

CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON FIRE AND  
EMERGENCY MANAGEMENT

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Monday, March 13, 2023

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HELD AT: COMMITTEE ROOM, CITY HALL

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

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1 COMMITTEE ON FIRE AND EMERGENCY MANAGEMENT

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2 SERGEANT AT ARMS: Good morning. Good morning.  
3 Can everybody find a seat please? Find a seat. We  
4 are about to begin, if everybody can find a seat.

5 Good morning and welcome to the New York City  
6 Council hearing of the Committee on Fire and  
7 Emergency Management. At this time can everyone  
8 please silence your cell phones? If you wish to  
9 testify, please come up to the sergeant's test to  
10 fill out a testimony slip. Written testimony can be  
11 emailed to [testimony@council.nyc.gov](mailto:testimony@council.nyc.gov). Again, that is  
12 [testimony@council.nyc.gov](mailto:testimony@council.nyc.gov). Thank you for your  
13 cooperation. Chair, we are ready to begin.

14 CHAIRPERSON ARIOLA: Good morning and welcome to  
15 the fiscal 2024 preliminary budget hearing for the  
16 Committee on Fire and Emergency Management. My name  
17 is Joann Ariola, and I am the Chair of the Fire and  
18 Emergency Management Committee. Today we will review  
19 the fire department's and the New York Emergency  
20 Management's fiscal 2024 budgets to understand how  
21 they address the needs of all New Yorkers.

22 I would like to begin by thanking the members of  
23 the fire department for their sacrifices over the  
24 past year. The frontline responses of EMT paramedics  
25 and firefighters have been on full display throughout

the year because of their direct life-saving actions, and our city is a safer place. And thank you to the fire inspectors who really are the frontline and keeping our buildings and residences safe.

The fire department's EMS members and firefighters are known as New York's best and bravest. I believe those nicknames are aptly given. I would also like to thank the members of the New York City Emergency Management. They have been working incredibly long hours to assist in the city's response, performing a job that often does not get the recognition it deserves.

The fire department's fiscal 2024 preliminary budget totals \$2.24 billion, with 17,239 positions. The fiscal 2024 preliminary budget has undergone moderate changes, decreasing \$50.1 million since adoption. The department has had four new needs for fiscal 2023, totaling \$160 million, and federal funding supports the majority of the fiscal 2024 increases primarily from the State Homeland Security Grant and Urban Area Security Initiative Grant. The fire department's fiscal 2023 through 2027 capital commitment plan totals \$1.5 billion and supports 330 district projects.

The committee has held oversight on various topics over the past year about the city's emergency preparedness, their response to public health emergencies, the failure of the city's emergency dispatch system, and we will hold a hearing regarding fire and life safety inspections, bolstering the city's ability to prevent fires before they have a chance to irreversibly change lives.

There were new needs in the preliminary financial plan including \$140 million for PS adjustments, including uniformed overtime, and \$20 million and various OTPS adjustments. The committee would like to revisit these items and others that were not included in the budget.

First, the possibility of bringing back the fifth firefighter.

Second the increasing amounts of lithium ion batteries, and what the department is doing to mitigate that issue.

And three smoke alarm access and use in the city to ensure that we are helping to increase safety where we can.

I would also like to discuss safety fire inspections, the wait times, the catch up that they

have recently done in lowering their backlog for fire emergencies, and the BEHERD program.

I would like to thank our committee staff for their hard work: Financial Analyst Tanveer Singh, Unit Head Jack Storey, Committee Council Josh Kingsley, Policy Analyst Will Hongach, and my Chief of Staff Phyllis Inserillo. I'd like to acknowledge that we have been joined by our committee members, Councilmember Carmen De La Rosa, and Councilmember Oswald Feliz. And my dear friend, Lynne Schulman.

I will now turn this over to Counsel for swearing in.

COUNSEL: Thank you so much Chair. For this panel will have FDNY testifying. On behalf of FDNY will be Commissioner Laura Kavanaugh, Chief of Department Hodgins, Acting First Commissioner Kristoff, Michael Fields, Chief of EMS, and the Nafeesah Noonan, who is Assistant Commissioner for Recruitment.

I'm going to swear you all in at once. Please just raise your right hand and affirm after me. I affirm tell the truth, the whole truth and nothing but the truth before this committee and to answer honestly to Councilmember questions.



You do? Go ahead.

ALL: I do.

COUNSEL: Awesome, you may begin. Thank you.

COMMISSIONER KAVANAGH: Thank you. Thank you and good morning, Chair Ariola and all the Councilmembers present Councilmember Schulman, Councilmembers De La Rosa and Feliz, all of our partners in government. It's nice to see you. My name is Laura Kavanagh, and I'm the Commissioner of the New York City Fire Department. I am joined today by Jack Hodgins, Chief of Department, Lizette Christoff, Acting First Deputy Commissioner, Michael Fields, Chief of EMS, and Nafeesah Noonan, Assistant Commissioner for Recruitment and Retention. Thank you for the opportunity to speak with you today about the preliminary budget for the New York City Fire Department.

I would like to acknowledge and thank the City Council for its recent legislation on e-mobility devices. As you know, New York City has experienced a great number of incidents of fire caused by lithium ion batteries commonly found in e-bikes, e-scooters, and other powered mobility devices such as electric skateboards and hoverboards. A recent five-alarm

fire in the Bronx is an example of the extraordinary destruction that can be caused by a single e-bike.

As we testified last fall, we have seen a steep growth in the rate of these battery fires. We gave you the numbers at that time, and I can provide for you an updated picture of this past Friday, which includes at this point in 2023 45 injuries and two deaths sustained due to these fires.

This is an issue of great importance and I am very grateful for the Council's attention to it. We are working with policymakers at the state and federal level. And we've developed a strong cooperative relationship with the Consumer Product Safety Commission including sharing information with their investigators, and having them attend training sessions with FDNY fire marshals. But there is no partnership more important than our work with the City Council, and the recent passage of several bills through Chair Ariola and this committee, I know that there is other legislation in the works and I look forward to our continued collaboration on this important topic.

A mandate from the public and small business community upon becoming Commissioner was to improve

2 the way that the fire department serves customers who  
3 need plan approval and inspections in order to open  
4 or renovate a small business. And inspection is  
5 often the last stop for a small business, a theater  
6 or a school that is opening soon for business. For  
7 too long, the plan approval and inspection process  
8 associated with this ability to open took months and  
9 sometimes even several months.

10 We used our internal specialists to investigate  
11 our software process and implement tools that help  
12 reviewers more quickly evaluate plans. We met with  
13 the city's chief efficiency officer Melanie Della  
14 Rocca, and members of her team and we worked with  
15 several fellow agencies and experts. We welcomed  
16 counterparts and exchange best practices learning  
17 from their experience with other types of plan  
18 review. We eliminated redundancies and added time to  
19 the process, in order to make sure that applicants  
20 were less frustrated.

21 Just as importantly, we emphasize customer  
22 service among our staff so that not only does the  
23 process take less time than it used to, but  
24 applicants have a better experience as well. We  
25 solicited feedback from the end users and we took

their suggestions into account. Listening to the people who navigate our processes gave us great perspective about our system.

As we eliminated inefficiencies and streamlined the permitting workflow we generated meaningful improvement. To give you an example in August 2022, we had more than 2700 fire alarm plans in the queue to be reviewed. As of last month, that number had dropped to approximately 300. At one point in 2022. The process took approximately 22 weeks. By January that wait time had dropped to approximately three weeks.

Outside of plan review, I'm pleased to note that we also have 50 additional inspectors coming on board. Upon completion of their training, they will help us to continue to boost our headcount in the Bureau of fire prevention, to make sure that we are being both expeditious and continuing to keep the city safe.

2022 was also a very successful year for the fire department in terms of education and outreach to the community. As the city recovered from the pandemic and many community groups returned to in-person events, the FDNY community affairs unit combined

newly developed virtual programming and tools with traditional forms of outreach. Using a best-of-both-worlds approach the fire safety unit, the mobile CPR unit, and the community engagement unit all use digital platforms to maximize reach. We are constantly analyzing and expanding our outreach, targeting engaging with youth and senior centers, immigrant groups, civic and community organizations, schools, community boards, elected officials just to name a small number.

The Fire Safety Education Unit conducted more than 2400 Fire Safety presentations, updating members of the community on topics like fire safety, safe cooking, education about e-bikes and electronic mobility devices, and making an emergency plan. We hold approximately 700 events in schools, making classroom presentations and engaging 156,000 students.

Overall FDNY fire safety education engaged nearly 300,000 individuals with educational programming. In fact, tomorrow, our fire safety education team is partnering with the City Council and training City Council staffers on fire safety. This included an active fire prevention week, during which

firefighters held tabling events across the city coordinated to coincide with aggressive social media and e-mail campaigns, youth-oriented programming at the Fire Zone, and more than 200 firehouse open houses at which residents received apparatus tours and equipment demonstrations.

We also held more than 25 Change Your Clocks, Change Your Batteries programs across the city to promote safer smoke alarm use. We partnered with other city agencies to magnify our outreach efforts, partnering with the Department of Housing Preservation and Development to launch Keeping Homes Fire Safe Campaign, the Department of Youth and Community Development to provide fire safety education at Cornerstone programs, and the Department of the Aging to coordinate programming for seniors. We also installed more than 14,000 smoke alarms and distributed many more for residents to install themselves.

It was also a very busy year for the mobile CPR unit. I want to highlight their work here today because I think that many councilmembers and community leaders associate the fire department with fire safety education but we also run a very

successful compression-only CPR training program, and we are eager to engage with your offices to expand that. This unit is made up of active and retired FDNY EMTs and paramedics who perform in person and virtual CPR training, enabling New Yorkers to go out into their communities, and should the occasion arise, use their skills to assist their neighbors. In 2022, through aggressive outreach, engaging schools and community groups, and erecting pop up sites across the city, we trained approximately 30,000 individuals, a third of whom were high school students. One of those 30,000 individuals was Mayor Eric Adams who joined me and members of the CPR team for a brief demonstration at an FDNY block party last summer.

Last month an off-duty FDNY EMT waiting to start a fitness class heroically revived a patient who suddenly went into cardiac arrest. After instructing a bystander to call 911 the EMT began rounds of CPR and used an AED, after which the patient slowly began to breathe again. Moments later an ambulance arrived on the scene. This incident exemplifies just how crucial it is for New Yorkers to learn CPR. It is truly a life changing skill. We found that high

profile incidents drive interest in members of the public learning CPR, and we pride ourselves on being ready to use those when there's an uptick in engagement when that happens.

An example of this occurred, that most of us know about, on January 2 on Monday night football when Buffalo Bills Safety Damar Hamlin collapsed and was revived after receiving CPR on the field, and is gratefully okay today. The FDNY CPR unit took immediate action to engage members of the community and as a result, January of this year was the most successful month in the history of the program. FDNY educators trained more than 3500 individuals in CPR, a nearly 400% increase from the same period last year.

Numbers were elevated in February as well with over 4000 individuals trained, a 620% increase from last year, and we are on record breaking pace for the next year.

If anyone listening today is interested, please reach out to the Community Affairs Unit and we'd be delighted to sign you up and your group for training. Looking ahead, we have a packed calendar of outreach events scheduled for 2023. We're continuing to



2 partner with community groups, agencies, and elected  
3 officials, and we have expanded our outreach to  
4 faith-based communities, convening an FDNY clergy  
5 Council. Through this group, we will be assisting  
6 houses of worship with fire alarm giveaways,  
7 educational programming, and culturally competent  
8 education.

9 Looking ahead, this budget contains funding for  
10 several modest new needs. We work in close  
11 collaboration with the Mayor's Office of Management  
12 and Budget to assess and project current this current  
13 year spending and to make adjustments as necessary.  
14 The largest of these includes several adjustments to  
15 OTPS and PS funding in FY 23, which will fund mainly  
16 overtime spending and uniform operations. Other new  
17 needs include an adjustment for motor fuel to meet  
18 rising fuel costs.

19 The fire department did receive a modest Program  
20 to Eliminate the Gap, or PEG requirement, in this  
21 budget. We're being asked to eliminate 16 civilian  
22 positions which will save the city more than \$1.1  
23 million.

24 This reduction includes positions that do not  
25 impact fire operations or EMS operations, and

likewise will not impact fire alarm dispatchers or fire protection inspectors.

My focus, and the mayor's focus, and the focus of everyone here is on making sure that the level of service that we provide to New Yorkers remains at its highest level. We take pride in protecting the people and property of this city. Nobody in the world is more qualified to provide emergency response than the members of the FDNY, and we are grateful to the Council for its support and assistance in this mission, and I thank the chair for acknowledging our members at the beginning of this hearing, who every day are doing the difficult and dangerous work of saving lives.

I would be happy to answer your questions at this time.

CHAIRPERSON ARIOLA: Thank you, Commissioner. Since its the budget hearing, we'll start with overtime.

So the-- the fire department added \$140 million for uniformed overtime in this plan, bringing the fiscal 2023 overtime budget to \$418 million. Over the past five fiscal years, the department has averaged \$330 million in overtime spending, while the

budget at adoption has averaged \$261 million. I understand that overtime fills an important role in keeping staffing levels appropriate and ensuring adequate emergency response. But if annual additions are nearing \$88 million, if the budget is not reflecting historical spending, what can be done better to budget overtime?

COMMISSIONER KAVANAGH: So one thing I would just want to mention, and then I'll hand it over to our Budget Director, is that COVID has had a substantial impact on our hiring, as you know. So for almost two years, we were unable to put through fire and EMS classes. And so what that has meant is that, you know, our service levels remain the same, and the reason they remain the same as we've been filling those gaps with overtime.

So we are very aggressively, like many other city agencies, trying to look at how we can catch up with that hiring. But it does have a substantial impact. You know, COVID, unfortunately has had a long-term impact at hiring and getting to headcount in both fire and EMS titles. So that's why you see those adjustments in overtime. But we are looking at, you know, the projections for many of the out years to

see how, as we catch up with hiring, that overtime will go down. Now I'll hand it over to the Budget Director.

DEPUTY COMMISSIONER CHRISTOFF: So just a follow up on that. You know, as the Commissioner was saying, the vast majority of our overtime is tied to filling posts at fire companies.

So right now, we are-- At the beginning of March, we were 483 under our budgeted headcount for firefighters. And that's-- that's really what's driving our overtime.

So more than three quarters of our overtime is just tied to filling those posts. So we do anticipate that as we get closer to budgeted headcount and continue hiring, that that number should go down in the out years.

CHAIRPERSON ARIOLA: And I just want to make mention that, you know, even though there have been staffing challenges with the fire department, EMS, and fire inspectors, they show up, and they do their job. So for that I'm extremely grateful.

So what the department is doing to-- What is the department doing to explore federal sources to fund overtime? The FDNY has-- Just that question. Are

1 COMMITTEE ON FIRE AND EMERGENCY MANAGEMENT 21

2 there any federal sources that could, you know, kind  
3 of help, other grants available that could help with  
4 overtime?

5 DEPUTY COMMISSIONER CHRISTOFF: So we do actually  
6 receive a significant amount of federal funding for  
7 overtime through Homeland Security. And that mostly  
8 covers training-related overtime, which helps ensure  
9 that, you know, our members can attend training  
10 sessions, and we can backfill those positions in the  
11 field. There aren't a lot of federal overtime,  
12 funding opportunities for just basic operations. But  
13 we certainly-- we have a grants team, and we look out  
14 for opportunities on a regular basis.

15 CHAIRPERSON ARIOLA: And the overtime that  
16 they're working, is that-- do they volunteer to do  
17 this, or is it mandated?

18 COMMISSIONER KAVANAGH: So it-- it can be both,  
19 and it depends on what the staffing challenges are at  
20 that time. All that the Chief expand on that a  
21 little bit.

22 CHIEF HODGENS: Good morning. So we have what's  
23 called minimum staffing in all of our fire companies.  
24 Each ladder company has a certain amount of people we  
25

need to start the tour. Same with the engine companies.

It's-- it's volunteer to a point, but when we don't have enough it becomes mandatory.

CHAIRPERSON ARIOLA: Mm-hmm. That's understandable.

COMMISSIONER KAVANAGH: We also-- Just to note-- we did make an adjustment to the way that that works to allow some folks who are able to work more overtime to take that up, to take the pressure off of those who may not be available at the moment for-- for other family reasons.

CHAIRPERSON ARIOLA: And that includes, EMS fire inspectors, dispatchers, that includes all titles?

COMMISSIONER KAVANAGH: Yeah. Overtime looks a little bit differently with each workforce, but in every case, as you mentioned, our members are dedicated to the mission and are taking the overtime, and to make sure that the service levels remain the same.

CHAIRPERSON ARIOLA: Okay. I heard you speak about our fire inspections and wait times. The department has uniformed personnel complete risk-

based and mandatory inspections based on our fire code and fire operations requirements.

Do you believe that there is-- Since you did note in your-- your testimony, there was a significant drop in the wait time, and-- and we do have, I think about 170 spots that have not been filled, are we in a position to start hiring more staff for those positions so that their response time can get even faster?

COMMISSIONER KAVANAGH: Yeah, absolutely. And I would say, you know, the inspections done in the field by fire companies are risk-based, as you mentioned. The wait time drop that I was referring to, that's the Bureau of Fire Prevention. Those are both our fire inspectors and a lot of technical experts who do things like plan review.

And so you know, they really, you know, deserve a lot of credit. As you mentioned, again, due to COVID-related hiring challenges, they've been under headcount for some time. But really realizing the impact this was having on small business, they really dug deep, and found ways just to better streamline their work, to put additional overtime in place, and made a really substantial difference. We are still

looking about how to keep hiring, how to make sure we're filling those open slots that remain. And that is purely a function of the challenges of COVID-related hiring, but we are catching up on it.

CHAIRPERSON ARIOLA: And I mean, these are-- These-- The filling of these positions is really a no-brainer. They actually pay for themselves. They are a revenue generating division of the fire department. So, you know, we'd love to see that happen.

And are there other positions that are able to form the-- perform these inspections? Or are they only specific to the people who are trained in fire prevention?

COMMISSIONER KAVANAGH: So it depends on the type of inspection we're referring to. So as-- as you mentioned, there are many inspections happening in the field by the fire companies, and those are around you know, reducing risk in buildings. When we're talking about things like fire alarm plan review, that requires, you know, like electrical engineers and other forms of experts along with the fire inspector. So it depends sort of which area we're tackling, what-- who can fill that, but one of the



things they have been looking at is cross training between positions wherever it is possible. And then I would also say that part of the team that came in and assisted fire prevention was trained members of our incident management team, who are fire and EMS. So they came in and helped with, you know, streamlining, just dealing with some of the backlog, really came in and put an added backstop to our fire inspectors and our experts. So it really was-- I would say-- call it a department-wide approach to tackling that problem.

CHAIRPERSON ARIOLA: Okay, I want to move on to lithium batteries. So what is the current protocol for responding to a lithium battery fire?

CHIEF HODGENS: We receive a call for fire. We don't really know right off the bat if it's a lithium ion battery fire, but we respond as normal. Usually when a fire is extinguished and bureau of fire investigation comes in and they determine the cause of the fire, we-- we find out it was a lithium ion battery fire. And that sets off a procedure of like-- it becomes a hazardous material incident. We have to call our hazmat units to come, take the batteries, overpack them.

As you know, even after these fires-- the fire is extinguished, these batteries sometimes can reignite for up to 48 hours and sometimes longer. So they have to be what's called "overpacked" into certain materials that will prevent that from happening. So it's basically, you know, the same response, but the after the aftermath is a little bit different in that we have to deal with the batteries themselves.

COMMISSIONER KAVANAGH: One thing I also want to add to that is one of the greatest things we can do to keep our firefighters safer, who are already going into dangerous conditions, is to know ahead of time whether or not a location has the possibility of having these, and so our fire marshals actually have been working with some of the larger scooter companies to actually ask them, including, you know, CitiBike, and others to actually have them tell us where they are storing their batteries. They can put that information into a program called SIDS, which is what the firefighters are looking at as they're responding to a fire in real time. And so what we hope it means is that, while we can't know in every private home whether or not someone has one of these, in the case of say a warehouse or a commercial

location that may have many of them, more and more our firefighters will be able to know before they get there that that's the case and so they can approach accordingly, knowing that this will be a more dangerous fire. So we're hoping to increase that. We actually-- Some members of the Council have been very helpful in identifying those locations. And we're very grateful for that. And we're going to keep going until we make sure that in our emergency system, we can know when we're approaching one of those locations.

CHAIRPERSON ARIOLA: Okay, and-- oh, I'm sorry. I'd like to recognize that my colleague, Keith Powers, has joined us.

Lithium ion batteries is probably one of the most-- one of the greatest public safety issues we have right now. And I think everything kind of goes hand in hand, because, you know, having fire inspectors go out, visiting locations, knowing beforehand. And, you know, they-- there were 44 confirmed fires in New York City caused by lithium ion batteries. And I mean, honestly, that costs an enormous amount of-- of manpower and personnel. And because these fires seem to ignite, like, as if a

bomb had gone off in a building. And so you know, that alone is-- is something that we really have to, you know, kind of work on, because we're going in not knowing and-- and not knowing what the after effects are. And so my next topic will be the equipment cleaning for the bunker gear. Now, recently-- actually, it started when I first had come in, a new laundry service over at Randalls Island. I believe they're in the process of getting that done. But we don't have nearly as many as we need to, for our firefighters to get their bunker gear cleaned, because it's not a short-term process, like we're dropping our stuff off at the dry cleaners, right?, and get it back by the next day.

So while firefighters-- where firefighters fight fires, harmful materials are being burned and propelled into the air, and we don't really know what's coming out for the ion battery. But we know it's toxic, right? And eventually we'll figure that out.

These harmful particles end up in the clothing and a protective gear of our firefighters. To get these harmful materials out of their clothes, they

must be washed and dried. What is the overall state of bunker gear cleaning in the department?

COMMISSIONER KAVANAGH: So I would say a couple things, and then we'll get into the weeds. One, thank you for declaring the state of emergency around lithium ion batteries. I think the more attention we can bring to this, the better, as you mentioned. You know, it's a really critical public safety issue, and we really have to come at it from all angles. And one of those angles is the risk that it also confronts to our members. As you mentioned, these-- when we say they catch fire, it's a little misleading. They really do sort of explode with a lot of flame, which not only means that it's very difficult to get out of your apartment at that point, it can be very difficult for our members to get in. And these fires are very difficult to extinguish.

So on every level, these are more dangerous for the public and for our members than your average structural fire in most cases. And we are looking very closely at what you mentioned, which is that the potential that these are more toxic. And I'd also say generally, there are more-- more modern materials in homes that are more toxic to firefighters. And we

know that cancer is one of the, you know, leading risks that we need to tackle for so many reasons. You know, World Trade Center cancer, but also along with the day-to-day exposures that come with this job that are getting more dangerous as more toxic materials, including e-bikes, are involved in fires.

So we are looking at substantially increasing both the availability of the members to go to clean their gear. They do have two sets of gear right now, and they can send their gear out for cleaning. But we're trying to increase the rates of them doing that.

And as you mentioned, we're also looking to increase the infrastructure over the long term, working with our Council partners to get more of these cleaning facilities, so that as members more and more want to have their gear cleaned and are being encouraged to have their gear cleaned, will actually be able to do that.

So we'd be happy to keep working with you on that critical issue. You know, we do agree-- And as you've mentioned, this is not like your average washer and dryer. Cleaning bunker gear is-- is a specialized cleaning procedure and so we're looking

to get-- build more infrastructure. So eventually, we can be cleaning as much bunker gear as is needed by our members.

CHAIRPERSON ARIOLA: So on average, what is the-- How often does bunker gear get cleaned?

CHIEF HODGENS: So as the Commissioner mentioned, each firefighter has two sets of gear. Every six months one of those sets goes out to be cleaned by a private vendor, and also look at it for any defects, and that's fixed or they replace it.

But you know, we have the-- the washing machines and dryers. Right now it's at two locations, and we're working on a third location.

After each fire-- We've been working on for-- for years now what's called a Cancer Reduction Program, which is highlighting the fact that the fires we go to, there are many carcinogens and cancer causing agents in the, you know, in the smoke that will get on your gear. We've been encouraging firefighters. In fact, you know what we call in the fire service: When somebody gets really dirty, it's called "they're salty." And we have slogan which is, "Clean is the new salty." We're just trying to really encourage them to send their gear in for

cleaning. And we are getting much better compliance now than-- than we have in years past.

We have the capacity to clean 200-plus sets of bunker gear per day. So we aren't-- After we have fires, every fire company is receiving e-mails from our safety command, letting them know that it's, you know, in their best interest because of cancer-causing agents to send the bunker gear in for cleaning. That cleaning really can have a 24-hour turnaround time. The only issue that we may come into: If everybody starts to take advantage of this, which we want, is when they do that we sometimes have to provide loaner gear. And we need to boost our supply of loaner gear. So, I believe that's going to be a budget ask. But we are right now prepared to clean the bulk again for everybody who goes to a fire.

CHAIRPERSON ARIOLA: Thank you. In 2011, the fire department under Mayor Bloomberg removed the fifth firefighter from every company, instead of requiring the two engine companies of four firefighters respond to each call. In 2016, the de Blasio administration struck a deal with the city's firefighters union to reinstate teams of five at 15



2 of the city's busiest engine companies, to which has  
3 been expanded. Currently, how many fire companies  
4 use the fifth firefighter?

5 COMMISSIONER KAVANAGH: So based on that  
6 collective bargaining agreement, it's 20 companies  
7 that are staffed with a fifth firefighter, when  
8 medical leave is below a certain point, which it has  
9 been for some time. So those 20 companies have been  
10 staffed. As you know, we will be entering into  
11 contract negotiations again, and this will certainly  
12 be one of the topics of those negotiations.

13 CHAIRPERSON ARIOLA: And does the staffing levels  
14 make it difficult to staff the fifth firefighter?

15 COMMISSIONER KAVANAGH: The fact that we were  
16 under headcount? It can present a challenge, yeah.

17 CHAIRPERSON ARIOLA: Is the demand for  
18 firefighters greater during the cold months for the  
19 fifth firefighter.

20 COMMISSIONER KAVANAGH: So there's two pieces:  
21 We are more busy in the winter months. There are  
22 more fires when it is cold. And then more of the  
23 particular circumstances where the chiefs would  
24 recommend an additional firefighter also happen in  
25 the winter. Storms, and snow, and flooding are-- are

all situations where operations might assess the situation and decide whether or not an additional firefighter was needed. [TO CHIEF HODGENS:] Is there anything you want to add?

CHIEF HODGENS: Yeah. Normally, we would think about up-staffing to five firefighters for a snowstorm, because it's harder to stretch the hose line with four firefighters. But under normal conditions, we have the 20 staffed, and our procedures are basically designed to, you know, compensate for what we have. We're doing-- You know, we've been doing it for many years this way, and I think we're doing a pretty good job.

CHAIRPERSON ARIOLA: Yeah, I mean, that is one thing with the fire department is no matter how low your staffing is-- again, your staffing is, you know, you really do get the job done. And I think that's both a blessing and a curse. Because you need the extra bodies. The extra bodies would be helpful. But you continue to do the job with the bodies that you have because you have such dedicated membership.

So how does the department work with the union to prioritize and add the fifth firefighter to various fire houses?

COMMISSIONER KAVANAGH: So there's two pieces, and I'll let the Chief speak to the second half. But when it comes to collective bargaining negotiations, you know, the top leadership of the department, you know, identifies what the needs might be in the next contract, and then sits down with the Office of Labor Relations and participates. Both the chief and I participate personally at times in those negotiations, especially when we're talking about things that are critical for operational purposes. In terms of on a day-by-day basis, I'll let the Chief speak to how they decide when they're going to add the fifth firefighter.

CHIEF HODGENS: So just to clarify, you're asking which-- how did we select the 20 companies to have the fifth firefighter? Is that the question?

CHAIRPERSON ARIOLA: Right.

CHIEF HODGENS: Different, you know, things will kind of, you know, give us reasons to do that for specific fire companies. But it's mainly based on the type of buildings that they primarily respond to, the type of host structures that are in the neighborhoods where they respond, and also the geographical location. Sometimes if they are kind of

by themselves for a little while before and other company will get there, and based on different areas of the city, sometimes the fire companies are spread out a little bit more, Staten Island and Eastern Queens.

But it's mostly based on just an evaluation of response times and-- and the type of buildings that they respond to. And we know when it would be beneficial. Particularly like a multiple dwelling, which is a hand stretch of the hose, where we have to go up to the sixth floor. We know that's going to take more-- more labor. So we would-- Those are the companies we selected to have the extra firefighter.

CHAIRPERSON ARIOLA: Okay, and just want to take a moment to-- to say on the record that we've been joined by Councilmembers, Riley, Kagan, Holden on Zoom, and Councilmember Carr. Thank you.

So in addition to staffing, and, you know, the money that we need for overtime and such, we need better equipment, correct? So-- And I know that there were 25 rigs that were supposedly-- supposed to be taken out of service, but they have not been taken out of service. So would that be because of the fact that we're down on-- on vehicles as well, trucks,

and-- for the fires that we're seeing, and that's something that we can look into?

COMMISSIONER KAVANAGH: So actually, the issue with the vehicles is a supply chain one. We've actually written to the companies that produce our fire apparatus and our ambulances imploring them to prioritize our items. There are a number of parts that are coming from all over the world. And like you've seen with many other discussions of the supply chain, they are also impacting our apparatus. And so you know, actually, I implore to the Council as well to work with us to put that pressure on the manufacturers. You know, we do have the funds to purchase those. There is a backlog due to the supply chain and actually getting new pieces of apparatus that we were funded for.

CHAIRPERSON ARIOLA: I certainly know that. I have that with my own budgeted stuff. I have one more-- one more group of questions, and then I'm going to yield to my committee members.

Revisiting past legislation, Intro 519 would require the fire department to survey each firehouse to determine the permanent facility upgrades needed

to facilitate a mixed-gender workplace. I was proud to prime sponsor that.

Can the Department provide an update on capital investments that aim to address these upgrades?

COMMISSIONER KAVANAGH: So we began-- After you pass your legislation, we began a survey of all of our facilities. We're about a third of the way through that. And so we're preparing the report for you, where we'll discuss, you know, which facilities need that upgrade, what the nature of those upgrades are, and what the cost of those upgrades are.

I should say that that is-- You know, your legislation and your report, I think is going to be especially helpful in illuminating the issue. But I will also say that our facilities folks have been ahead of this. Anytime they renovate a firehouse, either in partial or in full, putting in female-- facilities for female firefighters is part of the planning. So for all new-- new builds, we're already doing that. But as you know, we have many fire houses that are very old or haven't been renovated in some time. And so those will all be in the report as-- as to what needs to be done and what the level of effort is for getting that done.

CHAIRPERSON ARIOLA: And it would include washrooms, as well?

COMMISSIONER KAVANAGH: They are-- Yes. Washer and dryer spaces are being included in all new firehouses as well.

CHAIRPERSON ARIOLA: No, I mean, washrooms for the female firefighters.

COMMISSIONER KAVANAGH: Oh, yes. Yes.

CHAIRPERSON ARIOLA: Comfort stations.

COMMISSIONER KAVANAGH: The facilities we're talking about are a locker room, a bathroom, and you know, changing facilities.

CHAIRPERSON ARIOLA: I appreciate that. All right. Thank you. I now yield to my colleagues.

COUNSEL: Thank you, Chair. For questions, we'll hear from Councilmembers Schulman, Powers, Kagan, and Feliz. So Councilmember Schulman, you may begin.

COUNCILMEMBER SCHULMAN: Thank you. Welcome, everybody. Commissioner, it's always good to see you. I want to congratulate you Chief Fields for becoming the chief of EMS. I'm a former member of the leadership of EMS on the administrative side. I was there for several years. My questions actually pertain to EMS, my beginning one.

So I want to know if there's any funding set aside for the volunteer EMS sector technology and communications so they can have better interoperability with the department.

CHIEF FIELDS: I don't believe that there's any funding set aside. However, in respect to the technology that we provide to the volunteers, we offer them phones as well as on radios. So whenever they're activated through NYCEM, through the contracts that NYCEM has with them, that they're able they're able to utilize those-- that technology.

COUNCILMEMBER SCHULMAN: Is EMS still part of-- I mean, I'm sorry, is the volunteer sector still part of the EMS 911 system?

CHIEF FIELDS: So the last time that they were activated was July of 2022. They should have been activated for the entire summer. They failed to deactivate them. So that deactivation happened within the last two weeks. And they were deactivated from the 911 system. However, they still utilize the dispatch system the same way they did prior to COVID. So they call in to the respective MARS desk, which is whenever they get flagged for respective assignments



2 in their areas. So they're dispatched in that  
3 fashion, or they notify us in that fashion.

4 COUNCILMEMBER SCHULMAN: So by them being  
5 deactivated and they're not part of the daily system,  
6 is there a reason for that? Does that increase the  
7 call times, or the response times I should say?

8 CHIEF FIELDS: So the volunteers themselves is  
9 community based.

10 COUNCILMEMBER SCHULMAN: Right.

11 CHIEF FIELDS: They are technically not a part of  
12 the New York City 911 system. However, we have had  
13 partnerships with them for decades. So whenever we  
14 have COVID surge as well as the pandemic or  
15 summertime when the call volume goes up, we reach out  
16 to NYSCEM, and they in turn reach out to the  
17 volunteers as well as private contractors to see who  
18 can offer services to us. That's done for a period  
19 of time based off the contract we have with NYCEM.

20 Like I said, last time, the contract wasn't  
21 deactivated, it should have, and we just deactivated  
22 them two weeks ago.

23 COUNCILMEMBER SCHULMAN: I have a number of  
24 volunteer ambulance corps in my district. I serve  
25 Forest Hills, Rego Park, Kew Gardens, and Richmond

Hill, and they're very active. So I would like for some consideration to be given to make them more intricate in the-- in the response-- in the 911 system.

CHIEF FIELDS: All right.

COUNCILMEMBER SCHULMAN: That's all my questions for now. But I'll circle back later. Thank you.

COUNSEL: Thank you, Councilmember. Next, we'll hear from Councilmember Powers.

COUNCILMEMBER POWERS: Thank you. Thanks, Chair. Thanks for the testimony. I'd like to follow up on the section around lithium ion fires, and I want to credit my colleagues, Councilmember Feliz, Councilmember Brewer, and others for their legislation to tackle that crisis.

Two questions: One is, are there any budgetary needs around that right now? Obviously, it's a much-- it's a growing crisis. We're trying to start to get a handle on it. I appreciate you all your efforts at the federal level to try to get the federal agencies to do a better job of regulating these, but I'm not hopeful they're going to get there soon enough. So can you, one, tell us if there's any budgetary needs in order to help fight that? And

number two is: Any more concrete measures we can be taking right now as a city, putting aside the other levels of government, to help combat those and to help create a safer environment right now for people who are rightfully scared about what's going to happen in their building with the growing crisis of this?

And I just wanted to ask a sort of addendum to that question, which is: I have two bills, which are-- I think you know about. One is a kind of a rebate swapping program. The second is to create a mandate that the delivery companies give fireproof containers to the delivery workers to help contain fires and create a safer environment. So I just want to know if you have any opinion on those pieces of legislation.

COMMISSIONER KAVANAGH: Yes. Let me see if I can take these in order.

So on funding, we are-- You know, because this has arisen so suddenly, we have the funding right now that was already existing in our budget in terms of doing outreach and enforcement. We are looking at-- given that this is continually increasing, we are going to be looking at, between this hearing and our

next one, whether or not there are additional resources that we might need if this continues at the same pace. So we will double back to the committee on that. One thing I would say is that, you know, education in communities is often one of the most important pieces, it's also certain communities where these seem to be concentrated. And in past years, I know certain councilmembers have put additional funding just for public education for their district.

That's something that can always be helpful, and especially for folks where this is happening often in their districts. So we'd be happy to talk to the individual councilmembers about whether or not designating certain funds for local education makes sense this year. And we can certainly do that.

When it comes to, you know, sort of what we can do I agree with you completely, that the regulation matters, and the regulation will make a difference, right? We've seen this with other consumer electronics before, that within a few years, the regulation does stop these very dangerous fires. The question is: What do we do in those intervening years? Right? We know that these bikes are in people's homes right now. And we have no way of

knowing, especially when it's in an individual home, that's not a place we can inspect. So we don't know whether or not that's a UL certified bike or not, and we don't know how people are using them. So I really think that the community education part is really critical, because we have to reach people who have a bike in their home right now. And I think that comes many ways. It comes working together it comes working with community partners who might better be able to reach those in their district. It also comes with working with real estate, who has begun to reach out to us to acknowledge that this is a concern for them in their buildings.

And then finally, when it comes to the legislation. You know, I haven't looked at the exact language. But I think that in in spirit, it is certainly something that we need, in particular, because one of the things we've seen is that because people rely on these for their livelihood, there is a demand for some of these less-safe bikes and batteries. And so we need to address that demand as well, if we're going to continue to address decreasing the number of these that people have. It's only costs about 10 cents to get UL

certification on a piece of consumer electronics. So it certainly shouldn't be cost prohibitive.

But again, we know people have these right now. And so unless there's a way to swap a safe battery for an unsafe one, we're going to keep seeing these.

So we'd love to-- You know, we'll look at the language with you, and we'd love to address that-- the supply and demand issue as well.

COUNCILMEMBER POWERS: Just a follow up question. Earlier in your testimony, you had mentioned that when you are going to respond to a fire, it's helpful to know whether the place that you're responding to, and I think you can put into your system, has, or has the potential to be, a danger-- more dangerous location, because-- because of the batteries.

Is that residential locations where there's-- Like, what are the exact places that we're talking about here? And I assume some of them are just places where there's businesses or some concentration of batteries. And to that point, is there a-- is there something further we should be doing on those places? The legislation Councilmember Feliz passed requires certification over the next few months of those? Should we be regulating-- or requiring a

license for those businesses that are going to be selling them so you have a better understanding of what your-- where you're headed when you are responding to a fire?

COMMISSIONER KAVANAGH: Yeah, I definitely think that's a conversation we should have. There's two types of locations. One is a location where they should not be-- those are not legal batteries or legal bikes. And that's where you have seen the Bureau of fire prevention working with the fire marshals and the sheriff to go in and actually remove those dangerous conditions. That's when you see-- I don't know if you saw the slide that I presented last Friday, but were there were hundreds of aftermarket batteries sitting on sort of like a wooden shelf in a garage. You know, those are not-- those are not allowed under the fire code or the law. And so that's really an enforcement piece. But the other piece is that there are many companies who do have, you know, the legal use to-- the legal right to use these batteries. All of these, like scooter companies that you see proliferating around the city, and even electric cars. In that case, we are we are going to each of those companies and asking them to

tell us where they're keeping the batteries that they swap in and out. And even though those batteries are UL certified and are much safer, as you can imagine if one bike can do such damage, as you saw in the Bronx. Imagine what a warehouse full of batteries could do. And so we would really love to see a situation where any company that's operating and stores a lot-- has to store a lot of these batteries somewhere in the city, that they let us know so that when the firefighters are responding, they know exactly what that danger is that they're responding to.

COUNCILMEMBER POWERS: I'll just take my last-- I think it's actually-- Maybe even we should even be going further. I think that any place that has that many batteries stored in one place, we shouldn't just know about it, we should probably be trying to take some steps to prevent having that many stored in one place or even prohibiting that because that fire that took place in Councilmember Feliz's district last week-- two weeks ago-- last week, is a sign of where we're at right now. And I think that was one bike. And to have that many, sort of, in one place, should be-- to me should be prohibited.



2 COMMISSIONER KAVANAGH: Yeah, I agree. It's--  
3 it's two parts, right? If we know where they are, we  
4 can respond more safely. But if we know where they  
5 are, we can also go and we can actually have a  
6 conversation with that company about whether or not--  
7 how they're storing them is safe in the first place,  
8 right? And that's very important to us. So we can  
9 have another conversation about legislation around  
10 that. But we agree that we really need to-- we need  
11 to be having a lot more conversation with companies  
12 about how to store these safely and about how to let  
13 us know where they're being stored.

14 CHAIRPERSON ARIOLA: I just want to, before we  
15 continue, note that Councilmember Brewer has joined  
16 us.

17 COUNSEL: Great, thank you. We're going to turn  
18 the Councilmember Holden, who's online, and then  
19 we're going to go to Councilmember Kagan after that.

20 So Councilmember Holden, once you're unmuted you  
21 could go ahead, sir, we have a quorum.

22 COUNCILMEMBER HOLDEN: Yes. Thank you. Thank  
23 you. I believe-- Do you hear me?

24 COUNSEL: Yes.

COUNCILMEMBER HOLDEN: Okay. Great. Thank you, Chair, and thank you, Commissioner and Chiefs. Just a couple of questions. By the way, just on the battery issue: Are there any batteries that are UL listed that could explode because they're improperly charged, or they're using the wrong charger, or they're-- they're not the right battery for that charger?

COMMISSIONER KAVANAGH: Yeah, so a UL certified battery, if it is misused or tampered with can have that same risk of fire. And so we definitely want to (A) educate the public on that, but I would also say that the regulations that we're asking for from the Consumer Product Safety Commission would make that much harder to do. So it would create like tamper-proof containers for these batteries, so people couldn't open them up and tamper with them. And it would also require devices to only be able to charge with the battery and the charger that they came with. So those regulations, if they pass, will make what you're mentioning far harder to do and less likely.

COUNCILMEMBER HOLDEN: And if we were to have inspectors to inspect locations, we'd have to

probably double or triple the staff, am I correct, for inspectors?

COMMISSIONER KAVANAGH: I think we would eventually need more inspectors. You know, you're seeing-- As we're going out, you're seeing we are finding more of these locations than we might have hoped or expected.

COUNCILMEMBER HOLDEN: I just want a couple of questions on the budget. Let's-- let's take-- you know, I have a lot of very old firehouses. Most of them were built in the early part of the 20th century. Are we-- do we have a program, and how much capital expenses do we need to really kind of address a lot of the-- I mean, every firehouse that I've gone into in my district has-- has a host of problems, from mold to other issues to, you know, dilapidated or collapsing ceilings and so forth. Do we have a budget that we're identifying as how we can catch up to the upgrades?

COMMISSIONER KAVANAGH: So yeah, we do agree with you that having older buildings is a challenge. And it's something we're always trying to tackle on behalf of our members. I'm going to ask our budget director to speak to the funding.

DEPUTY COMMISSIONER CHRISTOFF: Yes. Absolutely. So our capital budget is about \$1.5 billion over a five year period. So that's this fiscal year and the four outyears. And actually, at this point, particularly given recent budget adjustments that have added funding for facility renovations, our budget is about 57% tied to our facilities. So in that \$1.5 billion, we have \$860 million associated with renovating our facilities.

COUNCILMEMBER HOLDEN: Okay. I'd like to put in my request for a couple of upgrades. But we'll get to that later.

Does every firehouse now have a forcible entry simulator. Because I remember when I visited a few, they didn't have that.

CHIEF HODGENS: Every firehouse does not have it. But the Fire Foundation actually funds those doors, and we're working with them and even-- even the budget to make sure everybody has one. But we also have a mobile training unit that goes to each firehouse with the door. So everybody gets a chance at you know, sharpening their skills with the door.

COUNCILMEMBER HOLDEN: Okay, great. It's an important piece of equipment. It doesn't seem that

would be that expensive either for-- for every house to have it. But thank you. Thank you, Chief, for that. Okay. Back to you, Chair.

CHAIRPERSON ARIOLA: Thank you, Councilmember Holden. And just to piggyback on what the councilmember was saying, Councilmember Holden, of the companies who have self-identified as charging large numbers of bikes and batteries, are they in compliance with fire code requirements, like ventilation and fire suppression?

DEPUTY COMMISSIONER CHRISTOFF: So it depends on the location? Sometimes yes, sometimes not. You know, one of our goals is to help people be in compliance, right? So it's not just to shut them down, because that often, both is harming small businesses. It also just means sometimes the batteries go elsewhere. So we are working with many of those companies on trying to store their devices more safely.

CHAIRPERSON ARIOLA: Thank you. And just because I realized that I forg-- I didn't mention that, when we spoke about the rigs that were taken out of-- of service via a lawsuit, if we do not have the newer

rigs by-- by May 3, which is the hard date, what--  
what is the procedure? What is the plan?

COMMISSIONER KAVANAGH: So there are-- we look at  
which responses the rig should be going to in order  
to lessen additional wear and tear on those that are  
older. And then as I mentioned, we are imploring the  
companies to speed up their production of these rigs,  
and certainly can talk more with you guys offline  
about how we can all work to get them to do that.

CHAIRPERSON ARIOLA: Thank you. I yield further.

COUNSEL: Thanks Councilmember. Next, we'll hear  
from Councilmembers Kagan, Feliz, Riley, and Carr.  
Councilmember Kagan, you may go ahead.

COUNCILMEMBER KAGAN: Thank you Chair for hosting  
this important hearing. Thank you, Commissioner.  
Thank you Chiefs. I would like to start with  
thanking every single firefighter, EMS, everyone who  
makes our city safer. Thank you very much.

My question is about the Mayor's proposal about  
moving some building fire safety inspections to DOB.  
So the status of this proposal, how do you feel about  
it, and is it still in place? Is it still in  
planning?

COMMISSIONER KAVANAGH: We are working with the Mayor's office right now simply to review the functions of two units at DOB and Fire, and just see how we can combine our resources. So that-- we're looking at things like whether or not there's pieces of technology where both agencies can see plans at the same time, whether or not there are certain inspectors that cross-training would be helpful to them, and whether or not there's ways to streamline. Often, as you know, plans go back and forth between the two agencies, and that can be where additional time is added. So trying to figure out whether it's co-locating staff, or-- or taking technology that would actually streamline that system, so that in the back end, both the building inspectors and our inspectors could look at things at the same time.

So that's the process that we're reviewing with the Mayor's office right now. And that is-- that is it. We're not looking at any next steps.

COUNCILMEMBER KAGAN: So you're not eliminating any kind of fire safety inspections by the department?

COMMISSIONER KAVANAGH: Is it eliminating?

COUNCILMEMBER KAGAN: Yeah.

2 COMMISSIONER KAVANAGH: No. We are-- we are not.  
3 Safety is always our number one priority and for the  
4 Mayor's office as well.

5 COUNCILMEMBER KAGAN: That's how it should be.  
6 Thank you.

7 COUNSEL: Thank you, Councilmember. Next, we'll  
8 go to Councilmember Feliz.

9 COUNCILMEMBER FELIZ: Thank you. Good morning.  
10 Good to see you all. I want to start by thanking all  
11 of you for the work that you do. Two weeks ago, many  
12 of us went in the Bronx under horrible circumstances,  
13 a horrible fire that destroyed our local neighborhood  
14 supermarket. And I want to thank all of you and your  
15 entire team for everything you did to make sure that  
16 that fire didn't continue to damage our community.

17 Everything you did, including risking your own  
18 health, right?, because that was a lot of smoke. So  
19 we're very grateful and thankful for your work and  
20 service.

21 A few questions about general capacity and work.  
22 How many fires have we had there see already? And  
23 how do these numbers compare to last year's fires at  
24 the same period?



CHIEF HODGENS: So year to date this year, basically, if you're talking about an all-hands fire, which is a serious fire, we had-- this year we had 293 so far. Probably a few more because this only goes January and February. But January and February of last year, we had 306. So they usually fluctuate with between 10 and 20 year over year. But most of the time, unless something very unusual happens, that the number seems to come out right around the same. And that's where we are this year so far.

COUNCILMEMBER FELIZ: Okay, and what about, let's say 2019, when we didn't have that many lithium ion battery fires? 2019 and 2020. What were the numbers like?

CHIEF HODGENS: The number of all-hands fires was pretty much right around the same area. Somehow that always works out, even for our individual companies. They know how many all-hands fires they go to each year. And when we do to statistics, somehow it seems to always be right around the same number.

COUNCILMEMBER FELIZ: Got it. And how many fires have we had this year due to lithium ion batteries? And how those numbers compare to last year's numbers?

And I know some of them are still under investigation. It takes time to fully investigate a fire. But I guess very rough numbers will be fine.

COMMISSIONER KAVANAGH: We have 38 as of today. As you mentioned, some-- some are still under investigation, but 38 fires that at least we know as of today were caused by lithium ion batteries.

I should also say you know, as the Chief is mentioning year over year, we remain about the same. Winter, as you guys have heard us talk about, are our busiest months, and we do have emerging trends. So one thing we do after the winter months is look to see, you know, both how are we doing in terms of year over year, but also are there particular dangerous confronting our members? Lithium ion is one we all know about. But that's something that we do every year after we get sort of through the busy fire season is to look at where we saw increases, whether that's geographically in certain types of fires, or even to, you know, injuries to our members. And we do sort of an after action. So, you know, that's something at our next hearing we can talk about what this winter looked like compared to others.

1 COMMITTEE ON FIRE AND EMERGENCY MANAGEMENT

59

2 COUNCILMEMBER FELIZ: Yeah. Okay. So 38 fires  
3 to date due to lithium ion batteries. How many fires  
4 did we have last year? January and February for  
5 these fires?

6 COMMISSIONER KAVANAGH: Lithium ion?

7 COUNCILMEMBER FELIZ: Yeah.

8 COMMISSIONER KAVANAGH: It's-- Well, so it's 220  
9 for the year of 2022.

10 COUNCILMEMBER FELIZ: 220. Do you have numbers  
11 for the first two month and a half?

12 COMMISSIONER KAVANAGH: I don't but I can get  
13 them for you. Yeah, I can do a comparison.

14 COUNCILMEMBER FELIZ: Okay, cool. Okay. And  
15 also, we've obviously had a rise in fires due to  
16 these batteries. Has that rise led to a need for  
17 additional firefighters?

18 COMMISSIONER KAVANAGH: I mean, as the Chief  
19 mentioned, we have something called minimum manning,  
20 which means that all of our companies need to be  
21 fully staffed at all times. And we have been doing  
22 that this year, using overtime to make up the gap.

23 COUNCILMEMBER FELIZ: All right, cool. Thank you  
24 so much. No more questions for now.

25

COUNSEL: Thank you Councilmember Feliz. Next, we'll hear from Councilmembers Riley and Carr. Thank you, Chair. Good morning, everyone. Thank you, Commissioner, thank you Chiefs. I just want to extend my gratitude like the rest of my colleagues on the great work that you do within our city and keeping our city safe.

I think my questions are covered around diversity. And thank you for the first quarter's report. I just received it last week. What steps has the department taken to recruit more people of color to become firefighters?

COMMISSIONER KAVANAGH: So, as you know, you know, the last recruitment campaign that we ran was the most diverse pool of applicants in department history. We have-- We had a hiring freeze during COVID. And so what has been really essential is returning to that list and hiring off of it, because it is a diverse group of New York residents that are coming on to this job. And you see in our new fire classes that they are much more diverse than they used to be. So returning to that list is important.

And then we are also preparing for our next recruitment campaign. So that will be next year. So

we're taking the lessons we learned from the last successful one, trying to capitalize on those things that worked, try and put resources into the areas that worked to recruit the most diverse parts of that list.

So in terms of recruitment and retention, you know, we definitely see that we will capitalize off of our last successful recruitment campaign for the next one. And then you know, what we've also been doing is increasing transparency in terms of how promotional tests are given and when they are given, so that we can see as we have a more diverse group of entry level firefighters, as they begin to rise through the ranks, they can rise to Lieutenant, Captain, and Battalion Chief. And so last month, I believe we released not only a schedule of all of our tests that are being given over the next decade or so, but also some more information and information sessions around how to prepare for a promotional exam. You know, what the different paths are, in terms of both rising through leadership and taking on special assignments within the department.

COUNCILMEMBER RILEY: Thank you, Commissioner.

Is the length of service different for firefighters of color compared to white firefighters?

COMMISSIONER KAVANAGH: That I don't know. But we can get back to you. In terms of average years of service before they retire?

COUNCILMEMBER RILEY: Right.

COMMISSIONER KAVANAGH: Yeah, we can find out.

COUNCILMEMBER RILEY: Thank you. Do you guys do recruitment starting in high schools in communities of color? What I'm seeing is I'm going to high schools and a lot of students don't know that there's a pathway to become a firefighter. I think you just need about 15 college credits to become a firefighter. I know some seniors are taking college courses and getting college credits as well. Do you guys start in high schools specifically in communities of color?

COMMISSIONER KAVANAGH: We do. One thing that we did was focus groups went for we ran our last recruitment campaign. And one thing that came out is that in almost every case, across all races and genders, people decide to get into this job early, often in high school. And so you know, I think in a

lot of ways that makes sense. This is a very unique and very dangerous job and those who go forward with it have a real commitment to public service from early on.

So what we've done are few things: We have our Explorers Program, which is a program that starts in high school, actually middle school in some cases, and it's in local New York City public schools. And so all of our Explorer posts are concentrated in our most diverse communities. And we're looking to grow those, because that is a way for public school kids in New York City to get early interaction with the fire department and decide-- you know, see what this job is about, and see if public service is something that they want to pursue.

We will also be launching our first ever a cadet program this year, and the cadets are sort of between high school and college is the-- the age that we're targeting there. Because you-- you can't be a firefighter until you're 21. And so there's sort of like a gap between high school and reaching that eligible age. So we're doing that as well. We also have an FDNY High School, which again, we're also looking to, you know, always expand upon that, and

also just bring attention to it in the fact that this is a career that is available to you, and that this is a school you can apply to if you're interested in pursuing a career of service.

So I would say all around, yes, we very much would like to speak to young people.

One initiative, the mayor's office was also-- has also been incredibly helpful is just raising awareness about civil service. Often what we find when we go into high school classrooms is explaining to a young person the civil service system. We're often the first person to have talked to them about that.

But once somebody knows about it, um, there are many careers in city government that you know, are available to them. And we love to see young New Yorkers pursue a career in public service. And so rather than do it agency-by-agency, we've been trying to collaborate with our other agencies, so that as each of us is going in to talk about a career in public service, we can share that-- that data and that knowledge with one another and we think that will increase overall, all of our ability to be recruiting from our local high schools.



1 COMMITTEE ON FIRE AND EMERGENCY MANAGEMENT 65

2 COUNCILMEMBER RILEY: Thank you. Vacancies. How  
3 much vacancies does the department have currently  
4 right now?

5 COMMISSIONER KAVANAGH: In Fire and EMS ranks?

6 COUNCILMEMBER RILEY: Yes.

7 DEPUTY COMMISSIONER CHRISTOFF: So I'll give you  
8 all of them. So for-- for our uniformed headcount,  
9 right now as of the as of the start of March, we had  
10 396 vacancies across uniform titles. For EMS,  
11 although there are variations depending on which  
12 title you're looking at, overall, all EMS titles, we  
13 were only under budgeted headcount by six. And at  
14 the start of March for our civilian headcount, we  
15 were under headcount by 153. Although I'm happy to  
16 say that today we actually had a class of 50 fire  
17 protection inspectors start, which will pretty  
18 dramatically bring down that number.

19 COUNCILMEMBER RILEY: Thank you. Chair, just one  
20 more question, please.

21 Diversity goes further than race. Uniform  
22 members are 99 male with only 139 women in uniformed  
23 positions of nearly 11,000 jobs. How is the  
24 department recruiting more women to the job? And  
25 could funding for the United Woman Firefighters

Association, be considered to conduct pre-training for women looking to apply and joined the department?

COMMISSIONER KAVANAGH: Yeah, so when I was mentioning our last recruitment campaign, we-- you know, we tripled the number of women applying, and we hope to continue to build on that number so that we can see, you know, those numbers change over time, certainly. And I think that any-- anything we can do to help young women looking at this for a career prepare is great, including the program that the United Women Firefighters run is a great one. And we know that it helps candidates prepare, I don't know if Commissioner Noonan wants to add anything to that.

ASSISTANT COMMISSIONER NOONAN: Morning.

COUNCILMEMBER RILEY: Morning.

ASSISTANT COMMISSIONER NOONAN: We actually just collaborated on a great event with UWF. And we will continue to make sure that we're collaborating with them to bring awareness to their program. I think sometimes the women that are-- that have taken the exam and that are candidates are not always as informed, right? The civil service process can be pretty daunting to most-- to anyone that's going through it. But we actually just recently did an

event, reaching out to candidates that are coming up on the next band. So it's about 400 female candidates that are there. And we had a pretty decent turnout of women that were in person and also live streaming. And you know, they got to learn a lot about the women's experience, and what resources the UWF will provide for them to get fit, and as well as what the fire department-- we have various programs that are available to candidates that will be available to them, whether it's at the fire academy or working out at local parks and rec centers.

You know, the opportunity is there. And it just get just getting them to get that commitment. Them showing up to the room and then being available on a live stream just shows that they're-- they're ready. And we're going to make sure that we support them along the way.

COUNCILMEMBER RILEY: Thank you. And also I just want to share Councilmember Holden brought up something very important about the fire stations. I'm having issues also in my district. I literally was just looking at discretionary lists of capital

2 improvements to my firehouses in my community. So  
3 we'd love to speak with you further about it.

4 Thank you Chair for the extra time.

5 COUNSEL: Thank you, Councilmember. Next we'll  
6 hear from Councilmember Carr, followed by  
7 Councilmember De La Rosa.

8 COUNCILMEMBER CARR: Thank you, Chair Ariola, for  
9 presiding over this important hearing. Commissioner,  
10 it's good to see you. Chief, a pleasure as always.

11 I want to talk a little bit about the Fifth Man.  
12 I know the chair was asking about that earlier. And  
13 I know that there's a belief of preference that  
14 they're really only warranted where you have a lot of  
15 multifamily dwellings, bigger buildings. But we do  
16 have our share of that in Staten Island. And so I  
17 was just wondering where, if any, are there Fifth Man  
18 placed in any companies in the borough of Staten  
19 Island, and I'll be representing southern Brooklyn in  
20 the new term, So Bayridge, Dyker Heights, Bensonhurst  
21 Bath Beach. If you could shed any light on that as  
22 well.

23 CHIEF HODGENS: In Staten Island, we have two  
24 Five Firefighter energy companies, 158 in Manus  
25 Harbor, and also we have Squad Eight now, which

operates as an engine company in their first new area.

We-- you know, we're always looking-- and the south portion of Brooklyn also has three Five Firefighter engines.

COUNCILMEMBER CARR: Okay. I appreciate that. I mean, listen, I continue to think we need more out in Staten Island. There's always construction going. Particularly in the North Shore, we're going to see a lot more multifamily dwellings erected and I think that's going to put strain on the companies that you already have. And-- and there are, you know, large horizontal developments in the South Shore and mid-Island, and I think that that's another place-- another criteria that maybe we could consider for the future when you're trying to place a Fifth Man in specific companies.

But I want to turn to battery energy storage systems. This is another big topic. We had one that was attempted to be sited in my district, at the same site as a church and two schools in the vicinity. And folks are concerned about the safety of that, and what is the appropriate proximity to a residential community?

And then the land use question, which is really kind of beyond just the safety issue is: where is it best for us to put these that we're not taking space away from residential or commercial development?

So if you could speak to at least the safety side, where the department thinks that these are the most appropriate places for these kinds of installations to be?

COMMISSIONER KAVANAGH: Yeah, I can speak to how we're looking at this. And there's more we need to look at. You know, as you mentioned, this is emerging just like e-bikes. You know, the difference, I would say, is that these energy storage systems, these are regulated. So we're not talking about some of the issues we have with e-bikes, where they're not regulated, not certified.

That being said, they could present similar dangers. And also like much protection technology, you know, we see them cropping up before we've necessarily had a chance to really review from either a safety or an operational perspective, how we would tackle a fire if it were to occur in one of them. So we're doing a few things, and we would love to work with you more on this, because we do understand that

this is an emerging green technology, and it does have some advantages, right? But we need to understand what the safety impacts are before we can really say where they should be and what they should look like.

But we're doing a few things, we have a working group started by our Chief of Fire Prevention, who's now our Chief of Training, specifically looking at this issue. So they're talking to the other large fire departments around the country. We also work with the Department of Homeland Security that has a lab here in New York City. They are especially helpful because they can provide us with not only certain experts on green technology that we don't have on staff, who can tell us a little bit more about how these work, but they can actually provide training environments. So we can actually work with these and see what happens. You know, we can set them on fire and see what happens. And we are also working with major car manufacturers like Tesla, who also are going to have, you know, large numbers of these batteries as well. So we are aware this is emerging. We are looking at it, I would say that there is not a definitive answer yet. But we would

like to be very involved in how they unfold to make sure that the same time we're achieving these green energy goals that we're doing it safely.

COUNCILMEMBER CARR: No, I appreciate that. And I think that these things can be wonderful for the grid, if we only cite them in the right places.

COMMISSIONER KAVANAGH: Yeah.

COUNCILMEMBER CARR: And I think the lesson learned for me from this most recent example is: But for the fact that this would have required a BSA variance, the only thing that would have stood between this installation happening is the permitting and approval process that the FDNY employs. And so I'm glad that we're thinking about it. And I'd love to get into that conversation with you, because I'd love to really understand what's going to inform your judgment moving forward. Because I've already heard of a couple of other sites where they almost decided to put them, and there would have been no BSA case there. So it literally would have just been your-- your departmental rules that came into play here. So--

COMMISSIONER KAVANAGH: Yeah, we'd be happy. There are many experts in fire operations who are



working on this. We'd be happy to connect you with them. And I would say as you mentioned, it also really matters where they are, right? So the density in Staten Island and where it may be placed there might be very different than, you know where they're putting these in Manhattan. That-- That could make a difference in terms of whether or not we say yes or no or make modifications. So we definitely should be having a lot of conversation, because as you mentioned, this can be a good thing. It's certainly emerging. We want to get ahead of it. But it does have potential risks that we need to evaluate.

COUNCILMEMBER CARR: Thank you. Thank you, Chair.

COUNSEL: Thanks, Councilmember. Next, we'll hear from Councilmember De La Rosa.

COUNCILMEMBER DE LA ROSA: Thank you, Chair. And thank you, Commissioner, and the entire team for being here. I wanted to just follow up. I know that the lithium ion batteries has been a topic of conversation. And even in my own district, we've had a few fires. I wanted to ask you if you saw any other patterns as root causes for structural fires across the city. Are there-- Is there anything else

besides the batteries that you're seeing are causing the majority of fires?

COMMISSIONER KAVANAGH: So every year our fire marshals do actually release the top causes of fires. I haven't looked at them for this winter, but typically they are electrical, smoking, often open flame or fire. So the Chief may have a little bit more. But every year we do actually release those causes for that reason so that we can target education and we'd be happy to work with you, even at a district level it might be different district by district. We'd be happy to work with you on that.

CHIEF HODGENS: Yes. As the Commissioner stated, the Bureau of Fire Investigation comes up with the leading causes. And I will say that, you know, usually electrical is always number one. Careless smoking, electric-- appliances, but lithium ion batteries now has reached into that top four. So it is emerging as one of the lead causes of fires. But all the others are pretty much the same year over year, but this is an outlier.

COUNCILMEMBER DE LA ROSA: Thank you Chief. I also wanted to ask about the-- the inspection personnel reduction for inspectors. And I know I

think Councilmember Riley asked a little bit about that.

One of the things we've seen and we continue to see is delays and getting like fire reports.

Sometimes when we're trying to offer our constituent services post-fire, it's difficult if they don't have a fire report.

And so I wanted to ask a little bit about the plans for increasing staffing levels. We're all concerned across the board with agency staffing. And if there's a-- if you all have a plan in place for victim support or services in the cases where fire reports may be delayed. I know we all work very closely with the Red Cross, and it's very helpful to have them on the ground time after time. So give them a little shout out here today.

But is there anything else that we can expect, as far as staffing around inspections and addressing the delays and fire reports?

COMMISSIONER KAVANAGH: Yeah. As you mentioned, there's tremendous, you know, help that we get from both Red Cross and the Office of Emergency Management. You know, they really follow up with local residents and make sure there's wraparound

support for as long as they need it. And we're very grateful for that.

They also in many cases -- and this is certainly a connection we can make with you -- flag for us whether or not a report is needed in an expedient manner, especially if it has to do with like insurance or relocating residents. So that's something we can work with you to make sure that the residents are getting those in the time-- in the time they need them.

In terms of inspectional headcount, I'll let Commissioner Christoff speak to that.

DEPUTY COMMISSIONER CHRISTOFF: Sure. So just to recap, headcount for the Bureau of Fire Prevention, so we are budgeted for 573 positions in that bureau. And as of the start of March, we had 492, which left us with 81 vacancies, though as I noted earlier, that was at the beginning of March, and actually today, we had a class of 50 Fire Protection inspectors start, which is bringing that number down pretty significantly.

So the-- the more recent civilian headcount reductions did not touch our number of fire protection inspectors. But since we do hire them in

classes, it can be very bumpy, you know, depending on when you're looking at the headcount.

CHAIRPERSON ARIOLA: Thank you. As long as we're talking about hiring, in December of 2014, the fire department administered a written-- written promotional exam for the rank of captain. List 5507 was published in August of 2015, with the first promotions utilizing that list occurring in September of 2016. Due to COVID related delays, the most recent exam was given on December 2021-- in December of 2021, with the list being published in January of 2023. What is the average life cycle of an FDNY captain's test list?

DEPUTY COMMISSIONER CHRISTOFF: So, typically, based on state's civil service rules, all lists are active for four years unless you run out of names on them, and then you can give another exam.

COVID Like so many other things, extended the life of our list under you know, emergency requirements. And so almost all of our lists, especially the lieutenant and captain's exam, had a significantly longer number of years of being utilized in the department than average. Now that we have given finally, post COVID, a captain and

lieutenants exam we're going to be getting back on that four year cycle. As I had mentioned, we actually published the schedule for the next eight to ten years of when those exams will be given, so that can people can actually plan their careers accordingly, and anticipate when either a list will expire or a new test will be given.

CHAIRPERSON ARIOLA: So does that new exam then expire list 5507 and the people who are currently on it, but not the--

DEPUTY COMMISSIONER CHRISTOFF: The old list has expired. Yeah, we promoted captain's off of the new list about six weeks ago. And the day that the new list becomes active, the old one becomes inactive and no longer usable.

CHAIRPERSON ARIOLA: Do you know how many individuals were promoted from that list?

CHIEF HODGENS: I believe it was 563, which over a four-year average is normally somewhere in the 400 range. So the extension, actually, we promoted an additional proximately 165 or so.

CHAIRPERSON ARIOLA: And is there a current shortage of captains at the-- in the FDNY.

CHIEF HODGENS: No. With our last promotion, we're pretty much, you know, right about where we should be.

CHAIRPERSON ARIOLA: Okay. 25 special operations support companies were trained to assist special operation units of the FDNY. What is the budget for these companies? And is all their equipment up to date?

CHIEF HODGENS: The SOSC support ladder companies? The 25 additional--? I can't speak to the budget. If Lizette knows that. But we could get that for you.

Yes, they receive refresher training, you know, throughout the year and all of the equipment is evaluated. You know, just about every week, you know, they're working with this equipment, and they respond to anything where we need additional help for technical rescue or collapse or anything like that.

CHAIRPERSON ARIOLA: Mm-hmm.

CHIEF HODGENS: They assist our rescue companies and squad companies.

COMMISSIONER KAVANAGH: And that is-- sorry to interrupt. Also, you had asked about grant funding.

That is one area that grant funding pays for a lot of the training that those companies receive.

CHAIRPERSON ARIOLA: And how many rigs are spare-- of spare apparatus that are currently in active service?

CHIEF HODGENS: The spare apparatus in service? That-- that varies day by day, depending on how many, you know, are out-- mechanically out of service. So we don't have a hard number on that. I can look and see what we have today.

CHAIRPERSON ARIOLA: All right. We'll get back to you on that. In February of 2021, Local Laws 1849A and 1852A were passed by the Council requiring movie productions to notify the fire department of filming locations, and requiring a fire safety marshal present on all sets at all times. How many of these positions are budgeted for, and how many positions have been filled?

COMMISSIONER KAVANAGH: We'd actually have to get that for you. I'm not sure how many were budgeted and filled. We can get that. We have-- I should say we have been working closely with the Mayor's Office of Media and Entertainment to make sure that we are, not just ready, but it's incredibly important for the



fire companies that, as you know, especially after we tragically lost Mike Davidson. So they've been working very closely with operations to make sure that those notifications are going out in in a timely manner. But we'll get you those exact numbers on the headcount.

CHAIRPERSON ARIOLA: Okay, great. And with, as we know, the Mayor lifting the mandates on municipal employees, how many members that were terminated, resigned, or retired, have returned to the department now that the vaccine mandate has been lifted?

COMMISSIONER KAVANAGH: So we're still in the midst of processing folks. So when we're close to done or done, we can give you the total numbers. I should say that in most cases, we are looking to bring people back. So except in some extenuating circumstances most people we hope to bring back. So we can give you the exact number once we've worked through the paperwork for-- for everyone who's applied.

CHAIRPERSON ARIOLA: And when you do that outreach, you feel that that you get mostly positive feedback and express desire to come back?

COMMISSIONER KAVANAGH: Yeah. I mean, we've had a number, I don't know what the delta is out of how many who left, but we have had a number of members definitely coming forward, looking to come back.

CHAIRPERSON ARIOLA: And just what type of outreach was done to inform members that had separated from the department of the process to return to work?

COMMISSIONER KAVANAGH: So there was both city outreach, as well as departmental outreach. We could tell you exactly how they did that. But there was a couple of methods for-- for reaching out. And I would say, the unions have very much been very helpful for us here, and have been advocates and have been making sure their members know and bringing cases forward to the extent that we were not aware that that member was wanting to come back.

CHAIRPERSON ARIOLA: Yeah, and I think special attention needs to be really applied to those that chose to retire, because they may not be included in the active list. So that might be something you just want to put on your radar.

COMMISSIONER KAVANAGH: Absolutely.

2 CHAIRPERSON ARIOLA: So any other questions  
3 from...?

4 COUNSEL: Okay, next. Next, we'll go to  
5 Councilmember Brewer, and then Councilmember Schulman  
6 has another question as well.

7 COUNCILMEMBER BREWER: Thank you very much. I  
8 always want to thank Jason Shelley too, because even  
9 when he's on vacation, he answers his phone calls.

10 COMMISSIONER KAVANAGH: In Antarctica, of all  
11 places.

12 COUNCILMEMBER BREWER: I appreciate it. I know  
13 you're sick of the batteries. But I do appreciate  
14 all the work you're doing. It's a hard situation  
15 because we want batteries to be safe, and then at the  
16 same time, the 65 Deliveristas are now having  
17 troubles finding the place to charge. So my question  
18 is, how many shops have you been to? Is it complaint  
19 based? Or is it something that you're doing  
20 proactively? And then: Do you have any suggestions  
21 about this charging problem?

22 COMMISSIONER KAVANAGH: So it is complaint based  
23 I will reiterate something that our marshals say all  
24 the time, which is we're really not looking to crack  
25 down on small businesses here. We're helping to make

1    them safer. And in some cases, we simply have to  
2    crack down if the scenario is too dangerous to let it  
3    continue. But in most cases, our marshals are going  
4    in trying to inform the business owner of why this is  
5    unsafe, and make sure that they are operating safely.  
6    You know, really what we want is for small businesses  
7    to be able to keep operating and for people to be  
8    using these batteries safely. So we're going to  
9    continue to do that.

11        I think when it comes to charging, it's similar  
12    to what I mentioned earlier about the sort of supply-  
13    and-demand issues that are outside of the FDNY's  
14    purview. You know, we don't set up safe charging.  
15    But what I would say is that, we recognize that due  
16    to the you know, need for so many of these people to  
17    rely on these bikes for their livelihood, that we  
18    definitely believe there has to be-- whether it's a  
19    way to get safer batteries, battery exchange, safe  
20    charging, that those things need to happen in order  
21    to make sure that those folks who rely on these bikes  
22    have another alternative than charging them in their  
23    home.

24        COUNCILMEMBER BREWER: Could you do a plug in at  
25    some of your fire stations?

2 COMMISSIONER KAVANAGH: That I don't know. We'd  
3 have to look at it. What I would say though is that  
4 there is at least one location that we worked-- the  
5 Deliveristas just put together that I think has both  
6 facilities for changing and using the bathroom and  
7 also has charging. I know that's only one, so it's  
8 not enough. But it's certainly a model that we could  
9 work with the city on.

10 COUNCILMEMBER BREWER: But I think we should look  
11 at police stations and fire stations, just because--  
12 And you know, little bit here and a little bit there  
13 will assist in terms of-- and then it would be safe.  
14 So something to think about.

15 COMMISSIONER KAVANAGH: We can definitely take a  
16 look.

17 COUNCILMEMBER BREWER: The other thing is sirens.  
18 It's not necessarily a budget issue. Do you keep  
19 track of how many 311 calls you get about loud  
20 sirens, mostly on ambulances? Because I get  
21 hundreds.

22 COMMISSIONER KAVANAGH: We do get reports on  
23 those. We do work with our fire and EMS companies to  
24 make sure they're complying with when-- when to use  
25 those sirens and when not to. I would say they are

largely compliant. The places we get the most-- where we see the greatest volume of 311 complaints is for folks who live around a hospital for some obvious reasons, or around a fire station. West-siders don't have to live around the hospital to complain.

So I'm just saying, I'm looking at this issue, but I think we need to look at not just less of it, but also the quality of it. Something to think about. It is a constant. My guess is you have hundreds and hundreds of complaints.

COMMISSIONER KAVANAGH: Yeah. We're always happy to work with you. You know, I would say obviously, when we're using our lights and sirens it is because there's an emergency and it is necessary for our members to respond safely, but we have looked at-- In particular over the last couple of years, we actually changed over in most of our ambulances the type of siren to something called a Rumbler, which is--

COUNCILMEMBER BREWER: I'm only too familiar with it.

COMMISSIONER KAVANAGH: It is supposed to be less, you know.

COUNCILMEMBER BREWER: Yes. I'm for Rumbler. Okay, we are going in with the police department.

And I believe in the Rumbler. Just finally, on the firehouses. So it would be helpful for us who have put in money, not necessarily the full amount that's needed, to know the status of what it is that is still needed for some of the firehouses to whatever upgrade is appropriate.

COMMISSIONER KAVANAGH: Yeah, we would love to give you each-- of you a council-wide, council breakdown.

COUNCILMEMBER BREWER: An update on that. Okay. And then just finally, just, I know, you said there are 50 more fire prevention. So, but what's the total number of people in fire prevention and what-- now with the 50, that's great-- are there still vacancies? Fire prevention is so important.

DEPUTY COMMISSIONER CHRISTOFF: Yeah. So to recap, the overall number, the budget is 573, and the active before the 50 was 492. You're getting close. We're getting really close.

COUNCILMEMBER BREWER: Okay. Thank you very much. Fire stations to charge.

COUNSEL: Okay, Councilmember Schulman has another question, and then we'll go back to the Chair to finish off. Thank you.

COUNCILMEMBER SCHULMAN: Okay, thank you. And I appreciate you working with the small businesses. There are some by me that offline, we'll talk about, that have a number of bikes in them that have batteries and things like that.

But in fiscal year 2022, the Department issued only 220 summonses compared to 7900 and fiscal 2018. This number has been on a constant downtrend for the past five years. What is the reasoning behind this?

CHIEF HODGENS: I believe he's speaking about criminal-- criminal summonses. And we have changed over to giving what's called an FDNY summons--

COUNCILMEMBER SCHULMAN: Okay.

CHIEF HODGENS: --which is much more friendly to business. And it's also something that we follow up on ourselves. So that is-- We were giving just as many, it's just not a criminal summons in most cases.

COUNCILMEMBER SCHULMAN: Can we-- can we as Councilmembers arrange to have someone come out and speak with the small businesses in our districts about what they need to do and all that? Because I don't think that that's been done, at least in my district. So...



CHIEF HODGENS: Sure, we're-- our Fire Safety Education Unit or-- is always available. You can make an inquiry and we could set up some type of an event.

COUNCILMEMBER SCHULMAN: Okay. And one other question: The Mayor announced a plan for the Department of Buildings to develop, standardize, and implement a citywide building code for alteration of existing residential and commercial buildings. Has FDNY had any input or communication with the standardization of the building code?

CHIEF HODGENS: The build-- Yes, of course, we were always working with the Department of Buildings, making sure the fire code, which we regulate, and the-- the building code doesn't have any redundancies or contradictions. So yes, we're always working together on that.

COUNCILMEMBER SCHULMAN: And I would also just like to-- just a statement-- like to know if there are any issues, like for example, some agencies don't talk to each other. That happens occasionally. And there are things that are done in my district where I talked to the local engine company, which is 315, and they say nobody told them about it, nobody spoke to

1    them, and all that. So if we could just make sure  
2    that that's done on a consistent-- because I want to  
3    be helpful. I mean, it's-- they have issues in terms  
4    of some of the streets-- some street issues. There's  
5    going to be a redesign of Queens Boulevard. At some  
6    point, I want to make sure that the FDNY is a part of  
7    that, in terms of the conversation, so we make sure  
8    that people can stay safe.  
9

10        CHIEF HODGENS: Yes. We're making an effort to  
11    work closer-- closer with DOT to get in on the ground  
12    floor before these projects get off and running. So  
13    yeah, there is an effort to get--

14        COUNCILMEMBER SCHULMAN: I'm happy to help in  
15    that, too.

16        CHIEF HODGENS: Thank you.

17        COUNCILMEMBER SCHULMAN: Thank you.

18        CHAIRPERSON ARIOLA: So to amplify what  
19    Councilmember Schulman was saying about agencies  
20    talking to one another. If you were at the  
21    completely-budgeted 170 more fire inspectors, and  
22    fire prevention can eliminate all wait times  
23    tomorrow. Do you still think that there would be  
24    conversation about the DOB and the fire inspectors  
25

having any type of you know, overlapping--  
overlapping responsibilities?

COMMISSIONER KAVANAGH: I think what I'd say is  
that there are always-- There's always more  
collaboration we can have between agencies, right?  
And I actually think collaboration is essential, you  
know, the way the system works now is very linear.  
So DOB might know when a project is coming in. And  
we may not know until that project reaches our desk,  
that that was in the works. And so one of the big  
pieces of collaboration we're trying to work on is so  
that our technology systems talk to one another so  
that we can see things coming down the pipeline. And  
I think that's the sort of collaboration, the sort of  
de-siloing of agencies that will make that-- that  
next step, that even once you have all of your staff,  
as you pointed out, you may be able to eliminate the  
backlog, but there are some things that can just make  
it more efficient for the end user to feel like they  
only have to go talk to one of those agencies, and  
that agency can-- can have an answer for both  
agencies.

And I think that's just a lot of collaboration.  
It's-- it's us using the same technology, and making

sure the staff can consistently talk to one another about especially major projects coming down the pipeline.

CHAIRPERSON ARIOLA: Collaboration is everything between the agencies. But I think that that specific responsibility should remain with the experts within those agencies, and the collaboration continue.

COMMISSIONER KAVANAGH: Yes.

CHAIRPERSON ARIOLA: I'd like to change gears now to the BEHERD Program. Advocates said that the latest numbers indicate that the program has performed worse over time rather than improving. They said response times were longer, and there were fewer calls routed to BEHERD in recent months, according to the review of previously released reports, which have been removed from the program's website.

In 2022, do you know how many mental health 911 calls are made in BEHERD's coverage area?

COMMISSIONER KAVANAGH: So I'm going to pass it over to the Chief of EMS for those specific numbers--

CHAIRPERSON ARIOLA: Thank you.

COMMISSIONER KAVANAGH: --but I do just want to say that this-- this is a pilot program. It has

shown to be effective by its main metric, which is getting people into long term care so that they aren't back in the system. And as we've expanded the pilot, it does mean that response times initially will get a little bit longer, because we're just expanding the geographic area. We are training additional units. And so you know, eventually, as the pilot becomes a larger program, you will see those numbers go back down. It's just the nature of a pilot that as we expand it a little bit, we do see response times go up. But I would say when it comes to mental health calls that response time is not-- not seen as a, you know, particularly negative indicator. We are still getting to these calls much faster than, you know any specialized resources have before. And our main metric is seeing whether or not it actually helps people get into long-term care, which it is. But I'll have the chief speak specifically about the numbers.

CHIEF FIELDS: Excuse me. My records show for 2022, we responded to-- sorry, 1729 calls were routed to us will for BEHERD to respond to and they responded to 73% of those calls.

CHAIRPERSON ARIOLA: How many of those calls were routed to BEHERD? You said 73%?

CHIEF FIELDS: 73 correct.

CHAIRPERSON ARIOLA: So what is the average response time for BEHERD once they get a call?

CHIEF FIELDS: So BEHERD is a low acuity call type. It is a priority-- It's a priority number seven. So there's no lights and sirens in respect to that call type. So on average the call type is about ten minutes, ten to twelve.

CHAIRPERSON ARIOLA: So the plan is to expand the program, not decrease the program?

COMMISSIONER KAVANAGH: Correct. The plan is with working with the Administration to expand the program.

CHAIRPERSON ARIOLA: And that's even though it's really-- even though it's a pilot program, it is not showing to be as effective as we had wanted it to be when it first came into the into being.

COMMISSIONER KAVANAGH: Yeah, we are showing that it is effective on the main measure that we wanted it to be, and so we are expanding it slowly so that we can keep track of how effective it is on other fronts. But we are seeing that it is getting people

out of the emergency system and into long-term mental health care. And that that is the main point of the program. But we will continue to expand it, to monitor it, and report back on where-- where it's successful and where we need some additional resources.

CHAIRPERSON ARIOLA: Okay then. As long as we're talking about expanding programs, let's talk about our EMS rate increases. The department published a proposal Tuesday to hike its rate by 54% for basic life support ambulance services through the 911 system from \$900 to \$1,385. The proposed fee schedule also calls for additional charge of \$20 per mile up from \$15 per mile. What are the current rates for those whose hikes are planned?

DEPUTY COMMISSIONER CHRISTOFF: You're asking what the current rates are in comparison to--

CHAIRPERSON ARIOLA: Mm-hmm, as opposed to-- right.

DEPUTY COMMISSIONER CHRISTOFF: the new rates? So the current basic life support rate is \$900. And that would go up to \$1,385.

The ALS-1 rate is currently \$1,525. And that would be going up to \$1,680. The current ALS-2 rate

is \$1,625. That goes up to \$1,692. And the other rate that's changing is mileage, which goes from \$15 to \$20.

CHAIRPERSON ARIOLA: And will it have an effect on low-income families who may need the services?

DEPUTY COMMISSIONER CHRISTOFF: So for folks who have insurance, you know, this-- this wouldn't impact them. So we will work with what we receive from insurers. For patients that are self-pay and don't have insurance coverage, if they cannot pay, we actually have a charity care program based on income, so they can apply as part of that. Additionally, we have a settlement program for those folks who can pay but perhaps not the full amount. That settlement program, we have in coordination with the comptroller's office. We have an MOU with them that authorizes us to make settlements.

CHAIRPERSON ARIOLA: And if passed, when will they go into effect?

DEPUTY COMMISSIONER CHRISTOFF: So there is a public hearing coming up on March 24. And then post that public hearing there, there is a finalization of the rule, which will once again be published in the city record, and normally it's 30 days from that. So



probably around May, although it does depend on the exact date that the-- the final rule is published.

CHAIRPERSON ARIOLA: Okay. And the union that is representing EMTs, paramedics, EMS officers, they're currently suing the FDNY and the city after federal government found that EMS first responders are being discriminated against. The suit alleges that EMS workers, 55% of whom are non-white, carry out similar duties to the firefighters for far less pay.

I'm asking Can the FDNY make statements about this pending litigation?

COMMISSIONER KAVANAGH: So I can't make statements about pending litigation. I will just say that, as you know, this administration has always advocated for our EMTs and paramedics in collective bargaining. It did result in a substantial increase in their last contract. Of course, there's more to be done. And we will be as involved as we were last time in these upcoming collective bargaining agreements.

CHAIRPERSON ARIOLA: And did the FDNY believe the EMS contract wage increase was enough to qualify as pay parity in the last negotiation?

COMMISSIONER KAVANAGH: I don't think we've gotten to parity but I do think that it was a historic increase. And I think that is important to note, and we have to keep going with that same level of advocacy.

CHAIRPERSON ARIOLA: Any other questions from our colleagues?

Okay, so once again, I'd like to thank Commissioner Kavanagh and our firefighters, EMTs, paramedics, and the-- the department's civilian staff for the work they do. And I would also like to thank, once again, our hard-working Financial Analyst, Tamveer Singh, our unit head Jack Story, Council Committee, Josh Kingsley, Policy Analyst, Will Hongkdash, and my Chief of Staff Phyllis Encirillo. And we will now go to public testimony.

COUNSEL: Great. Thank you so much, Chair.

COMMISSIONER KAVANAGH: Thank you.

COUNSEL: You all are free to go. As a sort of housekeeping note, we have NYCEM coming at 12:30.

In the interim, we're going to ask a panel of EMS kind of labor folks to come up and speak in the interim period, NYCEM will then go at 12:30, and we

will turn to the rest of the public after NYCEM testifies.

So for local 2507 We have Michael Reardon, Oren Barzilay, and Darryl Chalmers.

So we'll just do a quick panel. We'll do a panel here before NYCEM is able to start testifying, and then we'll go to the rest of the public after NYCEM.

Thank you, folks. Thanks

COUNSEL: You all make begin, whoever wants to go first. You could give testimony, and then we could ask questions after. All of you guys can speak. Great.

MR. BARZILAY: Thank you. Good morning, Committee Chairperson and honorable Councilmembers.

My name is Oren Barzilay. I'm a 28 year veteran of FDNY EMS. I'm also the president of EMS Local 2507.

I am here today to speak on behalf of more than 4000 uniformed FDNY EMTs, paramedics, and fire inspectors.

New York EMTs serve in the most renowned fire department in the country. Actually, we are the most renowned in the entire world. And we are tasked with

2 responding to an incredible number of emergencies  
3 each year.

4 In 2022, EMS responded to 1.58 million medical  
5 emergencies and according to the mayor's office, this  
6 is 100,000 increase of emergency medicals calls from  
7 2021.

8 I am here today to spotlight very considerate  
9 issues for EMTs, who despite a pivotal role in  
10 serving and protecting New Yorkers, we are  
11 horrifically supported with resources from our city  
12 government.

13 I'll start with EMS pay disparity. This has been  
14 an ongoing crisis for years. We make fractions of  
15 our peer first responders. EMS members are paid  
16 about 40% less than New York's other great first  
17 responder agencies, which they rightfully earn and  
18 deserve. Our FDNY EMTs and paramedics answer a high  
19 portion of FDNY 911 emergencies, yet our operating  
20 budget is not commensurate.

21 Those poverty wages and truly difficult work  
22 condition results in EMS losing an average of 30% of  
23 new hires within three years, and 50% within five  
24 years.

2 Look at it another way: The city of New York  
3 spends a fortune, millions of dollars training our  
4 EMS medical professionals and pays them so little  
5 that they leave in droves for jobs in other cities,  
6 or with private companies easily making \$20 to  
7 \$30,000 more per year.

8 New York City spends \$5 million a day on illegal  
9 immigrants. While I understand this is a sensitive  
10 subject -- after all, we're talking about people --  
11 we find millions of dollars for all sorts of  
12 projects. I don't understand how we can find \$20  
13 million a year to fix the EMS pay issue in the FDNY's  
14 budget.

15 We are getting clobbered out there physically.  
16 EMT assaults are at an all time high doubling in the  
17 last year, and many hundreds of our members are not  
18 even reporting them. Why bother due to a lack of any  
19 action at all by both the department and the city?

20 When we arrive at the scene of an emergency, we  
21 don't carry guns like the NYPD. We don't have  
22 access, like our brothers on the fireside. We roll  
23 up on the scene of an emergency with a doctor's bag  
24 to provide medical care.

2 What is the city doing to fix this crisis? City  
3 Hall for instance, its employer, is responsible to  
4 provide protection. That protection of our members  
5 is not happening right now. EMS is totally and  
6 completely starved of necessary resources to allow us  
7 to work safe and protect the city citizen at the same  
8 time.

9 In the past five years, two of our members were  
10 murdered while performing their duties. We still  
11 have crews going out on their own without a second  
12 provider. Across the five boroughs EMS has only two  
13 bariatric units, one in Queens and one in Brooklyn  
14 for extra-- extra heavy patients. So if a patient is  
15 too large for traditional ambulance in the Bronx or  
16 Manhattan, or Staten Island, they must wait for one  
17 of two have to be available and arrive on the scene.

18 When someone has a stroke or heart attack, every  
19 second counts. This situation is simply an  
20 embarrassment for a city that prides itself on being  
21 a tourism and cultural mecca of our nation.

22 Some might tell you this doesn't contribute to  
23 delays. Yet when EMTs confirm that the patient needs  
24 a larger stretcher and accommodation, it takes away  
25 valuable time.

2       These issues are only made worse by the EMS  
3 bureau's heard staffing problems. The department has  
4 previously testified to you that EMS has a headcount  
5 of over 100 EMTs and a headcount under 100 in  
6 paramedics. How would the headcount be over when our  
7 ambulances citywide are so backlogged?

8       Worst of them are all emergency medical calls in  
9 the Bronx. In fact, it is a daily or hourly  
10 occurrence that units from other boroughs must  
11 constantly be sent across one of the bridges for  
12 redeployment in the Bronx. EMS is so behind short  
13 staffed that you would think with our call volume,  
14 reaching 5000 calls a day that the department would  
15 take steps to increase resources.

16       The department is actively deleting ambulances  
17 from the 911 system. In April of 2021, we ran  
18 approximately 185 24-hour units. By April 1 of this  
19 year, the number of units will be reduced to 166,  
20 thereby reducing the units in our city by 19 units.  
21 I must make it clear that this was implemented by our  
22 previous Chief Bonsignore and Chief Pistilli. This  
23 has nothing to do with Chief Mike Fields.

24       Less ambulances in the streets means an increase  
25 in response times. They plan to do this specifically

1 COMMITTEE ON FIRE AND EMERGENCY MANAGEMENT 104

2 in lower income communities, especially where FDNY  
3 EMS doesn't have the manpower. Being poor is not  
4 criminal. Our city's poor residents and poor  
5 neighborhoods should not be ignored and taken for  
6 granted.

7 True call volumes are misleading statistics.  
8 EMTs are dealing with record call volumes every day.  
9 But the way they count, measure, and report emergency  
10 calls to this honorable legislative body and to the  
11 taxpayer will likely not be considered kosher with  
12 any true statistician or mathematician.

13 If FDNY goes on an emergency call involving  
14 multiple patients, such as the fatal Twin Park fire,  
15 with 50 patients needing medical care, and 50  
16 ambulances, that is only counted as one emergency.

17 There is clearly a statistical disconnect. If  
18 reported correctly, EMS rounds for the year could be  
19 well over 2 million emergencies.

20 I'm almost finished.

21 CHAIRPERSON ARIOLA: Okay.

22 MR. BARZILAY: EMS work facilities have been  
23 cutting edge back into horse and buggy days. We have  
24 addressed this next crisis of massive under-  
25 investment in EMS services with the Council before



but it bears repeating. The rotting and decaying infrastructure where EMS staff work is relic to the administration of US President William McKinley. He was Teddy Roosevelt's predecessor in the White House.

Since the merger with FDNY EMS 27 years ago, there has been a consistent lack of reinvestment in our people, the tools, and the places needed to do our job effectively.

In that merger, we were promised 70 stations. That has yet to come to fruition.

Actual pay parity must be a reality for the sake of our members. We hope that true pay parity will be addressed rapidly by the Mayor and his council. As His Honor, the Mayor promised during his election campaign.

How fair is it when our cities medical first responders make 40% less than members of the police and the other FDNY members? The dedicated women and men of EMS and the citizens we are sworn to protect deserve better than we have been subjected to.

It's time to make FDNY EMS more central to the strategic planning and budgeting of the greatest fire department in the world. But perhaps it's time we evolve that thinking to also consider the truly great

work of our EMTs, paramedics, and fire inspectors.

Thank you.

CHAIRPERSON ARIOLA: Thank you, Oren, for your testimony. And as you know this City Council last year fought hard for pay parity. And unfortunately, the Governor vetoed it. So-- But we will be revisiting that and sending it right back up to the State. So thank you.

MR. BARZILAY: Thank you.

CHAIRPERSON ARIOLA: And just I ask everyone to please because we have to get NYCEM in. Just try and stay within the framed time of your-- your testimony. Thank you. Your public testimony time.

MR. CHALMERS: So thank you, city council members for letting us have a chance to speak. So I'm just going to speak. I'm Darryl Chalmers. I'm on the executive board for the Uniform Fire Protection Inspectors, part a local 2507, with the EMTs and paramedics. And I just want to I just want to step on something that was said.

The Administration made statements of-- about the task force. With the task force-- with the Battery Task Force, it's the fire protection inspectors who are actually out there doing these inspections. The

2 sheriff's department went out with us only once. The  
3 fire marshals are all actually the supervisors with  
4 us, in which they do outstanding job. And what we do  
5 is, if we find these places, we also let the  
6 administrative company, the engine companies, the  
7 truck companies, the firehouses, because of the great  
8 work that the firefighters do, we let them know  
9 exactly where this is and how many violations.

10 So as far as violations are concerned, we visited  
11 over -- I'm just going to give quick numbers. I'm  
12 not going to give you the exact number, but it's over  
13 98 places. We've written 84 summonses, and we've  
14 written 200 FDNY summonses, 72 violations, criminal  
15 summons, which is where you can go to jail possibly,  
16 is 17. And LPG we picked up a lot of LPG at these  
17 different places where people were storing these  
18 batteries illegally.

19 And so I just wanted to clarify that fact that  
20 the fire inspectors, our job out there is to make  
21 sure it's safe for the public, and also make sure  
22 it's safe for the firefighters and EMTs as they're  
23 doing their job. That's always been our job.

24 Another topic I want to step one is that the  
25 Department of Labor for the United States, of our

country states, that the work that we do as fire protection inspectors, that we are first responders. That's what the United States says. That's what our government says.

And another thing I want to step one is the fact, when Oren, our president, was talking about the budget and being treated fair, as far as EMS is-- the work that they do, they should be paid parity, and let me explain why.

Uniform-- and I've got this from City Council, when I did this back in 2005. Uniform status was given to the firefighters back in the 60s because a firefighter one to start his own bargaining certificate separate from the rest of civilian force. Firefighters got it in the 60s, PD followed behind them. Corrections followed behind them. Sanitation got theirs in 1979 after the strike of 75. EMS got theirs in 2000. We got ours in 2005. When you read the local laws, it gives-- clearly states firefighter, correction officer, sanitation, it says gives all the uniform titles. And at the same time it says that EMS paramedics, paramedics, are uniformed members of the city of New York.

So the question is why aren't they given the same bargaining rights as the rest of the uniform force, with the great work that they do and the great work that we do?

And remember the fire inspectors are peace officers and solid firefighters. So that's all I want to say. I know Mike Reardon, my partner wants to step on to numbers because I think they're incorrect on some of the numbers they were saying as far as membership in the fire department. So Chief Mike Reardon is going to take that.

CHAIRPERSON ARIOLA: Thank you for your testimony.

CHIEF REARDON: Good morning, Councilmembers. I appreciate you allow me here today to speak on behalf of our men and women in the Bureau of Fire Prevention. I also sit on the executive board for 2507, EMS, paramedics, and fire inspectors.

I have some information here today. Basically, back in 2008, we had new needs put in when a new fire code was presented to no avail. Back in 2014, we also, when the fire code was changed again in 2014, we also asked for new needs, which we never got. Again back in 2022. New needs was asked for again

2 and to no avail. Obviously, we're down a lot of  
3 people. They had stated that we have 500-and-some  
4 inspectors. I couldn't clearly hear what they said.  
5 Right now we have a total of 331 Fire Prevention  
6 Inspectors. We're not over 500.

7 A lot of these units, especially the one unit  
8 that's handling these lithium batteries, they're--  
9 they're slated for 10 inspectors. They have four.  
10 They're operating right now with only four inspectors  
11 in that unit. And they're supposed to have at least  
12 10.

13 So I gave you a list of all the inspectors listed  
14 in the Bureau of Fire Prevention, those-- all those  
15 checkmarks are for everybody that is in 2507. The  
16 other units are tech management units, which does  
17 plan review, I did not include because they're not on  
18 the 2507. Also, the fire alarm unit is also-- that's  
19 Local 3. I did not include them. I'm just including  
20 the fire inspectors.

21 I thank you for your time.

22 MR. CHALMERS: And I just want to make a note:  
23 The reason why the Chief Reardon is saying "only  
24 2507," because remember, the members of 2507, those  
25 fire protection inspectors who wear uniforms are

2 trained at firematics. So what that means is we  
3 understand second means of egress, we understand fire  
4 safety. The other units, they do outstanding work,  
5 but they don't-- they don't look at things way we  
6 look at it. We look at it the same way to keep the  
7 firefighters and the public safe. So that's where  
8 we're trained at that. And I'll use the term  
9 "firematics." Fire lieutenants, captains,  
10 firefighters and fire inspectors on the stand  
11 firematics on fire safety, and we even use the same  
12 paperwork. So I just wanted to get that clear.  
13 That's the reason why Chief Reardon made the  
14 statement he said. As far as the number, it's only  
15 331. It's not 500-and-change.

16 MR. REARDON: We also do have a new class that's  
17 in right now, a class of 50. That's going to be  
18 three months of training. And then once they come  
19 into the Bureau of Fire Prevention, that's going to  
20 be another possibly two months, three months  
21 training, because everybody's going to go into a  
22 specialized unit. And they have to get-- they get  
23 hands on-- one-on-one training with different  
24 inspectors who are actually considered captains and  
25 lieutenants. So, thank you.

2 COUNSEL: Thank you all for your testimony.

3 We're going to turn to New York City Emergency  
4 Management. Oh, yeah. No, I think Councilmember  
5 Schulman...

6 COUNCILMEMBER SCHULMAN: Before you go guys.

7 COUNSEL: Hey, folks. Just one sec.

8 COUNCILMEMBER SCHULMAN: Sorry, I thought the  
9 chair was going to ask-- was going to say something  
10 first.

11 One, I want to tell you that I used to work at  
12 EMS. I was in the leadership and the administration.  
13 Oren knows me very well and knew my late-- my late  
14 partner, Adelaide Connaughton, who was a retired  
15 lieutenant at the time, and was a very proud member  
16 of 2507, 3621. Pay parity is very important to me  
17 since I ran for the City Council, and it continues to  
18 be. You see me sitting here, because I wanted to  
19 hear what you had to say. I also want to tell you  
20 that I spoke to Council and I'm going to join with  
21 the Chair to push the state, because I know-- I read--  
22 - the I saw the law that you gave us from the city  
23 council. But the state overrides that. So we're  
24 going to make sure we're going to work and push that  
25



again, and you have somebody who is very supportive and will stand in solidarity with you.

So, you know, I-- I know what, you know, I know what you guys do on a daily basis. I used to ride along. I responded to the First World Trade Center bombing in 93. So that's how far back I go.

But I just want you to know that you do have people who are supporters here. So I wanted to say that before you left.

ALL: Thank you.

COUNSEL: Thank you, Councilmember. And thank you all for your testimony. Next we'll hear from NYCEM. To start we'll hear from Zach Iscol, who's the Commissioner, Christina Farrell, who is the Deputy Commissioner, Christopher Blanco, who is the CFO, and Eliza Ureña, who is also Deputy CFO.

After NYCEM testifies, we'll turn to the rest of the folks who are here for public testimony. Thank you for your patience.

Folks, we'll just start with the testimony. I will kind of swear you all in. If you just raise your right hand and affirm the following: Do you confirm to tell the truth the whole truth, nothing

1 COMMITTEE ON FIRE AND EMERGENCY MANAGEMENT 114

2 about the truth, answer honestly Councilmember  
3 questions. I do? Great. Go ahead. Thank you.

4 Commissioner, you may go ahead.

5 COMMISSIONER ISCOL: Thank you.

6 Good morning. Good afternoon, Chairperson Ariola  
7 and members of the Committee on Fire and Emergency  
8 Management and the Committee on Finance. I'm Zach  
9 Iscol, Commissioner of New York City Emergency  
10 Management. I am joined today by First Deputy  
11 Commissioner Christina Farrell, our new Chief  
12 Financial Officer as of today, Chris Blanco (a great  
13 way to start off his time at New York City Emergency  
14 Management) and our Deputy Chief Financial Officer  
15 Eliza Ureña.

16 As the agency charged with serving New Yorkers  
17 before, during, and after emergencies, Emergency  
18 Management coordinates the city's preparedness  
19 response, recovery, and mitigation efforts in an  
20 ever-evolving threat and hazard landscape. We are  
21 thankful for our government, nonprofit, private  
22 sector, and community partners for helping us serve  
23 New Yorkers as we build a more inclusive and  
24 resilient city. 2022 was yet another busy year, as  
25 we responded to disasters of various size and

2 complexity, including five-alarm fires, an active  
3 shooter in the transit system, multiple flooding  
4 incidents throughout the city, disease outbreaks,  
5 mass migration storms and other extreme weather  
6 events, as well as deployments to other hurricane-  
7 impacted jurisdictions.

8 Time and time again, our staff adapted plans and  
9 strategies and responded, always incorporating  
10 lessons learned from previous incidents to improve  
11 outcomes for our city and its residents. I'm  
12 incredibly proud to work with the best, brightest,  
13 and hardest working emergency management  
14 professionals in the world.

15 In 2022, we responded to or monitored more than  
16 3700 incidents, including building collapses,  
17 infrastructure incidents, and water main breaks. Our  
18 most public-facing program, Notify NYC, available in  
19 14 languages including American sign language,  
20 language, issued over 2000 messages and hit 1 million  
21 subscribers, a huge milestone that we are both  
22 incredibly proud of, while we simultaneously push to  
23 subscribe millions more.

24 In an effort to further expand our presence in  
25 your communities, we embarked on a long term project

2 to have borough command centers strategically located  
3 throughout the city. Emergency Management's  
4 Queenborough command center open in March 22 at Fort  
5 Taunton, and the Staten Island Borough Command Center  
6 opened in June 22 at the Petrides Campus. In 2022,  
7 we added nine Community Engagement Networks to our  
8 Strengthening Communities Program, bringing the total  
9 number of community emergency plans developed to 16.  
10 Our networks in Far Rockaway and Southern Brooklyn  
11 activated to disseminate critical information to  
12 their communities during the December coastal  
13 flooding, and were able to reach almost 10,000 people  
14 through phone, text messages, e-mail, and social  
15 media.

16 In December, we received an unprecedented number  
17 of applications from community emergency networks  
18 interested in joining the program, 55 applications.  
19 From that number we selected and enrolled 21 new  
20 networks that are currently working to develop their  
21 emergency plans by the end of June 2023.

22 As always, throughout all emergencies, we  
23 continue our blue sky programs and responsibilities.  
24 We held over 650 Ready New York preparedness events,  
25 released 17 podcasts, sent 60 press releases, held

2 over at briefings with the private sector, and  
3 provided hundreds of notifications to elected  
4 officials. We trained 113 new Community Emergency  
5 Response Team (CERT) members who are now volunteering  
6 their time in their communities.

7 And of note, we continue to strive to make this  
8 agency reflect the city that we serve. For example,  
9 continuing our commitment to best prepare our non-  
10 English speaking residents, New York City Emergency  
11 Management conducted a multilingual biennial  
12 emergency preparedness survey. And we continue to  
13 explore new and innovative approaches to better reach  
14 diverse communities with critical life safety  
15 messaging and support.

16 As ever, we stand ready to support the  
17 emergencies that we don't expect, and to be able to  
18 pivot at any moment into a response posture.

19 Beginning in August 2022, Emergency Management  
20 coordinated the city's efforts to support asylum  
21 seekers arriving in New York City. City response  
22 activities include staffing a welcome center at the  
23 Port Authority Bus Terminal to greet newly arriving  
24 asylum seekers, working with the American Red Cross  
25 and Catholic Charities to open and operate a

2 navigation center to connect asylum seekers with city  
3 and nonprofit services, and establishing humanitarian  
4 emergency response and relief centers with New York  
5 City Health + Hospitals to provide short-term  
6 sheltering. NYCEM continues to closely partner with  
7 the Mayor's Office of Immigrant Affairs and other  
8 agencies to identify a long term strategy for the  
9 influx of asylum seekers coming to New York.

10 We continue to look ahead to find new ways to  
11 prepare the city and our residents for the next  
12 emergency. With that, let me now provide a snapshot  
13 of our budget for the next fiscal year.

14 Our projected total fiscal year 2024 city tax so  
15 the expense budget is \$31.5 million. We rely on our  
16 city tax levy expense budget to support the majority  
17 of the agency's administrative, technological, and  
18 operational costs.

19 The projected fiscal year 2024 city tax levy  
20 personnel service budget is \$9.6 million which  
21 supports the 81 personnel lines paid directly through  
22 our tax levy funds. This includes \$1.5 million in  
23 funding for 16 staff members that are dedicated to  
24 working on increasing communication and services to  
25 people with disabilities access and functional needs.

1 COMMITTEE ON FIRE AND EMERGENCY MANAGEMENT 119

2 Our other staffing is supported through grant  
3 funds and personnel on assignment from multiple city  
4 agencies.

5 Our projected fiscal year 2024. Other-than-  
6 personnel service budget is \$21.9 million, which  
7 covers all agency, operating, and administrative  
8 costs. This budget includes a significant portion of  
9 non-discretionary funding. These funds are designed  
10 to cover our warehouse lease, utilities, and  
11 telecommunications costs, including the maintenance  
12 and operation of our Emergency Operations Center and  
13 our backup facilities. This money also supports our  
14 fleet and all additional equipment, supplies, and  
15 materials needed to run the agency.

16 The agency receives grant funding to support many  
17 of our core programs. In the past year, we secured  
18 \$31.1 million in federal funding, primarily through  
19 the Urban Area Security Initiative Grant. This  
20 funding is vital to our ability to run many of our  
21 initiatives, including the ready New York Public  
22 Education Program, Community Emergency Response Team  
23 program, Continuity of Operations Program, Geographic  
24 Information Systems, training and exercises, watch  
25 command and response, and Citywide Incident

Management System planning, and the emergency supply stockpile.

We work with City Hall, OMB, the city's congressional delegation, and our partner agencies to push for full homeland security funding in future years. This money supports critical operations within ours and several other agencies budget and is critical to the city.

I would like to express my admiration for our incredibly hardworking and dedicated emergency managers who continue to work tirelessly to ensure our city meets challenges. I'm honored to lead this agency, and I look forward to continuing our progress and growth.

Thank you for the opportunity to testify today. I look forward to working with the Council. And I'm happy to take your questions. Thank you.

CHAIRPERSON ARIOLA: Thank you so much, Commissioner. Thank you so much Assistant Commissioner.

Commissioner Iscol, it's been roughly one year since your appointment as commissioner for NYCEM, and you and Assistant Commissioner Farrell have been tasked with leading New York through not one but two



2 crises, and you and your team have shown nothing but  
3 resilience, and expertise, and knowledge in the face  
4 of all the adversity that has come your way.

5 You've been operating an emergency operation  
6 center, the EOC. NYCEM has currently been under EOC  
7 for well over 365 days due to the ongoing COVID 19  
8 pandemic, as well as our current emergencies that the  
9 city is facing. Can you describe what being under  
10 EOC means, and what protocols are changed when under  
11 this provision?

12 COMMISSIONER ISCOL: Yeah. So first off, thank  
13 you for your question, and thank you for your  
14 partnership. I've loved working with you over the  
15 past year. We've stood in some puddles together,  
16 canvassed some neighborhoods together, and I truly  
17 appreciate your leadership not just for your  
18 district, but also the city. So thank you.

19 You know, it's been a real honor to be leading  
20 this-- this agency. In terms of our Emergency  
21 Operations Center, we have what we call blue skies in  
22 gray skies. So almost everybody in our team has  
23 their blue sky job, which is what they do during the  
24 course of normal business. And then they're also  
25 part of one of our three on-call teams, red, white,

2 and blue. And those teams are activated for three  
3 weeks at a time where they're on call. And then when  
4 something happens, those teams are activated. Those  
5 can be smaller activations to deal with a water main  
6 break or fire and the displacement of residents. It  
7 could be a larger activation, like the COVID  
8 emergency that lasted for years.

9 And so when we have a large activation, it means  
10 that those on-call teams are working, they're doing  
11 the planning, they're doing the interagency  
12 coordination, they're making sure that all of the  
13 city's agencies and resources, and from our federal  
14 partners, state partners, private sector, that we are  
15 all working together to address the impacts or  
16 whatever the issues arising from a specific  
17 emergency.

18 CHAIRPERSON ARIOLA: And has been under EOC 24/7  
19 for 365 days negatively impacted NYCEM?

20 COMMISSIONER ISCOL: So we actually-- we were  
21 under activation due to the COVID Emergency but that  
22 ended a few months ago. So we have not been under  
23 constant activation as we had been throughout the  
24 COVID emergency.

2 With that said, I think the numbers speak for  
3 itself. Our agency has been performing remarkably  
4 whether it was the asylum seeker crisis, helping to  
5 provide shelter to over 50,000 individuals, 30,000  
6 now in our care. The team has activated the EOC  
7 outside of COVID, 10 times responding to winter  
8 weather, flash floods, coastal storms, monkey pox,  
9 Hurricane Fiona, the nurses strike. They've  
10 conducted 28 agency-- exercises with agency partners.  
11 They've had our volunteers prepare for over 124  
12 deployments, prepared 16,000 New Yorkers for  
13 emergencies.

14 The activations has not slowed us down at all.  
15 And I think it speaks to the remarkable men and women  
16 who make up emergency management.

17 CHAIRPERSON ARIOLA: I 100% agree. Some 31,000  
18 asylum seekers have arrived in New York. I don't  
19 need to tell you that, right? You know that.

20 Since the spring, the city has opened 60  
21 emergency shelters to house them. The administration  
22 is asking the federal government for \$1 billion, but  
23 so far has received only a partial reimbursement.  
24 Can nice him and other agencies continue to provide  
25 the current level of support without federal aid?

2 COMMISSIONER ISCOL: So the Mayor has made clear  
3 that we need state and federal aid. New York City  
4 Emergency Management will continue to step up and do  
5 all that we can to serve New Yorkers during this  
6 time. And I think we've demonstrated that we're  
7 continuing to do that.

8 CHAIRPERSON ARIOLA: In a previous Council  
9 oversight hearing, you said, in terms of reopening at  
10 Randalls Island for asylum seekers, you-- when you  
11 were asked that question, you said, "Anything is on  
12 the table." Is that still true?

13 COMMISSIONER ISCOL: Yes. Everything still  
14 remains on the table.

15 CHAIRPERSON ARIOLA: If they do have to reopen  
16 it, what will be done to mitigate public outcry?

17 COMMISSIONER ISCOL: So, you know, one of the  
18 things that we-- we do is, we really try hard to work  
19 with local communities, to work with local electeds.  
20 We're now doing a bi-weekly call with over 90  
21 electeds and staff members to keep them informed. I  
22 think there's also been a sea change in understanding  
23 amongst New Yorkers that this is not a crisis we've  
24 necessarily asked for, but it's one that together we  
25 need to address all these challenges to represent the

best of our city, but also meet our not only moral obligations, but our legal obligations for this population of asylum seekers. And I would also defer to Christina, my first deputy. Anything that you would add to that? No? All right.

CHAIRPERSON ARIOLA: Yeah, the-- the asylum seeker meetings are excellent. And because we all know what the-- what the larger problems are. But during those meetings, we get to talk about maybe some nuance issues that we're not-- people are not necessarily aware of. And we as Councilmembers really do appreciate that.

What are the COVID precautions being taken at the ?

COMMISSIONER ISCOL: So I'd have to defer to Health + Hospitals to give a more substantive answer to the COVID precautions that are taking place at the HERRCs

CHAIRPERSON ARIOLA: What steps are-- is NYCEM doing to educate the public about the ongoing crisis?

COMMISSIONER ISCOL: So I think-- I defer to City Hall and and MOIA to speak more in depth about the work that the city is doing to educate folks. Other than some of the hearings, the press conferences,

press releases that we're putting out to inform people about what is happening.

CHAIRPERSON ARIOLA: With the knowledge that you've gained in the past year of being on the job, have you learned anything through the COVID 19 pandemic and asylum-seeker crisis such as: Should NYCEM be a body to prevent emergencies or handle them retroactively?

COMMISSIONER ISCOL: Yeah, I think that there's, you know, a "stitch in time saves nine", you know, "an ounce of prevention". There's, you know, I think that there's never enough that we can be doing before emergencies happen to make sure people are prepared, they have the information that they need.

And you know, one of the mandates that we've been given from the mayor is to move our city upstream. He talks about that in everything from crime, our education system. But that certainly is also true of emergencies. And so we are investing a lot in strengthening communities and making sure people have the information, the training that they need to be prepared to face emerging threats and hazards. And also things we can do as a city to better mitigate the effects and impacts of future emergencies.

CHAIRPERSON ARIOLA: I really want to commend the CERT operation that you have. One of our local civics, the Heart of Rockaway, they, they kind of put that out there a couple of weeks ago, and it was really very informative, and where we're urging all our civic associations, community boards, and any community organization to really work with you on that. And as you know, my district is a district that floods at the drop of a raindrop.

And also, I want to commend you on the Notify NYC. I noticed it's growing, more followers are following, more information is being put out. But are we using Notify NYC for notification with asylum seekers as well?

COMMISSIONER ISCOL: We're not using it specifically for asylum seekers. If there are incidents that people need to be aware of involving asylum seekers, or things, you know, that are taking place around one of the HERRCs emergency shelters, certainly that would be amplified on Notify NYC, but we're not using it specifically for asylum.

CHAIRPERSON ARIOLA: I'm going to yield to my colleague, but I really cannot thank you enough for

the job that you're doing. It's an insurmountable task. But you're making it look pretty easy.

COMMISSIONER ISCOL: Thank you.

CHAIRPERSON ARIOLA: So thank you.

COMMISSIONER ISCOL: I truly appreciate it.

COUNCILMEMBER SCHULMAN: Thank you. Welcome, Commissioner. And you and I-- One, I haven't been in a puddle with you. But-- yet.

COMMISSIONER ISCOL: Soon. Soon.

COUNCILMEMBER SCHULMAN: Yeah, hopefully I won't. But you had reached out to me when you first got appointed, and I have not forgotten about sitting down with you at some point. It's just as you know, things get a little crazy here on the Council and the City and everything else. And I also want to point out that Christina Farrell is an amazing First Deputy. She and I have worked together on many things. And I have reached out to her we had-- During Storm Ida, because I don't live in a quote/unquote "flood zone". But we did have a death during Storm Ida in one of the apartment buildings there, in a basement apartment and-- because of the flooding. And flooding happened in areas where we didn't expect it to. But she-- every time I have



called her, whether it's on the weekend or at night, or whenever she's been amazing, so-- and the whole team. Because I used to work in the Speaker's office as part of the emergency management team. So I'm very familiar with all the operations and everything else. So I commend you for everything that you've done.

So I have a couple of questions. One is on your testimony, you said that the projected fiscal year 2024 city tax levy, Personnel Services budget is \$9.6 million. And then you pointed out that \$1.5 million in funding is to actually work on increasing communication services to people with disabilities, access, and functional needs. Can you provide some detail on that?

COMMISSIONER ISCOL: Sure. So some of that is-- is staff lines and staff funding. Some of it is programmatic. ELISA, do you want to comment more on that, or Christina?

MS. UREÑA: Sure. Thanks Christina. The personnel budget covers the staff costs associated with the 16 staff members, and the programmatic costs cover a lot of our work. So it might be surveys that we have to do in making sure that the shelters are

1 COMMITTEE ON FIRE AND EMERGENCY MANAGEMENT 130

2 appropriate for people with disabilities, access, and  
3 functional needs. [TO DEPUTY COMMISSIONER FARRELL:]

4 What other kinds of programmatic work, Christina?

5 DEPUTY COMMISSIONER FARRELL: [TO MS. UREÑA:] A  
6 lot of outreach.

7 MS. UREÑA: A lot of outreach. So if we have to  
8 translate, sometimes we do it in Braille or in  
9 different languages. And so that's what the other-  
10 than-personal-funding goes towards.

11 DEPUTY COMMISSIONER FARRELL: Yeah, I'll just add  
12 a couple things. We had our 11th annual symposium  
13 focusing on communication and services for people  
14 with disabilities last week. We were able to do it  
15 hybrid for the first time, which was great and had a  
16 lot of-- we had Christina Curry, the MOPD  
17 Commissioner with us. And then also I wanted to--  
18 it's not CTL, but we, you know, the city is receiving  
19 disaster recovery funds through-- because of how  
20 hurricane Ida impacted us, and we'll be receiving  
21 some of that money. And a lot of that is focused on  
22 outreach, communication, the lessons we learned  
23 during Hurricane Ida. Some more to come.

24 COUNCILMEMBER SCHULMAN: So at some point, if you  
25 can-- if you can provide the committee with

information about how you reach out to people with disabilities, and whether it's hearing or sight or all of that, and so that-- because I'd love to get that out to my constituents. And, you know, please utilize us as a resource to, to get information out to people in the various communities and neighborhoods that we serve in New York City. You know, because I-- in my district, I actually have an organization called Alphapointe. I don't know if you're familiar with them. They are the-- the main organization in New York that deals with people with vision impairment and blind, and who are blind. And so if you're not familiar with them, and they are also partly right now in Councilmember Ariola's district. We would love to connect you with them. They provide an amazing service and they do employment services, they do all kinds of things. So maybe there's something we can incorporate in terms of emergency management outreach. So we'd love to do that.

COMMISSIONER ISCOL: Yeah, that would be great.

We have our Strengthening Communities Program, where we actually invest and build-- invest in committee-based organizations, nonprofit organizations, that we

1 COMMITTEE ON FIRE AND EMERGENCY MANAGEMENT 132

2 then work with them to develop emergency plans.

3 They're part of our network. We have 16 in place.

4 We just recruited an additional 21. But we'd love to

5 include them in that program. It comes with grant

6 funding with training, and we're specifically

7 targeting a couple-- oftentimes, the Strengthening

8 Communities Programs are based in specific

9 neighborhoods, with a neighborhood focus. We also

10 want to recruit a few that are citywide, but that

11 might focus on specific groups. And so we'd love to

12 plug them in.

13 COUNCILMEMBER SCHULMAN: Great. So I want to

14 just switch gears a little bit to the CERT program.

15 Can you provide examples and scenarios where CERT

16 would be deployed?

17 COMMISSIONER ISCOL: Sure. There's no shortage.

18 So everything from planned events, you know, like,

19 we've got a big parade coming up, St. Patrick's Day

20 parade. They'll be deployed there. They support

21 events like that, Thanksgiving Day Parade.

22 We also use them for opening up service centers.

23 You know, after the December storms, they were out

24 there Christmas weekend, helping register folks with

25 the-- with the Red Cross, making sure that people

1 COMMITTEE ON FIRE AND EMERGENCY MANAGEMENT 133

2 were cared for, helping provide food and shelter and  
3 services to people.

4 We also use them after an emergency for  
5 canvassing operations. We had a large sewer backup  
6 in the Bronx last year. An example of them doing  
7 work as they went door to door knocking on people's  
8 homes, handing out information on where they could  
9 apply for benefits or certain city programs, but also  
10 getting a sense of what the damages are in different  
11 communities.

12 There's a lot of different use cases for them.  
13 And they've been a fantastic resource and asset.

14 COUNCILMEMBER SCHULMAN: No, I appreciate that.  
15 Can I ask one more question?

16 CHAIRPERSON ARIOLA: Go ahead.

17 COUNCILMEMBER SCHULMAN: So do you still have--  
18 So during September, which is emergency management  
19 month, do you still have the programs for kids where  
20 you have like a superhero-- they have a superhero  
21 that goes out.

22 COMMISSIONER ISCOL: I mean, as the person who  
23 created the superhero, I'll defer to Christina  
24 Farrell on this one. She created the superhor and is  
25 a superhero.

1 COMMITTEE ON FIRE AND EMERGENCY MANAGEMENT 134

2 DEPUTY COMMISSIONER FARRELL: As long as I don't  
3 have to dress up. As long as I don't have to dress  
4 up. Yeah, we have Ready Girl, we actually have  
5 several Ready Girls now. We have ones that do their  
6 presentations in languages other than English. We  
7 have one that focuses on Staten Island.

8 So we do. So like you said, September is  
9 National Preparedness Month.

10 COUNCILMEMBER SCHULMAN: Right.

11 DEPUTY COMMISSIONER FARRELL: And we do  
12 presentations all around. I would also say that this  
13 year is the 20th anniversary of both Ready New York  
14 and CERT. They were both started in 2003 in the wake  
15 of 911. And so we're doing a lot of extra things  
16 this year to thank our CERT members. We have some  
17 that have been with us for 20 years incredibly, some  
18 that maybe weren't born 20 years ago. But they're  
19 all part of the family. And so, you know, we will  
20 do-- be doing lots of outreach throughout the year,  
21 but specifically in September.

22 COUNCILMEMBER SCHULMAN: I'd love to work with  
23 you on that get some schools in my district involved.  
24 And the other question I have is part of that, if you  
25 need more resources for that or more budget money,

please let us know, so that we can-- we can look at that.

DEPUTY COMMISSIONER FARRELL: One thing I-- as we end, I will just say we have the Ready School of the Year and Commissioner for a Day. Those are two programs that are active right now. I know we are-- and our gov team, Rachel has been sending information every week to electeds. But if there's a school in your district that you think is really well prepared that you want to recommend you can fill it out. And also if you have access to high school students, it's our third annual to have them write an essay, and then the winner comes and gets to hang out with us all day.

COUNCILMEMBER SCHULMAN: Okay, great. No, I appreciate that. If you can get information to us, that'd be great. Okay, thank you. I'm done.

CHAIRPERSON ARIOLA: And also your-- your willingness to table at all our events in the spring and summer, which is approaching, you know, it really meant a lot at the different events that we hold as Councilmembers because a lot of people come and get information. Or sometimes you have some PPE for them, you know, back when COVID was at its height.

2 So with regard to the PPE, there was an emergency  
3 stockpile. How-- where are we at with that emergency  
4 stockpile at this point?

5 COMMISSIONER ISCOL: So our emergency stockpile  
6 is fully stocked. We rotate items based on their  
7 expiration dates and use, but our stockpile is-- is  
8 fully up to date and fully stocked.

9 CHAIRPERSON ARIOLA: And is the stockpile  
10 rotation federally funded?

11 COMMISSIONER ISCOL: Yes, it is.

12 CHAIRPERSON ARIOLA: It is? Okay.

13 COMMISSIONER ISCOL: Right it's-- it's partially-  
14 - it's both. Its CTL and federally funded, depending  
15 upon the item.

16 CHAIRPERSON ARIOLA: So the recent influx of the  
17 asylum seekers has not depleted that stockpile?  
18 We're still in good shape?

19 COMMISSIONER ISCOL: No. It has not-- it has not  
20 dempleted our stockpile at all.

21 CHAIRPERSON ARIOLA: Okay, if we don't have any  
22 other questions, Madame? No?

23 COMMISSIONER ISCOL: All right. Thank you.



2 CHAIRPERSON ARIOLA: I want to thank you for your  
3 testimony. Thank you for coming. And thank you for  
4 being so prepared with your answers.

5 COMMISSIONER ISCOL: Thanks so much.

6 CHAIRPERSON ARIOLA: Thank you for the work that  
7 you're doing.

8 COUNSEL: Thank you folks. We will now turn back  
9 to public testimony to wrap up the hearing. We'll  
10 hear from John Rusk.

11 You can go ahead when you're ready.

12 MR. RUSK: Thank you very much. Good afternoon.  
13 So thank you for the opportunity to testify regarding  
14 a critical issue for the safety of our Brave New York  
15 City firefighters. This year the New York City  
16 Council is expected to see the Department of  
17 Buildings implement new rules for natural gas  
18 detectors. Detectors are expected to be required for  
19 all New York City dwellings where natural gas  
20 appliances exist, and these rules will require a  
21 substantial investment of time and resources by the  
22 FDNY.

23 These new requirements are part of Local Law 157,  
24 which was passed in 2016 after the devastating losses  
25 of eight lives and the 2014 East Harlem explosion and

two lives in the 2015 East Village explosion. Local Law 157 require the installation of smoke and carbon monoxide detectors, with the gas detector requirement being tabled until there was a national standard for natural gas detectors. Once that standard was established, the DOB was to promulgate a rule requiring all New York City dwellings to install natural gas detectors where natural gas appliances exist.

While most New Yorkers forgot Local Law 157 The National Fire Prevention Association and Underwriter Laboratories have been working with manufacturers to create a standard for natural gas detection. This past April, the National Fire Prevention Association published the standard for national gas detection, and the DOB is currently writing the regulation.

Today when the fire department receives a notification of a gas leak in a multi-tenant building, they must move slowly through the halls with their gas sensors with the hopes of finding the source of the gas leak before the gas concentration reaches explosive limits, a kind of terrible game of Russian roulette.

In recent years, new technology has emerged allowing cost-effective and wireless monitoring of many environmental conditions, including natural gas detection. This technology provides notification of a gas leak including the precise location of the leak within seconds of a leak reaching 10% of what it would take to explode.

Prompt notification sent to the fire department's dispatch providing the precise location of the leak along with the percentage of gas within the space allows firefighters to efficiently respond to a call. This technology provides continuous updates on gas levels, ensuring firefighters are constantly aware of the explosion risk, enabling a safer environment to address the call. While the sensors don't notify falsely, the fire department will be notified of many more gas leaks, both were the presence of leaks hadn't previously been noticed, or the requirement to notify authorities was less prevalent.

As the fire department deals with additional calls making New York safer for us all, the Council must prepare for additional dispatches as New York City makes itself safer from explosions and improves indoor air quality.

2 Thank you. I'm happy to answer any questions and  
3 have copies of this testimony and a white paper I  
4 wrote on gas monitoring for municipalities.

5 CHAIRPERSON ARIOLA: Thank you for your  
6 testimony.

7 MR. RUSK: Thank you very much.

8 COUNSEL: Thank you so much. Next we'll hear  
9 from Tim Heaton followed by Tom Lapolla.

10 MR. HEATON: I'm going to let Tom go first. He's  
11 better.

12 CHIEF LAPOLLA: All right. Good morning. My  
13 name is Tom Lapolla, And I was a battalion chief in  
14 the Fire Department of New York, working in that  
15 agency for 38 years before being forced into  
16 retirement last year. This is the first time I've  
17 appeared before this committee, and the second time  
18 giving testimony in this iconic chamber, and I  
19 greatly appreciate this opportunity. Thank you.

20 Acknowledging upfront that today this Committee  
21 is focusing on budgetary items specific to Emergency  
22 Operations. To be honest with you, my own experience  
23 with finances and budgets while employed by the city  
24 of New York was placing the Staples order for my  
25 firehouse when I was a young company officer. So

2 with that said, I'm obviously not qualified at this  
3 time to speak to the immediate budgetary concerns  
4 that this committee is charged with administering.

5 But I am here to give some insight into what I  
6 believe, can maybe be described as an existential  
7 budgetary threat, if you will.

8 The fire department in New York is currently  
9 undergoing an undiagnosed morale problem. One of the  
10 magnitude never witnessed by me throughout my lengthy  
11 career. The tragic events of 911 galvanized the  
12 members of this great department, and the  
13 firefighters and EMTs rose from the ashes, rebuilding  
14 this agency into the preeminent fire department it  
15 was before. But this morning, I'm here to address  
16 the current state of affairs of this department. I  
17 can attest that this malaise now affecting the  
18 membership began immediately when the vaccine  
19 mandates were implemented with unjust terminations  
20 and forced retirements as a result. Without  
21 question, the morale of this agency has been on a  
22 spiral decline ever since.

23 Yes, the fires still go out, and citizens can  
24 still rely on the men and women of this department to  
25 get it done. But can the men and women of this

department still rely on you, the City Council to support them? And I'm confident they can.

And as I suggested earlier, this is in my humble opinion, a threat to the overall effectiveness of the deployment and this needs to be addressed quickly by the Mayor and the council. Although most New Yorkers don't recognize this problem -- in fact, some of you on this committee may be unaware of it as well -- but the men and women of this department live it every day. Now, obviously, this was not started by the esteemed members of this committee, mind you, but it's a sobering development, nonetheless.

Unfortunately, no amount of budget calculations or number crunching can alter this downward trajectory. But I'm here to offer a respectful suggestion on how the city can begin to fix this problem. First, it must immediately rehire all those who unjustly lost their jobs, those who worked throughout the pandemic, at great peril to their own health, as well as to their families as well, with no strings attached, or the relinquishment of anyone's civil or legal rights. Because not until every single member of this department genuinely believes that their jobs are secure, and that the city sees

2 them as more than just a line item on the city  
3 budget, subject to the whims of politics, will this  
4 apartment begin to heal.

5 So I respectfully employ you do whatever you can,  
6 as a committee to get all these folks back to work as  
7 soon as possible, so that they can provide for their  
8 own families by once again protecting their lives,  
9 protecting the lives and property of the people of  
10 the city of New York, and investment in the future of  
11 this city no doubt, certainly not a budgetary  
12 constraint.

13 Thank you. And God bless you.

14 CHAIRPERSON ARIOLA: Thank you so much for your  
15 testimony. And I see you have a Bravest For Choice  
16 T-shirt on. We have worked very closely with the  
17 Ravens for choice and for-- with many who were in a  
18 predicament where they were on LWOP, or hadn't  
19 received the-- the answer for their appeal. And we  
20 successfully were able to get 16 firefighters back to  
21 duty.

22 That did not end with that we are continuing to  
23 work with retirees. And you saw I brought it up  
24 during the testimony, if you were here, that and  
25 working with the FDNY and the unions to make sure

2 that every single firefighter that either retired or  
3 was out on LWOP, or was-- never-- didn't receive  
4 their-- their appeal, are rehired, and they're all  
5 given the outreach and the length of time to do so,  
6 not being notified today for a five o'clock deadline.

7 So, you know, we're with you.

8 CHIEF LAPOLLA: I know that and can I take one  
9 moment just to thank you publicly for what you've  
10 done, for the members of this department. I  
11 personally-- I've retired, I was forced to retire.  
12 I'm not coming back. But I love this job more than  
13 you know, I'm the son of in New York City fireman.  
14 And I love the men and women in this department, and  
15 what you've done for them, I want to publicly thank  
16 you, your staff and all your peers that have assisted  
17 these men and women. Thank you very much.

18 CHAIRPERSON ARIOLA: Yeah. It was a group  
19 effort--

20 CHIEF LAPOLLA: I greatly appreciate it.

21 CHAIRPERSON ARIOLA: We will continue to fight.  
22 Thank you.

23 CHIEF LAPOLLA: Thank you.

24 CHAIRPERSON ARIOLA: And thank you for the  
25 acknowledgement.



LIEUTENANT HEATON: Yeah. My name is Tim Heaton. I was a lieutenant in the FDNY until I was terminated in July of 22 for not getting the shot.

I'm a horrible public speaker and what I learned in a previous testimony that I can't read well either when-- so-- so I didn't prepare anything. But I did want to say that there are-- with the budget discussion earlier with the overtime and stuff like that, there's a couple 100 of us that want to come back and just haven't been allowed to. Now the commissioner said that, you know, they're working through the process or whatever, but they're using the old process, whereas when you retired, you have up to a year to reapply. That should be streamlined. I mean, we all should-- We all want to come back. We shouldn't have to jump through every hoop that they put people through, back in different times.

And additionally, I got a, I got a termination letter from certified mail from the personnel department. They certainly-- nobody's called me, nobody's reached out to me, the union's haven't done anything.

Certainly the personnel department has some people around that they could send out a certified

letter to everyone who left the service from 20--  
from 2020 until now, asking them if they'd be  
interested in coming back. I don't think that's too  
much to ask. And I would suggest that you ask for a  
regular update from the department. Because they're  
just-- they just keep, you know, putting hoops up.  
And then we've got to jump through that, and the next  
one, and they put that up, and it continues. And  
basically they're just stringing us out.

And I'm probably not going to have another  
testimony chance for another year. So I don't want  
to be back in this position a year from now. Like  
said, we all want to go back. But they're not making  
it easy. The one gentleman with our group sent six  
e-mails and four phone calls, and still two weeks  
later, he hadn't heard anything. So they-- they  
certainly, they seem to want us all to go away, and  
it be over, both the department and the unions and  
with-- hopefully with some pressure from City  
Council. The Mayor's Office obviously is against us.  
They keep losing, and he keeps throwing up Hail  
Marys, and we're stuck with waiting for the end. The  
game's over. I think it's, like you've pointed out,

it's time for us to get back to work. And nobody's helping us-- or making it easy, at least.

CHAIRPERSON ARIOLA: Well, thank you for coming out today to testify. And don't ever say that you're not a good public speaker, because you did a really great job and articulated the issue and the obstacles. So thank you so very much.

LIEUTENANT HEATON: Oh, and just one additional thing, going back to the fifth man on the engines, every engine in the city should have the fifth man.

The fact that the Chief Hodgens didn't specify that is kind of stunning, but the band aid that DeBlasio agreed to with the unions through collective bargaining was a band aid to fix a problem that had been lost through the courts in decades previously. But the fifth man is a necessity for every engine in the city, and not just the 20 that they agreed to. And that's a budgetary issue that-- that hopefully the City Council can address as well.

CHAIRPERSON ARIOLA: Thank you.

COUNSEL: Thank you so much. We're going to now turn to some focus on Zoom. In first hear from Lyric Thompson, followed by Krista Odia, and Juan Calcutta.

So Lyric you may begin when you're ready, and we'll unmute you shortly. One sec. Go ahead.

MS. THOMPSON: Hi, good afternoon Council. My name is Lyric Thompson. And I would like to speak today briefly about fire safety, and HPDs lack of training with regard to the NFPA standards that govern doors.

A little over a year ago, we lost 17 people due to smoke inhalation, due to non code compliant doors. I-- in our-- in our building, we have fought with HPD for eight years over our doors, which are far from code compliant. For the first four and a half years we had a non-fire-rated door on our building that was never supposed to be there.

It took four and a half years to get HPD to finally acknowledge that and write violations for that. We still have issues with our doors, and our doors being fire rated and up to the NFPA standards. Over the year I have learned that HPD doesn't train their employees in this standard. Councilmember Ariola, how is HPD supposed to enforce the standard they have never been trained in? And that's actually a question I'd like answered, if someone could answer

that from the City Council, I would be very appreciative?

CHAIRPERSON ARIOLA: Is that the end of your testimony?

MS. THOMPSON: No, that's a question because depending--

CHAIRPERSON ARIOLA: Well, you have-- you're going to have--

MS. THOMPSON: --on what you say, I have to take it further.

CHAIRPERSON ARIOLA: This is a budget hearing, but we will be having oversight hearings and HPD will be present. And then HPD can answer that question because I know, Lyric, that this is something that is very important to you, which makes it very important to me. And we did have a hearing not too long ago but it had to be deferred. That hearing will be rescheduled, and I'm hoping that you're available to come on because I do agree with you that there is-- I don't I don't know about the lack of training but I do know that there is a lack of-- of oversight on the latching of the doors in multiple dwellings.

MS. THOMPSON: Well, currently right now HPD is refusing to write violations on our non latching

2 doors because they've backed themselves into a corner  
3 by telling our landlord that they're fine. They're  
4 perfectly okay. She's just a bad tenant.

5 Now, the Department of Buildings just left  
6 probably about 20 minutes ago, they documented the  
7 door is not latching. They are in the same condition  
8 as they were in December when the Channel 12 story  
9 came out. They are in the same condition they were  
10 with in October when the New York Times story came  
11 out.

12 Now, I can tell you unequivocally without  
13 hesitation that HPD does not-- they either don't know  
14 the standards and have not been properly trained, or  
15 they are refusing to enforce the standards on the  
16 books.

17 I think it is the first one. They're not--  
18 they're not trained in the standards, the class that  
19 they would need to take to educate themselves  
20 regarding these standards is a 52 minute class, NFPA  
21 80 class, they can take either through the Buildings  
22 College, or you know, through the fire department.

23 I'm very disheartened when I hear from HPD that  
24 our doors have now become a political issue. One of  
25 the reasons that this is so important to me is not

1 COMMITTEE ON FIRE AND EMERGENCY MANAGEMENT 151

2 only seeing what's happened in my building, where we  
3 have had years of revolving violation written and  
4 removed--

5 SERGEANT AT ARMS: Time expired.

6 MS. THOMPSON: --but also the fact that it  
7 affected door hardware--

8 CHAIRPERSON ARIOLA: I'm just going to ask you to  
9 wrap up because we have--

10 MS. THOMPSON: --that had to be removed by the  
11 fire department six days after HPD said it was fine.  
12 This is an issue that is extremely important for not  
13 only the citizens safety, but the safety of our first  
14 responders that show up to save us.

15 CHAIRPERSON ARIOLA: I agree. I 100%. Agree. I  
16 look forward to the new-- for that hearing to be  
17 rescheduled. And I look forward to your testimony  
18 that day. Thank you for testifying today.

19 MS. THOMPSON: Thank you. Do we have any idea  
20 when that hearing might be?

21 CHAIRPERSON ARIOLA: I don't have a date yet.  
22 But as soon as we do, I'm sure that my Chief of Staff  
23 Phyllis will send you over all the information to  
24 come on and be a Zoom participant. Thank you.

25

2 MS. THOMPSON: I look forward to it. Thank you,  
3 Councilperson.

4 COUNSEL: With that, next we'll turn to Krista  
5 O'Dea, followed by Juan Calcutta. Krista, you may  
6 begin. Let's unmute you.

7 MS. O'DEA: Hi, Councilmembers. Can you hear me  
8 all right. Hello, can you hear me?

9 SERGEANT AT ARMS: Yes, we can hear you.

10 MS. O'DEA: Okay. Okay. Thank you. Hi, my name  
11 is Krista O'Dea. de and I was terminated from the  
12 fire department in March of 2022 due to the vaccine  
13 mandate. At the time, I was a 17-year veteran to the  
14 company beginning my career in 2005 as an EMT, and  
15 working my way up to a paramedic, hazardous materials  
16 trained paramedic, and finally rescue paramedic. I  
17 graduated from Medic Basic Nine in 2008 and was paid  
18 to be trained solely by the FDNY EMS Academy. I was  
19 also paid to attend and train as a hazardous  
20 materials technician by the FDNY and EMS Haz-Tech  
21 Battalion. And lastly, I was paid to attend and  
22 train as a rescue paramedic by the same FDNY and EMS  
23 Haz-Tech Battalion.

24 The training and investment did not stop there.  
25 Every year I was paid to upkeep the above



1 COMMITTEE ON FIRE AND EMERGENCY MANAGEMENT 153

2 certifications by attending New York State DOH  
3 refresher courses, continued medical education  
4 lectures, REMAC exams, hazmat refreshers, and rescue  
5 refreshers. Add to that the amount of money for  
6 staff to be paid to train me and the number  
7 multiplies exponentially. It is abundantly clear  
8 that the amount of money that was poured into my  
9 career by the FDNY was an investment for the FDNY. I  
10 was a highly specialized member of the EMS service  
11 with almost two decades of experience.

12 I was placed on leave without pay on February 25,  
13 2022, and terminated from my employment as a rescue  
14 paramedic with FDNY on March 15, 2022. All of the  
15 money invested into me by the FDNY over the course of  
16 17 years, simply thrown away. In addition, I was  
17 full time on the truck 2 rescue tour 3, which is the  
18 overnight tour servicing the Parkhill section of  
19 Staten Island. Since then, how much overtime was  
20 paid to cover my vacancy?

21 To be clear rescue paramedics are the most highly  
22 paid paramedics within the FDNY. In order to run a  
23 truck with a rescue designation. There has to be one  
24 fully trained rescue paramedic riding. How many  
25 times did the FDNY have to pay overtime to a rescue

1 COMMITTEE ON FIRE AND EMERGENCY MANAGEMENT 154

2 paramedic to have my position covered for 48 36-hour  
3 two-week rotation over the course of the last year?  
4 How many times did the rescue unit run down due to my  
5 termination? How many already disadvantaged people  
6 suffered from not having an ambulance respond to the  
7 emergency as quickly as possible when overtime wasn't  
8 covered?

9 The FDNY has paid tens of thousands if not  
10 hundreds of thousands in overtime to cover the shifts  
11 of those who were terminated, forced to retire, and  
12 placed on LWOP. And here we are, over a year later.  
13 being asked to waive our rights to backpay, waive our  
14 rights to take legal action, and waive our civil  
15 service rights if we would like the opportunity to be  
16 considered for reinstatement. What incentive to  
17 return to the FDNY is this is? Is the FDNY  
18 complacent with paying overtime to cover the shifts  
19 of terminated members instead of hiring them back  
20 with no strings attached? Is the FDNY complacent  
21 with running an EMS service that works on a skeleton  
22 crew regularly as per our union, President Oren just  
23 stated earlier in this hearing, relying on overtime  
24 to fill standard shifts? Are the residents of New  
25 York City not afforded the safety of having an

2 ambulance cover their neighborhood? How about the  
3 amount of money poured into specially trained members  
4 like myself?

5 SERGEANT AT ARMS: Thank you. Your time has  
6 expired.

7 MS. O'DEA: Does the FDNY have an abundant amount  
8 of funds to simply throw away their investments?  
9 There have been enough double standards,  
10 discrimination, and pointing of fingers over the last  
11 three years. Who will be brave enough to make things  
12 right? Thank you.

13 CHAIRPERSON ARIOLA: Thank you so much for your  
14 testimony.

15 COUNSEL: Great, thank you so much.

16 We have one more person here in person and then  
17 we will turn back to Zoom. So we'll hear from Noelle  
18 Peñas from the New York Lawyers for Public Interest

19 You may begin when you're ready.

20 MS. PEÑAS: Good afternoon. My name is Noelle  
21 Peñas and I am the Health Justice Community Organizer  
22 at New York Lawyers for the Public Interest. Thank  
23 you for the opportunity to present testimony today.  
24 I'm here to specifically speak on the funds in the  
25 fire department budget allocated to BEHERD or

2 Behavioral Health Emergency Assistance Response  
3 Program. BEHERD is a deeply flawed pilot program,  
4 introduced in 2021 by the city via its Mayor's Office  
5 of Community Mental Health.

6 NILPI is part of the coalition, Correct Crisis  
7 Intervention Today, also known as CCIT-NYC, which has  
8 proposed an alternative program for a non-police  
9 response system.

10 The Coalition which holds over 80 member  
11 organizations seeks to replace the BEHERD pilot  
12 program with a proven, peer-driven, non-police Mental  
13 Health Crisis Response System. Although BEHERD  
14 claims to be responsive to the need to cease  
15 individuals experiencing mental health crises from  
16 being killed by police, it actually extends the  
17 city's long tradition of policing and criminalizing  
18 people with mental disabilities without giving them  
19 the care that they need. Disturbingly, 84% of all  
20 calls in BEHERD's precincts continue to be directed  
21 to the NYPD even 12 months after its kickoff.

22 The entire program is run by the fire department  
23 and other city agencies with no role whatsoever for  
24 community organizations. The training of the teams  
25 does not require a trauma informed framework, nor

2 does it require skill and instructors who are care  
3 providers or peers with lived experience.

4 Anticipated response times to crisis calls can be as  
5 long as half an hour. The pilot program operates  
6 only 16 hours a day. There are no outcome or  
7 effectiveness metrics. And there is no oversight  
8 mechanism.

9 All of these flaws are resolved and addressed and  
10 the CCIT-NYC proposal. Our coalition's proposal is  
11 based on a highly successful Oregon program called  
12 CAHOOTS, Crisis Assistance Helping Out On The  
13 Streets, that has a 35-track-year-record of success,  
14 responding to mental health crises without causing a  
15 single serious injury. Elements of this model  
16 proposes teams of trained peers and emergency medical  
17 technicians who are independent of city government,  
18 and teams run by culturally competent organizations.  
19 The model also proposes 24/7 operating hours, calls  
20 routed to 988 rather than city operated 911, and  
21 oversight by an advisory board a 51% or more peers.

22 The budget should be used to create a program  
23 based on the CAHOOTS model instead. Community  
24 response programs have been shown not just to reduce  
25 fatal encounters and free up valuable police

2 resources, but to also generate net positive  
3 financial and social benefits.

4 NYLPI is asking today for the City Council to  
5 support the CCIT-NYC proposal by funding it including  
6 utilizing the budget allocated to BEHERD, which is a  
7 far less effective program.

8 NYLPI is also asking City Council to enact this  
9 proposal until legislation. Thank you and that  
10 concludes my testimony.

11 COUNSEL: Great, thank you so much for your  
12 testimony. We'll now wrap up public testimony on  
13 zoom with Mr. Juan Calcutta.

14 Once unmuted, you may begin.

15 One sec. Yeah. I did. Juan Calcutta, go ahead.

16 We can't hear you. If you are there to testify  
17 please speak up. If not, I will wrap up shortly.

18 Finally, we'll ask-- going once. Going twice.

19 Okay. With that we have one more person  
20 registered Mr. Stein.

21 And seeing there is no other individuals here  
22 present, giving Mr. Calcutta one more time to see if  
23 you're available. If not, we will move on. Okay.

24 Okey doke. And with that, we will turn back to  
25 the Chair to-- to close things out. Thank you.

2 CHAIRPERSON ARIOLA: So this concludes our Fire  
3 and Emergency Management budget hearing. And I've  
4 thanked them before but again, I cannot do it without  
5 the amazing team that is here with me today,  
6 including our Sergeant at Arms that put together all  
7 of our online Zoom interactions. So thank you so  
8 very much and have a great rest of the day, everyone.

9 [GAVEL]

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C E R T I F I C A T E

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



Date 03/17/2023