

14 CYNTHIA HILL: I don't know. I
15 didn't work today.

16 CHAIRPERSON JAMES: Does anyone
17 else on the panel, do they know if there are any
18 backlogs as of today?

19 RON ARNERO: No, we don't have the
20 current information. I'm sorry.

21 CHAIRPERSON JAMES: Thank you very
22 much. Thank you for your public service.

23 RON ARNERO: Thank you very much.

24 CHAIRPERSON JAMES: Our last panel:
25 Kelly Singleton, representing the Cambria Heights

1
2 Civic Association in Queens; Tom Hernandez
3 representing Brooklyn, the Fraser Civic
4 Association; Fran Vella-Marrone, representing the
5 Dyker Heights Civic Association in Brooklyn; and
6 Mike Morrell, Westerleigh Civic Association,
7 representing Staten Island. Are there any other
8 civic groups? Thank you. You may choose amongst
9 who may testify first.

10 KELLY SINGLETON: Good evening,
11 Speaker Quinn, City Council and committee members,
12 it's a pleasure to be here this evening. My name
13 is Kelly Singleton. I am the President of the
14 Cambria Heights Civic Association. I'm here to
15 discuss some of the issues that we faced during
16 the blizzard of 2010, how we handled the situation
17 within our community and a couple of
18 recommendations from our residents and members of
19 our civic association. So I shall begin.

20 Snow plows, the first issue, did
21 not arrive into our community until late in the
22 evening on Tuesday, December 28th. However, by
23 that time, the damage had been done. People
24 started leaving their homes, trying to get to work
25 and elsewhere. I'm sure you've heard this. This

1 is nothing new. You've heard it all day.

2
3 However, in our community, this
4 posed a major problem because most of our
5 residents were unaware that our major
6 thoroughfares, Linden Boulevard, Springfield
7 Boulevard and our main avenues had not yet been
8 plowed. This caused cars to get stuck, like a war
9 zone. Subsequently, abandoned cars were there and
10 ensuing traffic jams. So people still continued
11 to try to get about their business of the day, but
12 we had difficulty with traffic along our major
13 thoroughfares.

14 The second issue: when the
15 Sanitation workers finally began their work, it
16 resulted in people being blocked back into their
17 parking spaces and driveways. What happened is
18 that people gave up waiting and so they took it
19 upon themselves to shovel themselves out of their
20 spaces, out of their driveways so they can go
21 about their daily lives. However, when the plows
22 did their work, they shoveled them back in, or
23 they plowed them back in. This caused very irate
24 residents, to say the least. A variety of issues
25 ensued from there.

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2 Office of Emergency Management. We have a very
3 strong partnership with OEM regarding this
4 program. Our community board, we also work with
5 very closely and the Queens Civic Congress. We're
6 in touch almost daily regarding a variety of
7 community issues.

8 Having said this, we recommend that
9 emergency alerts be sent via text messages, the
10 same that we did during the blizzard or email so
11 that this information--let's say you declared an
12 emergency for a snow storm. We can get that
13 information transmitted as quickly as possible to
14 our civic members and the block association
15 presidents. We will work together with everyone
16 to ensure that our residents are informed and kept
17 safe. We do have a high population of senior
18 citizens in our community, so this is extremely
19 important. We do have a very popular senior
20 citizen center within the community and they, too,
21 are a hub for getting information to and from the
22 residents.

23 Our next recommendation is to
24 provide regular updates to all of us regarding the
25 status of recovery. That means when plow trucks

1
2 are expected to arrive in the community, if you
3 can let us know an approximate time of their
4 arrivals, we, too, can update the community
5 regarding that. We could keep people informed and
6 ask them to remain in their homes so that they're
7 not in the way of the workers. If we had known in
8 advance, we would have told as many people as
9 possible to stay in your homes so that the plows
10 can do their work. So going forward, this is a
11 lesson learned, a teaching moment, as they call
12 it. We will do better going forward, but we need
13 your help in doing so.

14 Our last recommendation would be
15 regarding updates from Sanitation on the garbage
16 and recycling retrieval. We got a lot of
17 complaints from angry residents regarding when is
18 the garbage going to be picked up, when is the
19 recycling going to be picked up? We followed the
20 rules and no one came by. So we would like to be
21 able to provide community updates in this regard
22 as well.

23 So I want to thank you for your
24 time and your attention and the consideration that
25 you've given me to be here today. I thank you and

look forward to working with you on these items.

TOMAS HERNANDEZ: Good evening. My name is Tom Hernandez, a longtime resident of the Fraser section of Brooklyn. For those of you who are not familiar, Fraser is located in the southeastern part of Brooklyn, south of Brooklyn College, north of Marine Park, between Flatbush and Nostrand Avenue. It's part of Community Board 18. I've been President of the Fraser Civic Association for three years and also a member of Community Board 18.

It is represented by about 2,000 families, the majority of them Orthodox Jewish and from the Caribbean. Our area, for the most part, is totally dependent on surface transportation, as there is no subway service throughout the area.

I want to thank Speaker Quinn, as well as Council Members Williams and Fidler for inviting me to speak here today, as well as all of the participating committees who worked very hard to put this hearing together.

I wanted to say first that I'm here today, not to give out any letter grades or to give my opinion of how I feel about how we were

1
2 treated down in South Brooklyn or to place blame
3 on any one or any city agency. I am here to
4 deliver the facts and the facts are that we were
5 just not serviced the way we deserved to be
6 serviced, period.

7 I decided, in preparing for this
8 testimony, to prepare a little dairy of my week
9 living where I live in the Fraser area.

10 On the Monday morning, when the
11 last of the storm fell, we began to start digging
12 out of the storm. We decided not to attempt to go
13 to work, as the news outlets, Channel 4 and
14 Channel 1 in particular, strongly recommended that
15 to stay home if we can, so we did. The subways
16 were in bad shape so we exercised caution. We did
17 not have an urgent need to go to work that day.
18 We were lucky. So many people did and paid the
19 price.

20 After clearing the entry stairs and
21 sidewalks, which unfortunately, so many of our
22 residents throughout the city did not do, and
23 that's the subject of probably another discussion
24 another time, I walked around the immediate area
25 and was surprised to find that approximately by

1 3:00 that day, that the major Road, Flatbush
2 Avenue, which is out main artery, still was not
3 completely plowed. By the way, Chairman James,
4 the pictures there, those are the pictures as you
5 see them, correct. They were still very icy,
6 still very dangerous to drive and very dangerous
7 to walk.
8

9 Avenue L and Avenue K, I don't know
10 if they're considered major streets, but major bus
11 routes go through there, one directly to
12 Manhattan, to subway stations throughout the area
13 and to our two local hospitals, and other parts of
14 Brooklyn had not been plowed at all. It looks
15 like a plow never even went through those two
16 streets. With dozens of stuck vehicles scattered
17 throughout those avenues. In one case, along with
18 my neighbors, we helped push a car with a lady and
19 two children just to get to Flatbush Avenue so she
20 can at least get to where she was going.

21 Throughout that day, I sent emails
22 to my contacts at the Department of Sanitation,
23 which in the past, I have gotten responses to.
24 This time, I never heard back from them.

25 The next day, Tuesday December

1
2 28th, 24 hours after the last snow fall, my wife
3 and I decide to go to work in the city. We had
4 urgent business to take care of and we needed to
5 go in. I normally take the 41 Bus to the Flatbush
6 Junction. Avenue K and Avenue L were still not
7 plowed, therefore no bus service to the Kings
8 Highway Station or directly to the city was
9 available.

10 Flatbush Avenue has still not been
11 completely serviced, still with layers of ice and
12 limited to a one lane, a mess of traffic. Buses
13 were piled up, filled with people trying to get to
14 the subway stations. Our only hope of getting to
15 the subway station is to walk through the streets
16 because, once again, the sidewalks were not
17 plowed. So we had to go through and fight traffic
18 and buses through the icy streets just to get to
19 the subway station.

20 A normal 12 minute walk, when I do
21 feel like walking, turned out to be 45 minutes
22 from hell; dangerous in that I was deathly afraid
23 of slipping and falling in front of a bus or a
24 car.

25 Surprisingly, or I should say not

1
2 surprisingly, when I made it into the city, to the
3 Penn Station train station, I was amazed, again
4 not surprised, that there were so much better
5 conditions in Manhattan, along Seventh Avenue and
6 the side streets. Blacktop throughout, completely
7 clear. It's as if it never snowed on Seventh
8 Avenue that day.

9 The next day, I worked at home, so
10 what we're going to do now is skip to Thursday,
11 December 30th, three days after the last snowfall.
12 Flatbush Avenue was in better shape, still with
13 traffic and full buses. The Main Avenues K and L
14 were finally plowed, but none of the side streets
15 had been plowed, even once. I walked my wife to
16 the station and did some shopping at the Brooklyn
17 Junction. We noticed a News 4 truck at the end of
18 one of side streets waiting for the city to
19 finally plow the street. The street was
20 eventually plowed later that day.

21 Later that evening, around 6:30, I
22 walked approximately seven blocks to Beth Israel
23 Hospital to visit a sick fiend and found that the
24 most, if not all the side streets still had not
25 been completely plowed, with icy conditions making

1
2 it dangerous to walk as well as drive. I elected
3 to walk, and did so. It took me twice the time
4 and I did slip once or twice getting to the
5 hospital and back.

6 Throughout the week, I was in touch
7 with our local elected officials and members of
8 our community to help us with pushing the
9 Sanitation Department to finally clear our
10 streets. We were all surprised by the lack of
11 response. We all agreed that the city just did
12 not have an emergency plan in place. No plan was
13 our motto throughout the week. Our street, East
14 36th Street, was finally plowed on Friday morning,
15 December 31st.

16 I want to give special thanks to
17 Helene Weinstein's office and to the members of
18 the 63rd Precinct for their help during this time,
19 because they were really terrific in helping us
20 any way they could.

21 In closing, based on my testimony,
22 you can draw your own conclusion as to the city's
23 response to this past snowstorm. My hope is that
24 the Mayor and his commissioners resolve whatever
25 problems there are and this lack of response never

1 happens again. We pay taxes just like everyone
2 else including our fellow New Yorkers in
3 Manhattan. We expect the same level of service.
4 Thank you.
5

6 FRAN VELLA-MARRONE: My name is
7 Fran Vella-Marrone. I'm the President of the
8 Dyker Heights Civic Association. Good evening.

9 I'd like to thank the City Council
10 for your invitation to testify before you today.
11 I have always believed that I live in the greatest
12 community in the greatest city in the world, that
13 being Dyker Heights Brooklyn. Dyker Heights is a
14 residential community made up of hardworking
15 middle class taxpaying residents. Communities
16 such as this make up the backbone of the City of
17 New York.

18 Many of you may be familiar with
19 the beauty of Dyker Heights especially during the
20 Christmas Season with the festive Christmas
21 lighting displays of our homes which has been
22 widely recognized and thousands visiting each
23 season.

24 I am proud to be a resident of
25 Dyker Heights and never hesitate to tell people

1
2 about our community. But the blizzard of December
3 2010 and the lackluster response to its cleanup in
4 the days following the blizzard prompted many to
5 describe Dyker Heights as Armageddon. We were
6 totally cut off. The streets had not been plowed;
7 cars, city buses and trucks were left stranded on
8 our local streets. There was no mass
9 transportation for days. No bus service and no
10 subway service as the N line was not operating as
11 well as the nearby D line.

12 Dyker Heights is traditionally a
13 two fare zone that is underserved by mass transit
14 and is heavily dependent on bus service. The only
15 mode of transportation was on foot, which was not
16 safe due to the snow drifts and ice.

17 Residents were literally stranded.
18 There were no deliveries to local merchants, no
19 one could get to work or go to medical
20 appointments. Emergency response such as fire and
21 ambulance was impeded. Oil trucks could not make
22 deliveries, nursing homes were unable to transport
23 patients for medical treatment, and senior
24 citizens were frightened that they could not make
25 doctor's appointments or receive emergency medical

1 service.

2
3 Residents who are dependent on
4 deliveries for life sustaining equipment and
5 supplies such as oxygen or other medical supplies
6 were concerned that these deliveries could not be
7 made and no emergency responders would be able to
8 access them. This was a serious and frightening
9 time in Dyker Heights.

10 What happened? Where were the
11 plows? Where were the salt trucks? Why was a
12 snow emergency not declared? Why weren't primary
13 roads such as 13th Avenue and Ft. Hamilton Parkway
14 plowed? Why were we forgotten? Why wasn't CERT
15 mobilized? Was there a slowdown perpetuated by
16 the Sanitation union as was being described in the
17 media? Was Dyker Heights a target of this
18 slowdown which was also being reported by the
19 media? Was there a management failure? Nearby
20 Bay Ridge which is in the same Sanitation district
21 had received better service. Why?

22 If it were not for a response by
23 our local police precinct, elected officials,
24 community board, community groups and residents, I
25 believe that there would have been no response to

1
2 our plight. As usual, we took matters into our
3 own hands and made things happen. We declared our
4 own snow emergency. I thank God that I live in
5 such an active community and I am proud of the
6 people that make up the community.

7 The 68th Police Precinct Community
8 Council along with Community Board 10 worked with
9 local residents via email and telephone to compile
10 a no-plow list which was given to the 68th Police
11 Precinct commander, Deputy Inspector Rodriguez,
12 who mobilized his command to clear the roads of
13 all vehicles.

14 They closed down 13th Avenue and
15 other streets where it was needed so as to clear
16 the roads of the stranded vehicles and then
17 coordinated with Sanitation to plow the streets.
18 This was done in a methodical manner block by
19 block. They used every effort possible to remove
20 the stranded vehicles whether it was by tow truck
21 or by manpower with police officers physically
22 pushing the vehicles and all along the way keeping
23 in contact with community leaders and local
24 elected officials. I myself received numerous
25 calls throughout the days following the blizzard

1
2 from Deputy Inspector Rodriguez updating me on the
3 progress he was making.

4 The police also transported some
5 individuals to the hospital who were in need of
6 emergency attention. Community Board 10 became
7 command central with the district staff responding
8 to numerous calls and emails from residents and
9 communicating the needs and concerns of the
10 community to the appropriate city agencies.

11 State Senator Marty Golden had his
12 office open throughout the days following the
13 blizzard responding to constituent complaints,
14 assisting residents in need with snow removal,
15 contacting the appropriate city agencies to
16 expedite the cleanup, coordinating with the 68th
17 Police Precinct and keeping the community up to
18 date on the progress being made via email and
19 telephone. Senator Golden contacted me numerous
20 times throughout the days following the blizzard
21 keeping me abreast of the progress being made.

22 Our Councilman Vincent Gentile's
23 office was open to respond to constituent
24 complaints. He was in contact with the city
25 agencies, in communication with the 68th police

precinct and Community Board 10, kept his constituents advised via the internet as well as drafted legislation to address the concerns of the outer boroughs. Councilman Gentile also called me to update me on the situation and his efforts.

I am very proud and grateful for the response of my community. Once again, we faced an emergency situation and together we worked to make it better. But, this is not sufficient. The residents of Dyker Heights and all the communities in the city deserve better. Taxes and fees have increased. However, it seems that service has declined.

I have given you a retrospective view. We in Dyker Heights do not want to look back. We want to move forward. We want to know what will be done prospectively so as to never repeat this response in the future.

I still believe and so do the residents of Dyker Heights that we live in the greatest community in the greatest city in the world. I want to perpetuate this view and hope that confidence in city government can once again be restored. Thank you.

1
2 MICHAEL MORRELL: Good evening,
3 Madame Chair. My name is Michael Morrell and I
4 represent the Westerleigh Improvement Society, a
5 civic association on the north shore of Staten
6 Island.

7 Our community is comprised
8 overwhelmingly of one-family homes on residential
9 streets. We are represented by Council Members
10 Debi Rose and Jim Oddo. I would like to thank
11 them for their invitation here today.

12 The removal of snow from our
13 neighborhood streets is normally completed within
14 a day or two of any large storm. The Department
15 of Sanitation usually does a very adequate job of
16 plowing and salting in each snow event even though
17 some of our streets are very narrow and difficult
18 to maneuver.

19 The recent storm was a totally
20 different story. One of our members who
21 chronicled the events of December 26th to 30th
22 reveals an almost total misuse of resources by
23 Sanitation. The first plowing of secondary
24 streets occurred on Wednesday, December 29th, two
25 and a half days after the storm ended. But once

1 the plowing started, it never abated. Repeated
2 passes by plows and salt trucks were made so often
3 that only asphalt was being plowed and sparks
4 would fly from the pavement. No supervisory
5 presence was directing these plows to streets that
6 were totally clogged from the ones that no longer
7 needed attention.

8
9 It is very clear that much needs to
10 be reviewed by the city administration in handling
11 snow emergencies. Early deployment of equipment
12 and careful monitoring of the cleanup progress is
13 essential. But it was apparent during the latest
14 storm that both of those requirements were
15 lacking. The Mayor and his commissioners must
16 overhaul the way the city's response to a snow
17 emergency is handled to avoid the chaos of late
18 December. Thank you.

19 CHAIRPERSON JAMES: Thank you.
20 Council Member Gentile?

21 COUNCIL MEMBER GENTILE: Thank you.
22 I must say, Fran, even as late as Tuesday
23 afternoon when I took a tour of 13th Avenue with
24 Inspector Rodriguez from the 68 Precinct, it is
25 true, it looked like the scene from Armageddon had

1
2 come true, because of the buses and the number of
3 cars still strewn all over, and plows that got
4 stuck along 13th Avenue. That was, I think,
5 Tuesday afternoon. So we're really talking about
6 a very, very serious situation. You know that
7 13th Avenue is one of the main thoroughfares in
8 the community.

9 I'm curious, we talk about
10 communication and I think each one of you have
11 mentioned it in some way or another. Do you or do
12 your community groups encourage people and do you
13 help them to sign up for Notify NYC and things
14 like that to improve their information that comes
15 through to them?

16 KELLY SINGLETON: Yes, the Cambria
17 Heights Civic Association has a newsletter that
18 goes out every month to over 500 residents within
19 the community. Within there, we do have
20 information on a variety of CERT updates to
21 include Notify NYC. As a matter of fact, one of
22 the members of our board is recently CERT trained
23 and is responsible for public safety updates as
24 well. So the answer is yes.

25 COUNCIL MEMBER GENTILE: And in

regard to 13th Avenue, again--I'm sorry, go ahead.

TOMAS HERNANDEZ: No, go ahead,
finish your statement.

COUNCIL MEMBER GENTILE: I just
wanted to mention, because I think it's
appropriate given Commissioner Bruno being here.
It was a call to Commissioner Bruno that actually
got the action stated on 13th Avenue. So I do
want to give Commissioner Joe Bruno the credit for
that.

FRAN VELLA-MARRONE: Yes,
Councilman, we should give him that credit, but we
should give you that credit and the other local
people that worked to push that and expedite that.

COUNCIL MEMBER GENTILE: Thank you.

TOMAS HERNANDEZ: In our area, we
have a number of volunteer ambulance services.
The Orthodox community has a number of them in
place plus Flatlands has its own ambulance corps.
We have a number of "independent" entities that
will help whenever possible, especially when
there's a sick child or if something goes on.

We also have a sort of block of,
shall we say, to use the better word, busybodies

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2 the day. They called her FBI Rose. So I refer to
3 those types as the FBI Roses of New York who are
4 incredibly helpful because they know everything in
5 real time before anybody even knew what real time.
6 So they are a good resource.

7 I really don't have any questions.
8 I just wanted to thank the four of you for staying
9 today, for preparing such thoughtful testimony,
10 for all of the service you clearly gave your
11 neighbors and your neighborhoods during this very,
12 very tough time.

13 I want to particularly thank you
14 for seeing the opportunity for the city to do
15 better as opposed to just being angry and jaded,
16 which you would have the right to be. But
17 instead, as you've all said, it's about clearly
18 understanding what happened, affirming that it was
19 unacceptable and then making sure it doesn't
20 happen again. So I just want to thank you so much
21 for being four examples of what is great and true
22 about New Yorkers.

23 Being an elected official, I'm now
24 going to ask you to help out even more. We're
25 obviously not able to hear from all of the members

1
2 of the public who would have wanted to testify
3 today. So starting next Monday we're going to be
4 doing public hearings in the boroughs. If I could
5 just ask if our staff people could follow up with
6 you guys so you could help us get the word out,
7 because we really do want to make sure we hear
8 directly from New Yorkers both about what
9 happened.

10 And now that the Mayor has put out
11 his 15-point plan, we should also hear from New
12 Yorkers about what they think of that and what
13 they would want us to push even further as it
14 relates to that. So thank you guys very much for
15 everything you've done and in advance.

16 CHAIRPERSON JAMES: Council Member
17 Williams followed by Council Member Greenfield.

18 CHAIRPERSON WILLIAMS: Thank you.
19 First, as my colleague Peter Vallone pointed out,
20 some of the Mayor's people are still here, so they
21 were listening to what you were saying and
22 hopefully they'll take it back. I want to thank
23 you also for coming out. The other people who
24 testified, it's part of their job to do so. You
25 took time out of your schedules to come here and I

1 want to say thank you for that. I do have to give
2 a special shout out to Tom Hernandez, one of the
3 great civic leaders. Lew Fidler wanted me to
4 apologize to you that he had to step out. But
5 thank you again.

6
7 CHAIRPERSON JAMES: Council Member
8 Greenfield?

9 COUNCIL MEMBER GENTILE: Yeah, you
10 know, I too thank you for your service. I have a
11 quick question for you though. With great
12 fanfare, we all remember that press conference
13 that said by Thursday morning every single street
14 in this city was going to be plowed. If I could
15 quickly run through the panel and if you can just
16 tell me if that was your experience that by
17 Thursday morning every single street in this city
18 was plowed. I'll start with you.

19 KELLY SINGLETON: Yes, sir. That
20 was not the case for Cambria Heights. They did
21 the best they could for Linden Boulevard because
22 we needed our buses to run down there to get
23 people to the train station. I neglected to say
24 that earlier. We too are surrounded just by a bus
25 service to get us to the main hub of the Long

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2 Island Railroad and Train Station. So no, that is
3 not the case. We still had to wait for plows to
4 come by. We did the best we could with neighbors
5 helping one another.

6 COUNCIL MEMBER GENTILE: Come on;
7 tell me that in your neighborhood it was
8 different.

9 TOMAS HERNANDEZ: In my testimony I
10 said December 31st, that Friday.

11 COUNCIL MEMBER GENTILE: Friday.
12 Thank you.

13 FRAN VELLA-MARRONE: I'll just
14 simply say no.

15 MICHAEL MORRELL: By Thursday we
16 were all done.

17 COUNCIL MEMBER GENTILE: Thursday
18 morning, 7:00 a.m.

19 MICHAEL MORRELL: Thursday morning.

20 COUNCIL MEMBER GENTILE: Well,
21 there you go, one out of four. That's not great
22 but at least we have something. You know, I do
23 want to thank you all. I also want to thank you
24 because I think a lot of people, throughout New
25 York City, especially those who are watching these

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2 Thank you for your civic work and thank you for
3 your volunteerism. I can't say the word; I'm
4 very, very tired. Thank you for the suggestion
5 with respect to those who are a part of the CERT
6 program. Sending them public service messages, I
7 think that's a great idea. Thank you all. This
8 is a teaching moment.

9 With that, we just want to give a
10 shout out to the staff members who coordinated
11 this hearing.

12 [Applause]

13 CHAIRPERSON JAMES: Jarret Hova,
14 the greatest counsel in the world; Robert
15 Calandra, another great counsel; Shannon
16 Manigault; Oona Peterson; Daniel Avery, the
17 greatest senior policy analyst; Salvador Arrona;
18 William Hongach; Kate Seely-Kirk; and Nicole
19 Kolinsky. Thank you. I'm sorry if I butchered
20 your name.

21 To the public, this does not
22 conclude this hearing. In fact, there are some
23 other issues that have to be addressed. This
24 Friday, consult the website of the City Council,
25 the Department of Transportation will be holding a

hearing, chaired by Council Member Vacca to deal with issues related to DOT.

Then starting on Tuesday, January 18th, we're headed to Staten Island, 7:30 at the Michael Petrides School at 715 Ocean Terrace. Friday 10:00 DOT hearing.

SPEAKER QUINN: And MTA.

CHAIRPERSON JAMES: And MTA, thank you. Brooklyn, the great borough of Brooklyn: Wednesday, January 19th, where we will hear from the great Borough President Marty Markowitz at Borough Hall at 6:00, 209 Joralemon.

On Thursday, January 20th: in Manhattan at 6:00 p.m. Adam Clayton Powell State Office Building, 163 West 125th Street.

Queens: January 21st, Friday at 12:00, Queens Borough Hall at 120-55 Queens Boulevard in Kew Gardens.

The Bronx is Monday, January 24th at 6:00 at Hostos Community College in the Bronx at Savoy Building D, 120 East 149th Street, between Walton and Gerard Avenue.

For Southern Brooklyn, Wednesday, January 26th at 6:00 p.m. at Marine Park

Intermediate School 278.

I want to thank my co-chairs and I want to thank the Speaker of this great house, Speaker Christine Quinn.

[Applause]

CHAIRPERSON JAMES: Now, I'm going to turn it over to the Speaker to say a few words.

SPEAKER QUINN: Thank you to all of the Council Members who participated. I think we had between 43 and 45 Council Members here, out of a 51-member body. That sends, I think, a clear message. I want to thank Chairs Williams, Vallone and Crowley, but in particular, Chair James, for their hard work and their leadership in today's hearings.

I want to really underscore Tish's thanks to all of the staff people who really worked nonstop since they were able to get to work after the blizzard on preparing for this hearing. And that level of work I know will continue as we move forward on even greater solutions. So I really, really want to thank them.

I want to thank everyone who was a part of the panels today from the Administration

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to the unions to the civic organizations. I think

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we now stand in recess.

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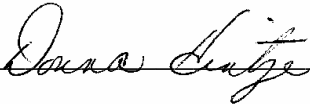
CHAIRPERSON JAMES: Co-chairs, any

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parting words? We stand in recess.

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 January 24, 2011