

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON TRANSPORTATION AND
INFRASTRUCTURE

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May 30, 2024
Start: 10:18 a.m.
Recess: 12:20 p.m.

HELD AT: COMMITTEE ROOM - CITY HALL

B E F O R E: Selvena Brooks-Powers, Chairperson

COUNCIL MEMBERS:

Joann Ariola
Chris Banks
Amanda Farías
Farrah N. Louis
Mercedes Narcisse

OTHER COUNCIL MEMBERS ATTENDING:

Rita C. Joseph
Gale A. Brewer
Lincoln Restler

A P P E A R A N C E S

Margaret Forgione, First Deputy Commissioner of the New York City Department of Transportation

Paul Schwartz, Deputy Commissioner for Bridges of the New York City Department of Transportation

Rick Rodriguez, Assistant Commissioner for Intergovernmental and Community Affairs of the New York City Department of Transportation

Kimberly Cipriano, Deputy Chief Operating Officer of the New York City Department of Environmental Protection

Thomas Wynne, Deputy Commissioner of Infrastructure at the New York City Department of Design and Construction

Sarah Neilson, Chief of Policy and Long-Range Planning at the New York City Department of Parks and Recreation

Terence McCormick, Assistant Commissioner for Architecture and Engineering Program Management at the New York City Department of Parks and Recreation

Mark Drury, Chief of Citywide Legislative Affairs at the New York City Department of Parks and Recreation

Sharon Brown, self

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

Raul Rivera, TLC driver and a TLC driver advocate

Glen Bolofsky, Parkingticket.com

Tashia Lerebours, Transportation and Voting
Community Organizer for Center for Independence
of the Disabled New York

2 SERGEANT-AT-ARMS: Good morning, this is a
3 microphone check for the Committee on Transportation
4 and Infrastructure. Today's date is May 30, 2024,
5 located in the Committee Room. Recording done by
6 Pedro Lugo.

7 SERGEANT-AT-ARMS: Good morning, and
8 welcome to the Committee on Transportation and
9 Infrastructure.

10 At this time, can everybody please
11 silence your cell phones.

12 If you wish to testify, please come up to
13 the Sergeant-at-Arms' desk to fill out a testimony
14 slip. Written testimony can be emailed to
15 testimony@council.nyc.gov. Again, that is
16 testimony@council.nyc.gov.

17 At this time and going forward, no one is
18 to approach the dais. I repeat, no one is to approach
19 the dais.

20 Chair, we are ready to begin.

21 CHAIRPERSON BROOKS-POWERS: Thank you, and
22 good morning. Thank you all for attending the hearing
23 on Committee on Transportation and Infrastructure.
24 This hearing is focused on future-proofing New York
25

2 City's infrastructure to be prepared for everyday and
3 once-in-a-generation challenges we will face.

4 I would like to thank my Colleagues who
5 are present here today, Council Member Rita Joseph.

6 As a city of islands with 520 miles of
7 shoreline, a hurricane season that has increased in
8 severity over the last few decades, it is imperative
9 that our infrastructure is prepared for the future.

10 Beyond the issues and concerns we are aware of, in
11 March, with the collapse of the Francis Scott Key
12 Bridge in Baltimore, we must be more intentional in
13 preparing our infrastructure. Today, I am expecting
14 to hear from various City agencies that are tasked
15 with planning, building, and inspecting our
16 infrastructure to make sure we are proactive.

17 I am particularly interested in hearing
18 how our bridges, sewers, and streets are maintained,
19 repaired, and improved. The Department of
20 Transportation owns, operates, and maintains hundreds
21 of bridges that New Yorkers use every day. These are
22 vital arteries, and it is important that not just the
23 Department of Transportation continues the important
24 maintenance and repair work for these bridges, but
25

2 also that the Council and everyday New Yorkers know
3 the state of our bridges.

4 In the past, the Department of
5 Transportation published an annual report on the
6 state of our bridges as well as included information
7 about bridge conditions in the Mayor's Management
8 Report. Since 2021, the Department of Transportation
9 has not released a bridge report or included bridge
10 grading data in the Mayor's Management Report. During
11 today's hearing, I would like to hear about the state
12 of the bridges, but also when DOT will begin sharing
13 inspection data with the public and what form that
14 will take.

15 Our sewers are another vital piece of
16 infrastructure that New Yorkers rely on every day.
17 Some of our sewer pipes are reaching 100 years old.
18 Thus, it is imperative that we as a City maintain and
19 improve such infrastructure to ensure that we can
20 handle the increased flooding and rain we are seeing
21 due to climate change. I am very interested to hear
22 how the Department of Environmental Protection,
23 Department of Design and Construction, and the
24 Department of Transportation all work together to
25

2 maintain the important piece of our city for today
3 and for tomorrow.

4 Finally, I would like to examine our
5 roads with a particular focus on innovation and
6 coordination. The Department of Transportation has
7 led the country in the use of recycled asphalt
8 pavement, and we should continue to set a national
9 example as we prepare our city for the future. I'm
10 very interested to hear about the results of a number
11 of pilots the Department of Transportation has
12 undertaken, particularly the use of plastic additives
13 from waste that would have otherwise gone to a
14 landfill. I am encouraged by the Department of
15 Transportation's commitment to use new technology to
16 maintain and upgrade our infrastructure and want to
17 know how we at the Council can support and build on
18 their efforts.

19 We will also be hearing two pieces of
20 legislation today. First, Introduction 272, sponsored
21 by Council Member Rita Joseph, would require a
22 capital plan and timeline for installing public
23 bathrooms across the city. I will now turn to Council
24 Member Joseph to talk about her bill.

2 COUNCIL MEMBER JOSEPH: Thank you, Chair
3 Brooks-Powers. Good morning, everyone.

4 Today I'm pleased that the Members of
5 this Committee on Transportation and Infrastructure
6 are hearing the bill, Intro. 272. It was an
7 introduction in collaboration with Mark Levine,
8 Manhattan Borough President. Intro. 272, which is
9 part of my Bathroom Bill Initiative Package, is a
10 local law in relation to a capital plan and timeline
11 for installing public bathrooms in New York City.
12 This bill will require that the Mayor designate an
13 agency or office in coordination with Department of
14 Parks and Recreation and the Department of
15 Transportation to develop a report that proposes a
16 capital project plan and implementation timeline for
17 the installation and maintenance of public bathroom
18 facilities. Each of the sites to be identified
19 pursuant to Introduction 258-A, a Local Law that
20 reports on suitable locations for installing public
21 bathrooms. This bill was passed and adopted last
22 session. The report would further propose the scope
23 of project, estimated costs, potential funding
24 sources, and appropriate maintenance schedules for
25 each facility. The bill would also require the lead

2 agency office to consider relevant population data
3 and social and equity indicators and to consult with
4 qualified City entities regarding foreseeable
5 challenges to the facility installation and
6 maintenance. As Manhattan Borough President Mark
7 Levine said before and I repeat it here, the
8 troubling of deficit public restroom is not an
9 inconvenience, it's a matter of equity, public
10 health, sanitation, and basic human rights. In the
11 hearing the bill is getting passed, we are showing
12 New Yorkers that we have been listening to their
13 requests on the issue and demonstrating our
14 commitment for their well-being. Furthermore, we're
15 telling visitors and tourists that we welcome them to
16 our great city. I'm looking forward to hearing the
17 testimony from City agency, different groups about
18 the bill. Again, thank you for your collaboration.
19 Thank you, Chair. This has been a day in the making.
20 I've been pushing for bathroom bills as a mom, as a
21 forever educator who would go on trips and look for
22 restrooms for our students to use while we were on
23 trips so this is important for someone who has an
24 older mom, and I know all my older New Yorkers would
25 relate to this, having taken their medication,

2 looking for restrooms, dads, moms, and all of those
3 who use public restrooms so I look forward to working
4 with you guys and creating this amazing project.

5 Thank you.

6 CHAIRPERSON BROOKS-POWERS: Thank you,
7 Council Member Joseph, looking forward to seeing this
8 through alongside you.

9 Second Introduction number 574, sponsored
10 by Council Member Gale Brewer, would require a
11 website that would serve as the main source of
12 information about the open spaces under the control
13 of the City. Any events taking place at those spaces
14 and information about any permits needed to use those
15 spaces.

16 Before we begin, I'd like to acknowledge
17 that we've been joined by Council Member Ariola, and
18 I would also like to thank my Staff and Committee
19 Staff for their hard work, Kevin Katowski, Senior
20 Policy Analyst; John Basile, Senior Policy Analyst;
21 Mark Chen, Senior Counsel to the Committee; Connor
22 Mealey, Counsel to the Committee; Renee Taylor, my
23 Chief-of-Staff; Julian Martin, my new Legislative and
24 Budget Director; and Kierra Powell, my Communications
25 Director.

2 I will now ask the Committee Counsel to
3 swear in representatives from the Administration.

4 Before you do that, I'd like to publicly
5 thank the Department of Transportation for getting
6 your testimony over prior to today. I appreciate it.
7 It is helpful because we were able to adjust our
8 questions in my opening statement based on that and,
9 again, I think it will lead for having a much more
10 productive and informed conversation today so I've
11 publicly bashed you for not having it, so I will
12 publicly thank you for having it.

13 Also, we've been joined by my Colleague,
14 Council Member Mercedes Narcisse.

15 COMMITTEE COUNSEL: If you could all raise
16 your right hand.

17 Do you swear to tell the truth in your
18 testimony before this Committee and answer Council
19 Member questions truthfully?

20 ADMINISTRATION: (INAUDIBLE)

21 COMMITTEE COUNSEL: Thank you.

22 FIRST DEPUTY COMMISSIONER FORGIONE: Good
23 morning, Chair Brooks-Powers and Members of the
24 Committee on Transportation and Infrastructure. I am
25 Margaret Forgione, First Deputy Commissioner at the

2 New York City Department of Transportation. With me
3 today are Deputy Commissioner of Bridges and Chief
4 Bridge Officer, Paul Schwartz, and Assistant
5 Commissioner for Intergovernmental and Community
6 Affairs, Rick Rodriguez. We are also joined by the
7 Department of Environmental Protection's Deputy Chief
8 Operating Officer, Kim Cipriano, and the Department
9 of Design and Construction's Deputy Commissioner of
10 Infrastructure, Thomas Wynne, and the Department of
11 Parks and Recreation's Chief of Policy and Long-Range
12 Planning, Sarah Neilson, and Assistant Commissioner
13 for Architecture and Engineering Program Management,
14 Terence McCormick. Thank you for the opportunity to
15 testify on behalf of Mayor Adams and Commissioner
16 Rodriguez on how the City is future-proofing our
17 infrastructure.

18 I want to begin by giving an overview of
19 New York City DOT's bridges. New York City DOT owns,
20 operates, and maintains 809 bridges throughout New
21 York City. The Brooklyn, Manhattan, Williamsburg, and
22 Queensborough bridges are some of our most notable
23 bridges, but our inventory is as diverse as the City
24 itself. DOT operates 23 movable bridges, such as the
25 Pulaski Bridge over Newtown Creek and the swing-span

2 Willis Avenue Bridge over the Harlem River that
3 connects Manhattan and the Bronx. Additionally, DOT
4 provides capital rehabilitation for 53 culverts, or
5 tunnels, that direct water away from roads and
6 inspects and repairs over 600 retaining walls. New
7 York City DOT's vast web of bridges is in the hands
8 of experienced engineers in DOT's Division of
9 Bridges. Specializing in structural, mechanical,
10 electrical, environmental, geotechnical, and civil
11 engineering, our team oversees the design,
12 construction, and maintenance of DOT's inventory.

13 Safety is our top priority at New York
14 City DOT, and all of our bridges are safe. DOT's
15 bridges are inspected at least once every two years,
16 in line with federal mandates, but more often if
17 determined necessary. The New York State Department
18 of Transportation hires licensed engineering
19 consultants to perform these biennial inspections for
20 all bridges except pedestrian bridges and bridges
21 less than 20 feet in length. The remaining bridges
22 are inspected by New York City DOT's inspection team
23 of licensed professional engineering consultants.
24 These inspections allow us to determine specific
25 rehabilitation or corrective repair needs. Ninety-

2 nine percent of our bridges are in fair, good, or
3 very good condition. The seven bridges that are rated
4 poor are in the current Fiscal '24 to '33 Capital
5 Plan and continue to be safe for their allowed uses.

6 New York City DOT has a robust capital
7 bridge project portfolio. At 12.4 billion, nearly
8 half of the agency's Fiscal '24 to '33 Capital Plan
9 is devoted to bridge reconstruction and
10 rehabilitation. We hire consultants to design,
11 construct, and provide on-site oversight for the
12 majority of our bridge capital contracts. At any
13 given time, we have between 25 and 40 capital bridge
14 project contracts underway. The scope of these
15 projects is unique to each individual bridge and
16 range from full reconstruction to targeted repairs of
17 specific bridge components. The purpose, however, is
18 the same, to extend the useful life of the bridge and
19 protect the safety of New York City travelers.

20 In addition to capital projects, New York
21 City DOT has in-house tradespeople who can be
22 deployed on demand as well as our when-and-where
23 contractors capable of responding quickly to urgent
24 conditions. We also have preventive maintenance
25

2 contracts for the maintenance and preservation of the
3 East River and movable bridges.

4 Turning to bridge ratings and how New
5 York City DOT determines the overall condition of our
6 bridges. DOT has a clear understanding of the
7 condition of our entire inventory of bridges, but
8 coming up with a translatable rating is a complicated
9 process. Prior to 2016, in conformance with New York
10 State DOT standards, New York City DOT generated an
11 overall condition rating for vehicular bridges under
12 a one to seven scale, with one indicating structural
13 failure and seven indicating new condition. This
14 changed in 2016, when the American Association of
15 State Highway Transportation Officials came out with
16 an element rating system, which breaks down each
17 bridge component into four condition states, ranging
18 from good to severe, and replaces qualitative ratings
19 with quantitative assessments. This new federal
20 rating system, however, does not prescribe an overall
21 bridge condition rating.

22 Because the New York City Charter
23 mandates an overall bridge condition rating, City DOT
24 worked with State DOT to develop an overall bridge
25 condition rating that is consistent for all bridge

2 types. Together, we developed a new calculated
3 condition rating scale that is based on three
4 National Bridge Infrastructure ratings, NBI deck, NBI
5 superstructure, and NBI substructure. These ratings
6 are then given relative weights based on their
7 overall importance and are now referred to as NBI
8 weighted and are on a scale of zero to nine. We then
9 translate these ratings into our verbal condition
10 ratings of poor, zero to four; fair, 4.01 to 6.4;
11 good, 6.41 to 7.7; and very good, 7.71 to 9. We will
12 use these ratings in the next Annual Bridge and
13 Tunnel Report that we are releasing in the coming
14 months.

15 On tunnels, City DOT maintains four
16 vehicular tunnels and one pedestrian tunnel. These
17 include the Park Avenue Tunnel, First Avenue Tunnel,
18 Battery Park Underpass, West Street Underpass, and
19 the 191st Street Pedestrian Tunnel. Like our bridges,
20 our tunnels are inspected on a two-year cycle
21 according to federal mandates by our in-house
22 inspectors and consultants. We are also looking at
23 ways to make our tunnels more resilient to changing
24 climate and increased flooding. This year, we are
25 looking to award a contract to install flood

2 protection at the Battery Park Underpass and West
3 Street Underpass, consisting of flood-proof gates and
4 doors to protect the tunnel and its ventilation
5 structures.

6 Aside from bridges and tunnels, New York
7 City DOT is responsible for operating and maintaining
8 6,300 miles of roadway and highways and also has
9 jurisdiction over 12,000 miles of sidewalk. All New
10 Yorkers use roadways and sidewalks to get around,
11 whether by foot, bike, wheelchair, bus, car, or other
12 modes, and all of our goods travel to their final
13 destinations on our streets. Maintaining streets in a
14 state of good repair is a central part of DOT's
15 mission and is essential to the quality of life and
16 economic success of the City. DOT resurfaces roadways
17 to address problems on the surface, including
18 cracking, patching, and peeling by replacing the top
19 layer of asphalt pavement. This extends the roadway's
20 lifespan and helps prevent potholes. The more we
21 pave, the fewer potholes we need to fill. DOT's
22 budget has baseline funding for resurfacing of 1,100
23 lane miles and up to 50 miles of protected bike lanes
24 each year. In addition to our resurfacing work, DOT
25 crews also fix potholes. We are committed to timely

2 response to pothole complaints and respond in about
3 two days unless there are underlying conditions that
4 require a larger project.

5 New York City needs the tools to build
6 faster, better, and more efficiently for all of its
7 capital projects. For this reason, the City is
8 working with the Senate and Assembly on our
9 Alternative Delivery Bill that would allow the City
10 to use Progressive Design Build to speed up
11 procurement on capital projects through a one-step
12 process that allows early work to start sooner than
13 under a traditional design-bid-build model. This
14 would help the City deliver projects faster and keep
15 assets in a state of good repair. Progressive Design
16 Build is being used around the country as well as
17 here in New York City by the Battery Park City
18 Authority to deliver 8,000 linear feet of coastal
19 flood protection. New York City should be able to use
20 this important tool to deliver projects that will
21 benefit New Yorkers throughout the City.

22 Now turning to the legislation before the
23 Council today. First, Intro. 272 sponsored by Council
24 Member Joseph. This bill will require the City to
25 develop a capital plan and implementation timeline

2 for installing public restrooms at locations
3 identified in the report required by Local Law 114 of
4 2022. The City supports expanded access to public
5 restrooms for all New Yorkers. The City and its
6 partners currently operate 1,066 public restrooms
7 citywide, covering 98 percent of the city.

8 Additionally, the report New York City Parks and DOT
9 published pursuant to Local Law 114 of 2022

10 identified 151 additional restroom sites across the
11 five boroughs, many in city parks. These sites
12 include 55 planned projects to construct new public
13 restrooms, all of which are in progress and expected
14 to be completed within the next few years, as well as
15 96 additionally potentially feasible sites. As the
16 report also notes, DOT plans to move forward with a
17 stakeholder approval process for 10 automatic public
18 toilet sites, which are installed and maintained by
19 the City's Coordinated Street Furniture Franchisee,
20 JCDecaux, and are not capitally funded. This
21 Administration does not support this bill as written.
22 Capital planning is a collaborative process between
23 the Agencies, City Hall, and the Council. The
24 planning must take into consideration the overall
25 capital needs of the City and standard project

2 scheduling challenges. The Administration would like
3 to work on this bill to ensure flexibility is
4 maintained as the City undertakes large-scale
5 infrastructure priorities.

6 Finally, on Intro. 574, sponsored by
7 Council Member Brewer, which would require DOT to
8 create a website that provides expanded information
9 about open spaces on an open space coordination
10 platform. DOT is proud of the public spaces we
11 provide to New Yorkers, including our pedestrian
12 plazas and open streets, where we support programming
13 and events to create vibrant public spaces. Putting
14 on these events often requires input from multiple
15 agencies, which includes the Mayor's Office of
16 Citywide Event Coordination and Management, which
17 helps to oversee and coordinate. Events can also
18 happen in spaces owned by other agencies that DOT
19 does not have jurisdiction over, such as Parkland.
20 CECM posts a number of resources, guides, event
21 details, and other information on its websites about
22 using the City's different public spaces for events
23 and programming. For our part, DOT posts details
24 about the days and times when our public spaces are
25 open to the public on our website. Sister agencies

2 that manage public spaces also do the same. The
3 Administration would be happy to continue
4 conversations with the Council about how to best
5 coordinate the use of the City's many public spaces.

6 In conclusion, I would like to thank the
7 Council for the opportunity to testify before you
8 today. We are proud of the work that we do to keep
9 the City's infrastructure in a state of good repair,
10 work that will benefit New Yorkers for generations to
11 come. We would now be happy to answer any questions.

12 CHAIRPERSON BROOKS-POWERS: Thank you. I'd
13 like to acknowledge that we've been joined by
14 Majority Leader Amanda Fariás and Council Member
15 Chris Banks.

16 Before I get into my questions, I am
17 going to have Council Member Rita Joseph to ask her
18 questions.

19 COUNCIL MEMBER JOSEPH: Thank you. We look
20 forward to working with you on the bill to make sure
21 we get to a good place so we look forward to that.
22 Thank you for supporting the bill.

23 As per mandated in the report from Local
24 Law 114 of 2022, the City and City Partners currently
25 operate 1,066 public restrooms, right, citywide,

2 covering 98 percent of the city and 178 modified zip
3 codes. Additionally, the report stated that the
4 Department of Parks and Recreation and Department of
5 Transportation identified 151 additional restroom
6 sites, 55 new restrooms in progress, and 96 potential
7 sites for new restrooms. What is the current status
8 of implementation for these newly identified restroom
9 sites, and is there any plans to implement?

10 FIRST DEPUTY COMMISSIONER FORGIONE: Thank
11 you, Council Member. I'll respond for DOT, and then
12 we'll ask Parks to come up and speak to their
13 jurisdiction. As we highlighted in the bathroom
14 report, under our franchise, our JCDecaux franchise,
15 we are able to install 20 automatic pay toilets or
16 public toilets, I should say. We currently have six,
17 and we have plans to get the remaining toilets in.
18 We've identified 10 sites that we are now having
19 JCDecaux examine for feasibility. That process should
20 be concluded very shortly, and then at that time, we
21 will begin the rest of the process, which is to share
22 them with the local Council Member, the Community
23 Board, and to continue the review and approval
24 process.

25 COUNCIL MEMBER JOSEPH: Thank you.

2 FIRST DEPUTY COMMISSIONER FORGIONE: Thank
3 you.

4 COUNCIL MEMBER JOSEPH: I'm excited.
5 Public restrooms.

6 COMMITTEE COUNSEL: Could you just raise
7 your right hand?

8 Do you affirm to tell the truth in your
9 testimony here before this Council and answer Council
10 Member questions truthfully?

11 CHIEF DRURY: I do. My name is Matt Drury.
12 I'm the Chief of Citywide Legislative Affairs for the
13 Parks Department.

14 I'm happy to add to our colleagues here
15 to note that, as you noted, several new locations
16 were identified. A subset of those, 55 of those, are
17 active projects, which will all be complete within
18 the next couple years. The additional 96 in that
19 universe were potentially feasible so require both
20 further technical analysis to confirm their
21 feasibility and also capital and expense funding
22 would have to be identified to move those projects
23 forward so 55 of the locations are moving ahead as
24 active projects and will be constructed in the next
25 couple years.

2 COUNCIL MEMBER JOSEPH: A couple of years,
3 and I'll be out the Council by then, or I'll still be
4 here to celebrate?

5 CHIEF DRURY: I can't predict the future
6 in terms of your term here at the Council, but they
7 are active, moving along. Obviously, the agency does
8 everything it can to move Park capital projects as
9 quickly as we can. We understand how important these
10 amenities are to the public. We share your advocacy
11 and enthusiasm. We take every opportunity to identify
12 these projects, work with the Council and other
13 partners to identify funding for them, which can be a
14 complicated undertaking, but even so, we do
15 everything we can to advance them as quickly as we
16 can.

17 COUNCIL MEMBER JOSEPH: Thank you. I think
18 bathroom advocates would be very happy. There's a
19 whole pee campaign going on with the groups to make
20 sure that folks have access to public restrooms so
21 thank you so much, Chair. I appreciate you. Thank
22 you.

23 CHAIRPERSON BROOKS-POWERS: Thank you.
24 Thank you, Commissioner Forgione, for your testimony
25 once again.

2 Just wanting to start on bridges. The New
3 York City Department of Transportation owns,
4 operates, and maintains hundreds of bridges and
5 tunnels throughout the city but, over the last few
6 years, there has been less and less public
7 information about the condition of these bridges. I'm
8 glad to hear that this will change in the coming
9 months and look forward to reviewing your upcoming
10 Annual Bridge and Tunnel Report. In the meantime, I'd
11 like to know what inspections of New York City's
12 bridges and tunnels currently take place, and when
13 the New York State Department of Transportation
14 inspects a bridge, does DOT rely entirely on the
15 State inspection or does DOT perform any kind of
16 independent verification?

17 FIRST DEPUTY COMMISSIONER FORGIONE: Okay.
18 I'll start, and then I'll pass it off to Commissioner
19 Schwartz, who oversees this division for DOT and
20 knows everything in detail. All of our bridges are
21 subjected to a biennial inspection that is covered by
22 New York State DOT. There are a small amount of
23 bridges, such as pedestrian bridges, that we are
24 responsible for the inspection of as well as the
25 tunnels. Those inspections yield very detailed

2 reports. When there is anything that needs to be
3 addressed in the short run, we have workforces, both
4 in-house and by contract, who can address those
5 issues, and those reports, most importantly, go to
6 inform our Capital Construction Plan of how we
7 schedule the in upcoming years that I discussed. Paul
8 can elaborate a little bit more and then explain
9 detail to your question.

10 DEPUTY COMMISSIONER SCHWARTZ: Thank you,
11 Chair. I appreciate the opportunity to be here today
12 and indicate to you what 615 colleagues and I are
13 working on, some of what we're working on.

14 Inspections are currently taking place. Bridges, as
15 First Deputy Commissioner Forgione mentioned, are
16 inspected either biannually or more frequently if
17 needed. New York State DOT does those inspections on
18 roadway bridges. They are performed by licensed
19 professional engineers. They are hands-on
20 inspections, which basically means you have to be
21 within three feet of the structure. The bridges that
22 they don't inspect, we have inspectors in-house that
23 do it. Again, licensed professional engineers that
24 work for the City, and then we supplement that with
25 consultants as well. The results that get yielded by

2 the inspections, to your second question, are then
3 passed on to our group. We do an independent analysis
4 of the work that is done so any inspection report
5 originally, before it gets issued by either the State
6 or in-house, goes through a QA/QC process to make
7 sure that it's meeting all the required checks. It
8 then comes to our group. We would then look at that
9 inspection report that would indicate actionable
10 items, and we would act on those actionable items so
11 it does receive many levels of review.

12 CHAIRPERSON BROOKS-POWERS: And why does
13 DOT supplement the inspectors with consultants? Is it
14 that you don't have enough inspectors?

15 DEPUTY COMMISSIONER SCHWARTZ: We do it
16 for a few different reasons. Partially is to
17 supplement the workforce that we have, but also
18 certain structures require a little bit of different
19 types of expertise due to the way that they're
20 constructed, and we want to make sure that we're
21 pairing the right people with the right experience on
22 the right structure to get the best results.

23 CHAIRPERSON BROOKS-POWERS: And do you
24 feel from a cost perspective that it's more cost-

2 effective to hire the consultants versus to hire more
3 staff that are skilled to do this work?

4 DEPUTY COMMISSIONER SCHWARTZ: We feel
5 that there needs to be the right mix, that you need
6 to retain a certain amount of in-house capability to
7 be able to go out and do the work but, like many
8 things, right, there are some things that if you're
9 not going to use that particular skill set very
10 frequently, that's what you want to outsource, and
11 you want to tap on that when you need it so we think
12 we have the right balance to be effective.

13 CHAIRPERSON BROOKS-POWERS: Thank you for
14 that. Has DOT taken any proactive steps to secure our
15 bridges in light of the tragedy in Baltimore?

16 DEPUTY COMMISSIONER SCHWARTZ: I think I
17 want to lead by saying, in this one, nature is our
18 friend, and the reason I say that is that the ship in
19 Baltimore is a Neo-Panamax class of ship, right? It's
20 a very large container ship. A ship of that size
21 would not be able to navigate up the East River to
22 where some of our signature bridges are because the
23 channel depth of the East River would not allow that
24 so the ship is deeper than the geography that allows
25 it to move through there. Further to that, the way

2 that the New York Harbor operates is very different
3 from the way Baltimore Harbor operates. We are under
4 U.S. Coast Guard jurisdiction. They have something
5 called the Vessel Traffic Services, or VTS. They are
6 responsible for the safety of the harbor. Ships like
7 the MV Dali would require a number of tugs to escort
8 them as well as harbor pilots. Harbor pilots are very
9 well-trained, experienced captains who would board
10 the ship, potentially, and pilot it. They're very
11 familiar with the harbor itself. Between the actual
12 natural barriers as well as the administrative
13 precautions that are taken, an incident like that is
14 very, very unlikely to occur.

15 CHAIRPERSON BROOKS-POWERS: Thank you for
16 that, also. You mentioned that seven bridges are
17 rated poor. Which bridges are those, and what steps
18 are taken to make sure there are no dangers to the
19 public?

20 DEPUTY COMMISSIONER SCHWARTZ: Just
21 because a bridge is rated poor doesn't mean it's
22 unsafe, and that's important for me to get across. If
23 anything was unsafe, we would close it to the public,
24 and we would make the appropriate repairs before
25 reopening it so any bridge that is open is safe for

2 its intended use. Just because a bridge is rated
3 poor, there could be many years of service still left
4 in that structure. Any bridge that is currently rated
5 poor is in our Capital Plan. We also will monitor
6 those bridges closely. They may receive more frequent
7 inspections, if need be. We also have a slew of
8 resources to be able to make the repairs and keep it
9 safe so we have our in-house forces, we have
10 contracted when-and-where forces, and then we've got
11 our capital capacity.

12 The seven bridges that are rated poor are
13 19th Avenue and 21st Avenue over the BMT, Hill Drive,
14 and Prospect Park.

15 CHAIRPERSON BROOKS-POWERS: I'm sorry, can
16 you just talk into the microphone?

17 DEPUTY COMMISSIONER SCHWARTZ: I'm sorry.

18 CHAIRPERSON BROOKS-POWERS: I'm having a
19 hard time hearing you.

20 DEPUTY COMMISSIONER SCHWARTZ: Apology.
21 19th Avenue and 21st Avenue over the BMT, it's in
22 Brooklyn; Hill Drive in Prospect Park; West 148th
23 Street Pedestrian Bridge over Amtrak and Riverside
24 Park; East Drive or Willow Dell Arch, which is in
25 Central Park, the westbound BQE over Furman Street;

2 and Riverside Park North over Amtrak. All these
3 bridges are in our 10-year Capital Plan.

4 CHAIRPERSON BROOKS-POWERS: I got six of
5 those. I'm not sure which one I missed.

6 DEPUTY COMMISSIONER SCHWARTZ: 19th
7 Avenue?

8 CHAIRPERSON BROOKS-POWERS: I have.

9 DEPUTY COMMISSIONER SCHWARTZ: 21st
10 Avenue?

11 CHAIRPERSON BROOKS-POWERS: (INAUDIBLE)

12 DEPUTY COMMISSIONER SCHWARTZ: Hill Drive?

13 CHAIRPERSON BROOKS-POWERS: It was 21st
14 Avenue that I missed. Okay.

15 DEPUTY COMMISSIONER SCHWARTZ: And that
16 will be shown in our annual report, which we'll be
17 publishing in a few months from now.

18 CHAIRPERSON BROOKS-POWERS: How soon will
19 their condition be improved to good or very good? I
20 know they're in the Capital Plan, but what's the
21 timeline for the improvement itself?

22 DEPUTY COMMISSIONER SCHWARTZ: We'll have
23 to get back to you with the exact timing of the
24 capital projects for those, what Fiscal Years they're
25 in, but it is published in our Capital Plan.

2 CHAIRPERSON BROOKS-POWERS: Also, I'd like
3 to acknowledge that we've been joined by Council
4 Member Gale Brewer as well.

5 I am going to come back to bridges. I
6 want to touch on federal funding for a little bit. In
7 light of the recent collapse of the Francis Scott Key
8 Bridge in Baltimore and given the Biden
9 Administration's commitment to infrastructure
10 development, does DOT anticipate any additional
11 federal funding for bridge infrastructure repairs and
12 safety measures and, if so, what kind of funding is
13 DOT seeking out?

14 FIRST DEPUTY COMMISSIONER FORGIONE: Just
15 to answer your question generally, we are always
16 looking to take advantage of every possible funding
17 source and we watch every single funding that does
18 come out and we try to see what is applicable within
19 our Bridge Division as well as other divisions to be
20 able to apply for that funding. I don't know if you
21 had something more specific, but the answer is yes,
22 we intend to pursue all the funding that we are able
23 to.

2 CHAIRPERSON BROOKS-POWERS: Has the
3 Administration been in communication with Washington
4 on the matter of the federal funding?

5 FIRST DEPUTY COMMISSIONER FORGIONE: Yes,
6 we are.

7 CHAIRPERSON BROOKS-POWERS: I'm going to
8 yield and allow my colleagues to ask questions.
9 First, we have up Council Member Ariola.

10 COUNCIL MEMBER ARIOLA: Thank you, Chair.
11 I'm going to go to potholes. According to your
12 report, the potholes repaired on local streets are
13 basically kind of flat. They haven't gone up, they
14 haven't gone down, but we have certainly seen more
15 potholes in our boroughs and in my District
16 especially, so what happens is we notify DOT, we put
17 in 3-1-1 complaints, they come out, they fill the
18 pothole, but they fill it with cold patch and then
19 they're supposed to come back and fill it with
20 asphalt and sealant. That never happens. I have
21 complaints from multiple constituents that say the
22 minute the cold patch goes in, it immediately begins
23 to break up and becomes pebbles all over the street.
24 In fact, one of my constituents filled 15 buckets of
25 cold patch, pebbles from the cold patch, from the

2 potholes that are on his street. Now I know we're
3 waiting to have the street completely finished, done
4 in the right way, milled and repaved, but that's not
5 going to happen until the end of June. Why aren't we
6 fixing the potholes the right way the first time
7 instead of having to go back and forth or not going
8 back at all?

9 FIRST DEPUTY COMMISSIONER FORGIONE: Thank
10 you very much for your question. We share that
11 concern. We don't want half-complete repairs that we
12 simply have to go back and revisit the site. Most
13 times of the day we have hot material available. As
14 you know, we have two asphalt plants that DOT
15 operates plus we have a number of vendor plants that
16 produce hot material. Certain times of the day,
17 particularly at night, we don't always in every
18 borough have access to hot material so we do pride
19 ourselves on quickly filling potholes, but if we sent
20 people out immediately at a time when we did not have
21 hot material available, that was why cold patch was
22 utilized in that location. What I'd like to ask you
23 is to get me that location, we can repair it
24 properly, and then I'm glad to hear that it's in our
25 milling and paving cycle coming up.

2 COUNCIL MEMBER ARIOLA: Okay, we'll get
3 you that information. Thank you. But I also want to
4 make you know that most of them, whether it's day or
5 night, are being filled with cold patch. That's
6 something you might want to look into.

7 FIRST DEPUTY COMMISSIONER FORGIONE: I'll
8 follow up on that.

9 COUNCIL MEMBER ARIOLA: Thank you.

10 FIRST DEPUTY COMMISSIONER FORGIONE: Thank
11 you.

12 CHAIRPERSON BROOKS-POWERS: Thank you, and
13 next we have Council Member Banks.

14 COUNCIL MEMBER BANKS: Hey, good morning,
15 and thank you, Deputy Commissioner. I wanted to,
16 first of all, thank you for the work that you're
17 doing out in the 42nd Council District. We've had a
18 very robust street resurfacing, and we thank you.
19 Badly needed, so we appreciate that.

20 Also, too, we wanted just to kind of
21 focus in a little bit on the notification. That's
22 something that's been an issue. We've had residents
23 towed, cars being towed, and just the lack of
24 notification has been an issue, and I've always said
25 this, we need our streets repaved, but we don't want

2 our lives interrupted so that's something, obviously,
3 we want to make sure that there's some more clarity
4 as to when information's going out, who the
5 information's going to, and that it's getting to the
6 residents that are being affected with the street
7 repairs or the street resurfacing that's taking
8 place.

9 DOT previously had a goal to repave about
10 1,300 lane miles annually, which was reduced to 1,100
11 lane miles per year in Fiscal Year 2020. According to
12 the most recent Preliminary Mayor's Management
13 Report, DOT maintains that this goal of 1,100 lane
14 miles. Although we have had several mild winters,
15 what will happen to our streets if we have more
16 typical winter season, and do you have the capacity
17 to repave the additional lane miles beyond 1,100 in
18 the Fiscal Year 2025 if the roads fall into
19 disrepair?

20 FIRST DEPUTY COMMISSIONER FORGIONE: Okay.
21 Thank you very much for your questions, Council
22 Member. We totally appreciate your support of our
23 resurfacing program, which is very critical for the
24 city.

2 Just on your first item about
3 notifications. So every week our Borough
4 Commissioner's Office sends out to like a broad array
5 of entities, both the weekly schedule, and we also
6 share the seasonal schedule with the Community
7 Boards. We also sit down annually with the Community
8 Boards and present the streets that are eligible for
9 resurfacing to those Boards to take in their feedback
10 as to which streets are more important, more
11 critical, and we adjust our schedule accordingly.
12 DOT, we also post our resurfacing schedules on our
13 website and, if you have other ideas for us on better
14 ways to get the word out to people, we're more than
15 happy to work with you on that.

16 You raised the question of our lane mile
17 target. Currently we're at 1,150 lane miles per year,
18 and that amount has been baselined in our budget. In
19 previous years, the resurfacing target fluctuated.
20 Sometimes it was lower and, as you mentioned,
21 sometimes it was higher at 1,300 lane miles. We've
22 now established 1,150 as our target, which we think
23 is very helpful for our planning because we can have
24 the right amount of vehicles to go along with it. We
25 can prepare our vendors and in-house for how much

2 asphalt we expect to produce and that sort of thing.

3 We think we have reached a good equilibrium with that

4 number in terms of the repair of the streets overall.

5 Happy to talk about it.

6 COUNCIL MEMBER BANKS: Thank you. I know

7 now that since we have gotten these repairs,

8 resurfacing done in my District, I want to know

9 what's the timeframe for the street markings because

10 we've seen streets done, and then it takes a longer

11 time to get the markings on the ground so will that

12 be improved? Will we see it in the next couple of

13 days? What's the timeframe?

14 FIRST DEPUTY COMMISSIONER FORGIONE:

15 Right. Sometimes it can be a period of at least

16 several weeks but, on larger roads, we look to have a

17 minimum amount of markings such as a double yellow,

18 at least to make sure that drivers and pedestrians

19 are guided in that way. We want to get down crosswalk

20 markings and all of the markings as soon as possible.

21 We work with a bunch of different contractors to do

22 this work, and so at any given time, we're juggling

23 different streets. Again, if you have any location

24 that you're seeing that you feel it's taking too

25 long, please let me know.

2 COUNCIL MEMBER BANKS: We'll definitely
3 let you know. Thank you so much.

4 FIRST DEPUTY COMMISSIONER FORGIONE: Thank
5 you.

6 COUNCIL MEMBER BANKS: Thank you, Madam
7 Chair.

8 CHAIRPERSON BROOKS-POWERS: Thank you.
9 Next, we'll hear from Majority Leader Fariás followed
10 by Council Member Gale Brewer.

11 COUNCIL MEMBER FARIÁS: Thank you, Chair.
12 Thanks, folks, for being here today and testifying.

13 I know we've spoken about street
14 resurfacing already with Member questions and filling
15 potholes and stuff and you've touched on it in
16 different ways, but do we have a regular schedule of
17 expectation street by street or board by board on
18 street resurfacing? I know pothole filling is kind of
19 like immediately. We obviously don't want people's
20 cars, bikes, children running into a pothole, and so
21 we do that patchwork, but what is our schedule for
22 regular maintenance of entire street resurfacing?

23 FIRST DEPUTY COMMISSIONER FORGIONE: To
24 answer your question, we do not say that a given
25 street must be paved every X number of years. We do

2 it based on condition. We have a team of people that
3 go out, and we have a very detailed assessment where
4 we look at cracking, potholes, ponding, all aspects
5 of street disrepair, and then we rate the streets. We
6 rate 90 percent of the streets every year. We can't
7 quite get to 100, but we're constantly, it would only
8 take a little bit more than a year to get to the rest
9 of those streets, and then what we do is based on the
10 lane miles in every borough, and then the lane miles
11 in every Community Board, we allocate the
12 corresponding amount of work to that community board
13 and to that borough, and then we just keep coming
14 back every single year, and we allocate the same
15 number of miles, but we consider it very important to
16 work with our elected officials and the Community
17 Boards to hear from them. They may feel that one
18 street that is in a little bit better condition than
19 another is still more critical to get milled and
20 paved, and we will accommodate those requests as we
21 meet with them and adjust our schedule.

22 COUNCIL MEMBER FARIÁS: Okay, yeah. I did
23 hear you in response to Council Member Banks state
24 that you send the schedule for the seasonal schedule
25 to the Community Boards, and then I know I see in my

2 inbox the weekly or the next several weeks we're
3 going to do...

4 FIRST DEPUTY COMMISSIONER FORGIONE: Oh,
5 good. I'm glad you say that.

6 COUNCIL MEMBER FARÍAS: Yeah, I mean, my
7 office, we try to circulate that. We have a weekly
8 newsletter that goes out, and we try to include that
9 kind of stuff so people can be aware of maybe
10 avoiding some of the traffic stoppers because of
11 construction or just to know that to be more mindful
12 of when they're driving down the street, there might
13 be a dip because of reconstruction, but I do just
14 want to reiterate that seasonal schedules I'd love to
15 get, not just Community Board. Every Community Board
16 throughout the city has a different level of
17 engagement, both in membership and in outreach. There
18 is not a standard practice across community boards on
19 how they communicate outward other than needing to
20 have a monthly newsletter, which look very
21 differently board by board, and so I know if I were
22 equipped with a seasonal schedule, we would have a
23 more continuous communication outward to the
24 community so folks can be mindful.

2 Can I ask one more question? Thank you,
3 Chair. I just wanted to talk about headcount for
4 pothole inspectors. Do we have that number, and do we
5 know if it's up to par with our capacity of what we
6 need to fill throughout the city?

7 FIRST DEPUTY COMMISSIONER FORGIONE: Okay,
8 we don't have dedicated pothole inspectors. What we
9 do have is the Street Assessment Unit that I did
10 mention, but we also have literally hundreds of
11 people every day out on our streets so we have HIQA
12 inspectors who are, say they're inspecting a street
13 cut by Con Ed. When they see a condition, they call
14 it in or they report it. Also, our Resurfacing
15 Division has over 1,000 people in it, has about 1,300
16 people. That's 1,300 people that are eyes and ears on
17 the ground. We take a lot in from 3-1-1, yourself,
18 people like your staff, the public, but we also have
19 every single day like a lot of DOT eyes and ears, and
20 we're all like trained from day one, if you're out in
21 the field, you see a condition, you call it in.

22 COUNCIL MEMBER FARIÁS: Okay, great, and
23 then my last question on street lighting. According
24 to the PMMR, the average time for DOT to repair
25 street lights during the first four months of the

2 Fiscal Year increased from 3.6 days last year to 5.5
3 days. Why is it taking about two days longer for DOT
4 to repair street signs?

5 FIRST DEPUTY COMMISSIONER FORGIONE:

6 Right, so we looked further into what was happening
7 with our street lighting contractor. All of our
8 street light repairs are done through contractors.
9 They're not done by us. There seemed to be a little
10 lack of efficient communication that we detected at
11 the beginning of the Fiscal Year, and we have since
12 corrected that, and now the repairs are going much
13 closer to the typical timeframe that we had
14 previously.

15 COUNCIL MEMBER FARIÁS: Okay, great. Yeah,
16 I know I'm a driver in my community so most of the
17 time when I'm on roads and I bump into either a
18 street light or a traffic light that is not on, I try
19 my best to go through the 3-1-1 that then takes you
20 to the DOT system to then put in another form, but
21 it's good to know that we found the hiccup and we're
22 working on it, and if there's any other way that we
23 can, I mean I don't know what systems we're using,
24 but I know there probably are better ways to make
25 sure when we put in a new bulb, we know when the

2 lifespan of that bulb or how long it's going to take
3 to need repair for us to be more mindful of, but I
4 appreciate being on top of that and answering my
5 questions. Thank you, Chair, for the additional time.

6 COUNCIL MEMBER BREWER: Thank you very
7 much, Madam Chair, for including 574, and thank you,
8 Margaret Forgione, for stating that the
9 Administration would continue conversations about
10 this bill. I will say that there is, I'm always
11 thinking about the public, and in this case, just so
12 you know, there's a local law that I think Lori Cumbo
13 passed many years ago that states that there should
14 be coordination, and there is no Local Law 7 of 2021
15 coordination in order to have this information
16 available to the public. With all due respect to the
17 Citywide Event Coordination Office, the portal is
18 completely out of date. I looked at it yesterday. It
19 needs updating, and so then the question is, it's not
20 obviously just DOT, but I mean people would love to
21 have the platform done by you, because I think SAPO,
22 I call it SAPO, but I guess it's called something
23 else, hasn't got all of the public spaces under its
24 control, and so it's very hard for the public to know
25 what is going on, so that's why we would love to see

2 perhaps a DOT, or if not you, then who would be
3 managing this information, because we would love to
4 see it be done by the public. We would love to have
5 the arts and cultural institutions. We'd love to have
6 Community Boards and BIDs and the general public, so
7 they know what's going on. To me, open space also
8 includes playgrounds and open streets. It also
9 includes different hours. It should, what would be
10 the time of the event, and obviously the permits and
11 licenses needed for the applications. You know, New
12 Yorkers love to be outdoors. They love to use these
13 spaces. I have to say it's very hard to be able to do
14 that. You think, because you and I kind of know who
15 to call, but it is not clear to the public. That's
16 why we were introducing 574, and so we'd love to see
17 a much better coordination and information, and we
18 always feel that because most of this information is
19 actually DOT, if you look at the streets usage, etc.
20 so what do you think could be the way in which we
21 could approach the Administration to make this
22 possible for really good information on a platform?

23 FIRST DEPUTY COMMISSIONER FORGIONE: Thank
24 you, Council Member. We're very proud of how the City
25 has evolved in terms of utilizing our public spaces,

2 and the world is a totally different place than it
3 was even just a few years back between open streets,
4 plazas, and all the other good initiatives that
5 fellow City agencies are doing. CECM's website does
6 contain information on all locations in the whole
7 city that require a permit for that activity so while
8 DOT's website does have, of course, all of our open
9 streets, locations, and hours of the open street, if
10 there's an event taking place, that will always be on
11 CECM's website as well. I think you're correct in
12 that things could be a little bit more user-friendly,
13 and I think we'd like to talk to you more about how
14 we can make sure the public can more easily access
15 that information about any given public space that
16 they're interested in.

17 COUNCIL MEMBER BREWER: We'd love to have
18 further conversations, because I do get a lot of
19 complaints about people not understanding it. I have
20 to be honest with you.

21 Number two, in terms of milling, the
22 question for me and for the public, because they
23 don't understand, obviously when you mill, that means
24 that eventually you'll have asphalt, and it'll be
25 very smooth, and the lines will return, and that's

2 great, but nobody knows how long it takes for the
3 milling to take place, and then is there a timeframe
4 for that, and how do we communicate that to the
5 public? You definitely tell us what's going on, but
6 not necessarily how long, and where do they complain?

7 FIRST DEPUTY COMMISSIONER FORGIONE:

8 Right, so especially in your area in Manhattan, the
9 time between milling and paving is something very
10 critical to us so what we do prior to actually
11 milling the street is we reach out to all the
12 utilities and fellow City agencies, and we inform
13 them we're about to open up the street because the
14 last thing we want is to mill the street, pave it
15 very quickly, and then have somebody come along in
16 two weeks, two months, or even a year, and say I need
17 to cut this beautiful new street open so what we try
18 to do is after it is milled, get everybody to come in
19 and do their street work if they need to, get out
20 hopefully efficiently and quickly, and so that we can
21 come back and pave. The majority of our streets are
22 milled and then paved within a matter of weeks. We
23 have a very small number that extend further than
24 that, where the work was a little bit more intensive
25 on the part of a utility or a fellow City agency, but

2 we watch it very carefully. I get a report every week
3 on the number of days that our milled streets have
4 been open. We look at them. We try to figure out why
5 anything is staying open too long and really attack
6 that because we recognize a milled street is dusty,
7 it's not marked, it could have some tripping issues
8 so we also agree we don't want that to go on.

9 COUNCIL MEMBER BREWER: Okay, I think the
10 issue is then to make it clear to the public that we
11 are waiting for the Con-Ed and the cable companies
12 and so on because, believe it or not, even though you
13 do that, I swear a year or six months later the
14 streets open, maybe for an emergency or whatever, at
15 least in Manhattan. It's pretty constant.

16 Now the other question I have is when you
17 put down the, I guess you call them covers over the
18 street. In other words, the things that make noise if
19 you don't...

20 FIRST DEPUTY COMMISSIONER FORGIONE:
21 Plates.

22 COUNCIL MEMBER BREWER: Plates. The
23 question I have there is, is there some timeframe for
24 them to stay up? Central Park West is one big plate
25 right now, and you know, this noise goes up so my

2 question is, is there a timeframe for a plate?

3 Obviously, okay, we're waiting for the part for the
4 pipe for Con-Ed. We're waiting for, you know, the new
5 cable from Verizon or whatever. But is there some
6 timeframe on that, or is that often just as long as
7 it takes? Because again, it's 3-1-1. You must get
8 thousands of 3-1-1s.

9 FIRST DEPUTY COMMISSIONER FORGIONE: Okay.
10 First let me say the most critical thing when there
11 are metal plates out in any community, they have to
12 be secured properly. No one likes metal plates, but
13 what they really don't like is when they're clanking.

14 COUNCIL MEMBER BREWER: No, I know.

15 FIRST DEPUTY COMMISSIONER FORGIONE: Okay,
16 or when people walk over them and they actually can
17 feel them even moving when another car goes over them
18 so if anyone, you or anyone...

19 COUNCIL MEMBER BREWER: Believe me, we
20 call Ed Pincar in two minutes.

21 FIRST DEPUTY COMMISSIONER FORGIONE: Okay,
22 beautiful. We have you. We have you on our phones
23 ready to hear from you, but we want to make sure
24 they're always secured and that they're ramped.
25 That's the most important thing, and then if there's

2 a situation where they are out there too long, we are
3 happy to call in the entity and work with them to
4 expedite.

5 COUNCIL MEMBER BREWER: There's no
6 mandated timeframe for fixing and therefore removing
7 the plate? There's no timeframe on that?

8 FIRST DEPUTY COMMISSIONER FORGIONE:
9 Right, the tricky thing is that every repair is
10 different so it's hard to have a consistent
11 timeframe.

12 COUNCIL MEMBER BREWER: Okay, I mean I
13 just say that again, complaints all the time because
14 of the length of construction, milling, plates. It's
15 not your fault, but then what happens is people feel
16 that there's nobody paying attention, even though I
17 know you are. I'm trying to tell you if you complain,
18 perhaps one of the most along with e-bikes, which is
19 not your problem, it's the plates and the streets of
20 our city.

21 DEPUTY COMMISSIONER WYNNE: For DDC, we
22 often are the culprit installing plates on a lot of
23 the roads but, to my counterpart's point, all of the
24 repairs that are being made, they're both necessary
25 and we do our best to make sure that we do them right

2 so that the timeline that it takes is time well spent
3 so that we're not coming back constantly over and
4 over and over again.

5 COUNCIL MEMBER BREWER: Okay, I mean in
6 addition to telling us what's going to be happening,
7 how long the plates might be there, how long the
8 milling might be. That's the kind of thing that would
9 alleviate some of the concern, 3-1-1 calls, people
10 are on edge, anxious, add congestion pricing to those
11 who have a car, then add the millings, the plates,
12 and the potholes and you've got people upset so I'm
13 just saying, I think particularly in this timeframe,
14 the more information, the better. That information is
15 not available, the plates and the milling, how long?
16 All right. Thank you, Madam Chair.

17 CHAIRPERSON BROOKS-POWERS: Thank you,
18 Council Member Brewer.

19 Jumping back into bridges. With the new
20 NBI weighted scale, will there be any way to
21 translate previous ratings to these new ratings to
22 easily determine if a bridge condition has
23 deteriorated?

24 DEPUTY COMMISSIONER SCHWARTZ: Thank you
25 for that question. Make sure you can hear me all

2 right. Good. I want to stress again that we've always
3 been receiving information, right? Inspections never
4 stopped. We were getting data. It was in the new
5 AASHTO element format and, what that meant and the
6 reason why there was that delay, was that we didn't
7 have a really good way to properly communicate a
8 single rating, which is required by our law to do in
9 our annual report as the overall condition of the
10 bridge so as we got more data and we analyzed it, we
11 were then able to come up with that single number. In
12 the background, we're getting all the conditions of
13 all our elements and the condition states that it's
14 in, from the CS1 to the CS4 that we described
15 previously. We feel that the best path forward is to
16 publish the new information in the upcoming months
17 and then keep going forward with that scale and make
18 sure everything is clear going forward.

19 CHAIRPERSON BROOKS-POWERS: So how will we
20 be able to determine if a bridge has gotten
21 significantly worse or not, considering that there is
22 a different metric that was used prior to this new
23 one that's being now implemented?

24 DEPUTY COMMISSIONER SCHWARTZ: One of the
25 things that we did in implementing the new metric was

2 we wanted to make sure that, while the numbers are
3 different, the number of bridges as they decline over
4 time, they decline at a certain rate, but when you
5 take a snapshot, it's not a huge difference so what
6 we wanted to make sure is that the new scale
7 relatively lined up with the old scale so it won't be
8 a one-for-one apples-to-apples comparison, but we
9 know that we're in the same ballpark and that our
10 good, fair, and poor, and the thresholds we're
11 showing now are relatively similar to the good, fair,
12 and poor thresholds that we used previously.

13 CHAIRPERSON BROOKS-POWERS: And do you
14 believe a federal rating system should prescribe the
15 overall rating?

16 DEPUTY COMMISSIONER SCHWARTZ: I do
17 believe that it's important to have basic standards
18 across an industry. While there are certain things
19 that, in bridges, you want every bridge across the
20 nation to perform a certain way, to be built to the
21 right standards, to be looked at a certain way, you
22 want a base level of training. That all happens. We
23 are then able to apply our local knowledge to then
24 get into the intricacies of what those conditions may

2 be on our structures, but that basic level has to be
3 consistent across the industry.

4 CHAIRPERSON BROOKS-POWERS: Thank you for
5 that. How are the weightings between the deck
6 superstructure and substructure determined? Doesn't
7 failure of any component result in the failure of the
8 bridge, and how can any component be less important
9 than others?

10 DEPUTY COMMISSIONER SCHWARTZ: The ratings
11 were determined through an extended analysis, and
12 they're based on somewhat an order of importance, in
13 a sense, so you want a good foundation, you want a
14 good base, and that's your substructure. That
15 substructure then holds up what we call the
16 superstructure. That superstructure then holds up the
17 deck. You could have a condition in your deck, which
18 would appear to folks to be a pothole or a through-
19 hole or something like that, and that's a localized
20 condition, and the rest of the bridge is in perfectly
21 good shape. Likewise, you could have a localized
22 condition on your superstructure, and the rest of the
23 bridge is in perfectly good shape. The weights that
24 were assigned to the MBI ratings are indicative of
25 those importance factors.

2 CHAIRPERSON BROOKS-POWERS: Thank you. In
3 addition to the upcoming Bridge and Tunnel Report,
4 will bridge inspection ratings data be published in
5 the Mayor's Management Report?

6 DEPUTY COMMISSIONER SCHWARTZ: Yes, it's
7 our intention to also publish that as well.

8 CHAIRPERSON BROOKS-POWERS: Thank you. I'd
9 also like to take a moment to recognize Council
10 Member Farrah Louis, who is with us virtually.

11 What percentage of the DOT projects are
12 being done by DOT, and what percentage are being
13 overseen by DDC?

14 DEPUTY COMMISSIONER SCHWARTZ: Is this
15 specific to bridge projects?

16 CHAIRPERSON BROOKS-POWERS: Yes.

17 DEPUTY COMMISSIONER SCHWARTZ: DOT
18 oversees a majority of bridge projects across the
19 city. There are certain programs where it made more
20 sense for DDC to do a project, such as East Coast
21 Resiliency Program. There are a number of pedestrian
22 bridges that are part of that as well. The agencies
23 coordinate very closely on the design of those
24 projects so that engineers from both sides are well
25 aware of what's going on, coordinating on, as I said,

2 the design, the inspection, to make sure that the
3 bridges are delivered to the proper standards.

4 CHAIRPERSON BROOKS-POWERS: For those that
5 are doing the construction work on the bridges and
6 tunnels, are they being done by way of RFP? Are you
7 using an internal list? How are you selecting those
8 that do those projects?

9 DEPUTY COMMISSIONER SCHWARTZ: We have a
10 few different methods. On the consultant side, it's a
11 quality-based selection and so it's an RFP that goes
12 out, and we get proposals that are then evaluated
13 based on their quality, and the highest qualified
14 proposer is then awarded that contract.

15 On the construction side, majority of the
16 DOT-led projects right now are design-bid-build,
17 which is lowest bidder. We are currently in the
18 process of our first design-build project, and we are
19 at the point there where we are working on the RFP
20 for that.

21 CHAIRPERSON BROOKS-POWERS: In
22 circumstances of building a bridge or building
23 infrastructure, do you feel that the lowest bidder is
24 always the right one to be selected, because what
25 I've found in some of the RFP projects, not

2 necessarily with DOT but across agencies, is
3 sometimes they may be selected as the lowest bidder,
4 but we end up paying more on that particular project,
5 because what happens is the bidder underbid to be
6 selected, but then comes back, and then the City has
7 to add more money into that contract. I see that
8 quite often with DFTA, for example, and so do you
9 find that that may not be the best model when we look
10 at procurement, especially something as critical as a
11 bridge? You want to make sure you have the best
12 company dealing with our infrastructure.

13 DEPUTY COMMISSIONER SCHWARTZ: We are
14 definitely proponents of the alternative delivery
15 design-build, even the prospect in the future of
16 things like Progressive Design Build with things that
17 we would be in support of. Every strategy has its
18 time and place. We believe that we should have the
19 option and, depending on the situation and the
20 project, we would then be able to pick the best
21 delivery method for that project.

22 CHAIRPERSON BROOKS-POWERS: I would love
23 to like explore that more with you all, because I
24 think, when we talk about infrastructure, and also
25 there was a report that the Comptroller had put out

2 recently that talked about how expensive some of
3 these capital projects are in terms of length of time
4 and cost, and I do think that sometimes it's because
5 we are kind of forcing the contractors to place a bid
6 in that may not be a true reflection of the cost of
7 the project, when really what ends up happening is
8 the end amount we spend is really the true number
9 that should have been put into the submission in the
10 first place.

11 FIRST DEPUTY COMMISSIONER FORGIONE: Yeah,
12 and, Chair, I just wanted to emphasize that in terms
13 of lowest bidder for the design-bid-build projects,
14 we always, of course, select the lowest responsible
15 bidder. We scrutinize every single respondent. We
16 make sure that we're going to get a good product. I
17 think Paul's points were very important, and your
18 concern about do we add scope or costs onto the
19 project is something to talk about, but I just want
20 to emphasize that all of the work done is a
21 responsible contractor.

22 CHAIRPERSON BROOKS-POWERS: I appreciate
23 that. In your testimony, Commissioner, you talked
24 about preparing to award a contract to install the
25 flood protection at Battery Parks underpass and West

2 Street underpass as well in terms of flood-proof
3 gates and doors. With that project, will that be done
4 through bid-build?

5 DEPUTY COMMISSIONER SCHWARTZ: Yes, that's
6 a design-bid-build project.

7 CHAIRPERSON BROOKS-POWERS: Okay. Thank
8 you for that.

9 Moving on from bridges, I'm going to move
10 to sewers so if there's someone from DEP. Oh, there
11 you are. Hi.

12 DEPUTY CHIEF OPERATING OFFICER CIPRIANO:
13 Good morning.

14 CHAIRPERSON BROOKS-POWERS: As we begin
15 the summer, we are also beginning hurricane season. I
16 know you've seen the pretty scary projections for the
17 upcoming season. What steps has DEP and the other
18 agencies taken to prepare the City for the likely
19 more intense storms that we're facing this year?

20 DEPUTY CHIEF OPERATING OFFICER CIPRIANO:
21 Thank you for the question, and we're very happy to
22 be talking to you today about this important issue.
23 There are two exciting things I want to share with
24 the Council. Recently, we put out the 2024 Stormwater
25 Analysis, which we're happy to share with your office

2 afterwards, that outlines our long-term plans for
3 stormwater management in New York City as we face
4 increasing climate change and more intense storms. We
5 lay out a number of short- and long-term steps that
6 are going to be necessary as the climate continues to
7 change. In terms of this year's hurricane season,
8 there are a number of short-term actions that we're
9 taking that I'd like to highlight. The first is that
10 we've started to install slotted manhole covers in
11 strategic areas throughout the city to help attenuate
12 intense flows from extreme storms so basically these
13 manhole covers allow, if the street receives too much
14 water while it's raining, that can flow into a catch
15 basin. The water can overtop the curb a little bit
16 and flow into the slotted manhole. That allows the
17 water to get into the sewer as fast as possible and
18 to attenuate flooding on the street to the greatest
19 extent possible. It also is a really good tool to use
20 in places where there's a lot of leaves, and
21 particularly in hurricane season, it's usually in the
22 fall, so you get intense rain, lots of wind that
23 pulls leaves off the trees. They wash onto catch
24 basins and kind of clog them up so the sewer system
25 actually has capacity, but the leaves are kind of

2 creating a barrier and the water can't get into the
3 sewer, and so these slotted manhole covers, because
4 they're a little bit elevated onto the sidewalk, they
5 allow stormwater to get into the sewer so we're
6 planning to install about 1,500 of these throughout
7 the city, and we're happy to work with your office if
8 there are any particular locations where you would
9 like us to evaluate the feasibility of installing
10 those.

11 The other thing is we proactively every
12 year clean between 600 and 700 miles of sewers to
13 make sure that they're operating at full capacity,
14 and we have a robust Catch Basin Inspection Program
15 that makes sure that, using data to understand where
16 catch basins get filled with debris the most, we're
17 targeting our inspection resources to promptly and
18 proactively inspect and clean those where necessary.

19 CHAIRPERSON BROOKS-POWERS: Thank you for
20 that and, to your point, that shows why the tree
21 pruning schedule is so critical because I get a lot
22 of calls and I know some of my Colleagues have as
23 well, including Chair Krishnan of Committee on Parks,
24 in terms of being able to have a more regular cadence
25 of the pruning of the trees to make sure that it's

2 not as many leaves that are coming off the trees when
3 the season begins to change so that's something to
4 think about as well by the Administration.

5 Now storms are becoming stronger, and
6 what was once a one-in-every-five-year storm or even
7 once-in-a-decade storm, is now becoming more and more
8 frequent. What steps has DEP already taken to
9 modernize its data and assumptions so that we are
10 prepared for the current climate as opposed to the
11 climate from the 1900s?

12 DEPUTY CHIEF OPERATING OFFICER CIPRIANO:

13 This is a challenge that is really complicated to
14 solve. The sewers are built over the course of a
15 hundred years, and so it will take us time to expand
16 the sewer system to account for these new and more
17 intense storms. The good news is that we're pulling
18 in a lot of new data streams to help us really
19 understand how the system is working and where there
20 might be capacity to be leveraged short of capital
21 projects, and so what that means, we call it a Smart
22 Sewer System, and other cities across the country
23 have already started to implement this, where you use
24 gates and sensors within the sewer system to move
25 water around and create capacity so that you don't

2 have to necessarily expand the size of the sewer. You
3 just need to kind of move the water faster away from
4 where it's raining because it doesn't really rain
5 consistently throughout the whole city at the same
6 rate, and so if you can think smarter about how to
7 leverage your existing infrastructure, you can create
8 capacity and reduce the risk of flooding. You know,
9 it might be flooding the sewer a little bit, but
10 you're not going to have this like deep, dangerous
11 flooding. You might have just a little bit of shallow
12 street flooding, and so those are tools that we're
13 implementing right now so that we can start to really
14 understand and kind of create near-term improvements
15 in the sewer system and near-term flooding relief as
16 we comprehensively look about the whole city and
17 think about what the right performance standard is.
18 Right now, our standard is 1.75 inches per hour.
19 That's a five-year design standard. What that means
20 is like a 20 percent likelihood in any year that
21 you'll get that kind of storm. We're working with
22 some of the leading researchers across the country to
23 best understand what the right future storm to plan
24 is. The last thing we want to do is pick a design
25 standard that is inadequate even when we start, and

2 so this is taking a good amount of work for us to
3 make sure that we're properly anticipating what the
4 future will hold, understanding that it's really hard
5 to predict given the uncertainties of climate change.

6 CHAIRPERSON BROOKS-POWERS: Well, thank
7 you for that. I know you're looking around the
8 country. Have you looked beyond also? Because
9 recently a delegation of us traveled to Denmark and
10 looked at some of the technology and techniques that
11 they're even employing because they had a storm that
12 was a significant one for them a couple years back,
13 and I know they're looking at things like rockwool
14 and other type of materials to be able, some of which
15 we've already kind of adopted. Like in Rockaway, we
16 have some that we've adopted and we've seen some
17 improvements but, because of the dynamic of that
18 coastal community, you have the bay on one side, the
19 ocean on other. You have a sewage system that doesn't
20 have the full capacity that can take on rain and
21 stormwater at the same time so it's going to require
22 the Administration to really prioritize and invest in
23 those type of communities to make sure that whatever
24 flood barrier is needed is installed to make sure
25 that we're protecting communities.

2 DEPUTY CHIEF OPERATING OFFICER CIPRIANO:

3 Absolutely. There are a number of international
4 leaders in this front. You've mentioned Copenhagen.
5 They're at the forefront. They coined the term
6 cloudburst with their storm, and they have a really
7 robust program where they invest a lot of money into
8 building stormwater infrastructure, particularly
9 because they're below sea level so they're even more
10 vulnerable to even moderate storms. We're also
11 working with partners in Singapore and Tokyo and
12 London, three other cities that have similarly
13 complex, similarly congested cities, and all have
14 slightly different challenges on the stormwater
15 management side but similar scales. Just like New
16 York City is super dense, so is Tokyo and London, and
17 so it helps to talk with our colleagues in those
18 cities to understand how they're thinking about
19 investments. Tokyo has these really cool underground
20 storage facilities that are massive. They're called
21 stormwater cathedrals. They are billions of dollars
22 to construct, and they solve a particular problem
23 that Tokyo has when the spring rains come, but we are
24 thinking about how we might leverage those types of
25 tools that they're using to solve some of the more

2 idiosyncratic New York challenges we're facing, and
3 so we're constantly in this process of learning from
4 our colleagues. It's evolving because everyone's
5 dealing with climate change in a little bit of a
6 different way. The northeast of America is getting
7 more rain in shorter bursts. London's getting it
8 longer, more steady rains so they have, because
9 dealing with stormwater is a combination of how long
10 it's raining, how many tide cycles you have during
11 that rain, and how intense the rain is so it's a
12 three-factor analysis you're always doing in your
13 District in particular.

14 CHAIRPERSON BROOKS-POWERS: I know it
15 firsthand.

16 DEPUTY CHIEF OPERATING OFFICER CIPRIANO:
17 Our hearts sink whenever it rains at high tide, I'm
18 not going to lie.

19 CHAIRPERSON BROOKS-POWERS: Yours and mine
20 too.

21 DEPUTY CHIEF OPERATING OFFICER CIPRIANO:
22 And it's one of those things that it didn't used to
23 be as challenging, right, and so our tools that we
24 have used in the past may be inadequate in some ways,
25 and so we have to think about things that in the past

2 we were like, we don't ever want to pump stormwater.
3 Now pumping stormwater is going to be a tool in the
4 toolbox. It's an expensive tool. It has climate
5 impacts. It takes a long time to implement. On the
6 bay side, that's going to be one of the tools we
7 implement as part of that Army Corps project so it's
8 a new tool that we'll have that we haven't been using
9 before.

10 CHAIRPERSON BROOKS-POWERS: It would be
11 great if DEP could pull together like a working
12 group, not just with myself, but other of my
13 Colleagues that have coastal communities like those
14 representing Staten Island or like Council Member
15 Brannan and the folks that do have the coastal area
16 in their District as well as yourself and some of the
17 thought partners you're looking at to see how we can
18 move this plan in a more timely fashion. Because I
19 will say in Copenhagen, what I found that may
20 contribute to the success that they've seen is
21 because there's been a complete buy-in from the
22 government and from the public, and so they've been
23 able to move pretty quickly on these things but, when
24 we work in silos, it takes a long time. People have
25 their different thoughts about what's going to work

2 as opposed to coming together, having that unified
3 conversation and creating a true plan of action
4 moving forward because, again, I'm really nervous
5 about 2024 and wanting to make sure that even though
6 some of this is more long-term, because the capital
7 projects take as long as they do for whatever reason,
8 we need to know what are we doing this year, in 2024,
9 to make sure that we are protected in the
10 communities. When you think about the storms that are
11 coming also, what does that mean for the subways?
12 Because DEP, DOT responsible for the pitching and in
13 the sewage system, but all of that stuff has been
14 coming into the subways, which creates delays or
15 stalls on our train. It creates such a burden on the
16 infrastructure there and, after June 30th, we know
17 we're going into congestion pricing so you're going
18 to see even more commuters traveling by public
19 transportation. That's the projection from congestion
20 pricing, and so what steps are you taking now, right,
21 because June 30th is just in a matter of a few weeks
22 and then hurricane season starts in just a matter of
23 a couple of months. What is in play right now to make
24 sure that all these things take into account because
25 I do feel with congestion pricing and certain aspects

2 of it, we're putting the cart before the horse in
3 many instances, and it's going to impact countless
4 New Yorkers because of inaction or things not
5 happening quickly enough so I really would like to
6 understand what DEP and DOT is doing right now in
7 lieu of all of this that's coming this year.

8 DEPUTY CHIEF OPERATING OFFICER CIPRIANO:

9 We have been working really closely with the MTA's
10 Capital Division to understand flooding conditions in
11 the MTA, specifically to the point that you're making
12 about how low-income New Yorkers have an adverse
13 impact when the subways are down or they can't get to
14 work, and so we want to make sure that we are really
15 making concerted efforts to partner with the MTA to
16 identify flood-vulnerable areas and jointly
17 investigate the causes and solutions, and so we've
18 inspected with MTA over 35 stations where we have
19 identified site-specific contributors to subway
20 flooding. I'll highlight 207th Street Dykeman on the
21 A train in Upper Manhattan. This is a location where
22 we installed those slotted manhole covers I mentioned
23 earlier because one of the challenges is that it's an
24 incredibly steep slope leading right to the subway
25 station entrance, and all the storm water from this

2 largely wooded park land near the station was flowing
3 and matting over the catch basins at the base of the
4 hill, and so we installed slotted manhole covers. MTA
5 also raised a step up, so sometimes you'll see that
6 you have to take a step up to then take a step down
7 to get into the subway and that's to help create a
8 little bit more barrier for water to flow because
9 it'll always go to the lowest spot.

10 CHAIRPERSON BROOKS-POWERS: How many of
11 the subways have they done that for out of the 35
12 that you've identified?

13 DEPUTY CHIEF OPERATING OFFICER CIPRIANO:
14 I don't know the number offhand because there's
15 different solutions for everyone. Sometimes it's
16 raising the step up and adding these slotted manhole
17 covers. Sometimes it's fixing vent covers or raising
18 vent covers. Each site, what we do is we go around
19 with a team of engineers and a team of MTA engineers,
20 and we try to find where the water can enter the
21 subway and then we create a site-specific solution
22 for each subway station to make sure that we're
23 mitigating the cause of flooding, and so we can give
24 you a more full readout afterwards about which
25 stations we've worked with the MTA on.

2 CHAIRPERSON BROOKS-POWERS: We were just
3 saying we're going to follow up afterwards and get
4 that.

5 DEPUTY CHIEF OPERATING OFFICER CIPRIANO:

6 It's been a really productive partnership. I mean in
7 some cases the answer is we have to expand the sewer
8 system and then we have to think about how we
9 prioritize solving MTA flooding issues against
10 solving other priority flooding areas, but we've been
11 working I think very closely and in partnership also
12 with DOT on the MTA flooding issues.

13 FIRST DEPUTY COMMISSIONER FORGIONE: And

14 if I can just add to what my colleague has said. We
15 have a very nice initiative that hasn't come up yet
16 today of porous pavement that we're working with DEP
17 and Sanitation on, the three agencies, and what that
18 initiative will do is install panels in low-lying
19 areas in the curb lane that can take in the water
20 through the slab down into the ground into the earth,
21 and we have about 92 miles already installed or about
22 to be completed so that's a very significant effort
23 on the part of the City. We're also looking at porous
24 slabs on sidewalks. We have several locations that we
25 have done and we're looking to do some more, and the

2 last thing I wanted to mention was that we're doing
3 some resiliency for the Staten Island Ferry. We're
4 doing a design-build project in the two terminals
5 that will take some of the critical systems from
6 ground level and put them up so, for example, in St.
7 George Terminal we'll take the fire alarm systems
8 from the ground floor and we'll move them up to the
9 third floor.

10 CHAIRPERSON BROOKS-POWERS: Also, we've
11 been joined by my Colleague, Council Member Lincoln
12 Restler.

13 According to the Preliminary MMR, there
14 was a doubling of sewer backup complaints that were
15 confirmed on City infrastructure. What does the City
16 think caused this increase and has there been any
17 proactive steps taken to address these increases?

18 DEPUTY CHIEF OPERATING OFFICER CIPRIANO:
19 I'm so excited to talk about sewers so happy to
20 answer this question. Of the period over the PMMR,
21 there was a 250 percent increase in rain over the
22 same period last year, and so that's the primary
23 driver of the increase in sewer backup complaints in
24 general. When it rains very hard, you know the sewers
25 can be momentarily overtaxed and that can cause a

2 sewer backup. I will say that, overall, the
3 Department has made considerable efforts over the
4 past decade to drive down sewer backup rates across
5 the city. In terms of dry weather sewer backups which
6 are the worst of the worst because that means that
7 you're getting completely undiluted sewage in your
8 home, we've seen like a 60 percent decrease over the
9 past 10 years, and so that is where we spend a lot of
10 time and energy doing proactive sewer cleaning and
11 proactive sewer degreasing. One of the primary
12 contributors to a sewer backup is in dry weather it's
13 not rain, it's fats, oils, and grease that are poured
14 down the drain and enter the sewer system causes the
15 sewer system to clog. DEP has a robust degreasing
16 program to make sure that we are identifying these
17 recurring areas and proactively addressing them to
18 minimize the potential for a sewer backup. I also
19 just want to take a quick moment as a PSA to say as a
20 homeowner you typically do not have as part of your
21 homeowner's insurance sewer backup insurance or water
22 backup insurance. It's an optional rider that I
23 encourage everyone to talk to their constituents
24 about. I just did my homeowner's insurance last week
25 and it cost me 80 dollars for 10,000-dollars' worth

2 of coverage for a water backup or sewer backup in my
3 home, and that's a really low-cost way to buy down
4 your risk. If I look in my basement, if I have a
5 sewer backup it's going to take out my washing
6 machine, my dryer, and my boiler in about a hot
7 minute so it's one of those things where you know
8 that to me is 10,000-dollars' worth of stuff that I
9 will immediately need to replace once it gets wet,
10 and so for my family it makes a lot of sense to pay
11 that 80 dollars a year to have that peace of mind
12 and, for a lot of property owners, I think that
13 that's a wise investment that they don't know that is
14 available, right, and so talking to your insurance
15 agent is a really great way to make sure that you
16 have coverage for these unforeseen kind of events.

17 CHAIRPERSON BROOKS-POWERS: Thank you for
18 that. We actually just had a Getting Your Business in
19 Order community meeting this week. We have another
20 one coming up in my District in particular because we
21 found in these weather events that we've had a lot of
22 homeowners that don't have homeowners' insurance or
23 flood insurance or both and renters that don't have
24 renters insurance, and it's caused a lot of financial

2 burden on the back end of these storms so I
3 appreciate that.

4 I'm going to jump into the resiliency of
5 our infrastructure. I know you talked about the
6 porous paving so, other than that, we want to
7 understand what DOT is doing to ensure that there's
8 adequate resiliency upgrades for our transportation
9 system and how does DOT prioritize which
10 neighborhoods receive resiliency upgrade and work?

11 FIRST DEPUTY COMMISSIONER FORGIONE: Okay,
12 so every time we have a capital project, and these
13 are mainly projects that we're working on with DDC,
14 we examine what opportunities we have for resiliency
15 and to better protect our infrastructure. As I
16 mentioned depending on the area of the city that it
17 is, that might include porous pavement. We're really
18 seeing some good results with that, early results
19 with all of the miles that have already been put in.
20 We're increasingly looking at porous slabs in the
21 sidewalks and then working with our City partners at
22 DEP for bio swales, if I'm calling them the wrong I
23 apologize, and making sure that that's taken care of.
24 As Kim mentioned when we're working near subway
25 stations, we are collaborating with the MTA to make

2 sure if anything needs to be raised or graded
3 differently, we do that. I don't know, Tom, if you
4 would like to give some examples of some of the
5 recent projects that we've done with you.

6 DEPUTY COMMISSIONER WYNNE: Throughout the
7 city, we have been obviously coordinating with DOT on
8 opportunities including with some of the projects
9 that include bikeways and on projects dedicated for
10 DEP to do stormwater work including the porous
11 pavement, rain gardens, and infiltration basins.
12 We've had a very robust over the last five years of
13 installing these types of green solutions, and they
14 are a good accompaniment to the hard sewers that are
15 being installed in terms of helping to manage local
16 flooding.

17 CHAIRPERSON BROOKS-POWERS: Thank you. At
18 our past hearing on hard infrastructure, DOT
19 testified that they had recently received 36 million
20 dollars of new capital funding to fully fund the
21 replacement of the Harper Street asphalt plant. What
22 is the current status of the plant, and how is DOT
23 implementing sustainable practices in terms of
24 creating asphalt?

2 FIRST DEPUTY COMMISSIONER FORGIONE: Let
3 me get you the information in just a second. I know
4 we're in the process of working with DDC on Harper
5 Street. We can get you a specific update as to where
6 that reconstruction is.

7 DEPUTY COMMISSIONER WYNNE: Sorry,
8 Harper's with our Public Buildings Division so we'll
9 get you the information.

10 CHAIRPERSON BROOKS-POWERS: I know DDC is
11 here. Are they able to answer and give us an update?

12 DEPUTY COMMISSIONER WYNNE: Yeah, we're
13 going to try to get you an update now.

14 CHAIRPERSON BROOKS-POWERS: Okay.

15 DEPUTY COMMISSIONER WYNNE: Thank you.

16 CHAIRPERSON BROOKS-POWERS: And while
17 you're looking for that, I have a couple more
18 asphalt-related questions. What is DOT's opinion
19 about the use of recycled asphalt pavement, is there
20 further room for improvement to use more than 50
21 percent recycled asphalt pavement, and along with
22 DOT's use of recycled tire rubber in asphalt mixes
23 and the use of recycled plastic waste in the hot mix
24 asphalt, which of these technologies or innovative
25

2 mixes does DOT believe will have the greatest
3 environmental and cost-saving potential for the City?

4 FIRST DEPUTY COMMISSIONER FORGIONE: Thank
5 you for that question. Currently this past year we
6 have used 43 percent recycled asphalt in our
7 pavement. That is a very good number. We're usually
8 hitting around 40, but now we're trying to increase
9 it without reducing the quality of the mix. We're
10 interested in getting as high up as 50 percent if we
11 are able to and, when we redo our Harper asphalt
12 plant and we have a brand-new plant, we're hopeful we
13 can also increase the percentage there. Using RAP is
14 great. That's an excellent thing that that material
15 doesn't get back in the landfill. It reduces costs.
16 It still produces a very good material for the
17 roadway. As you mentioned, we've also been looking at
18 what we call synthetic binder asphalt, and sometimes
19 people are calling it plastic asphalt but it's not
20 yet using recycled plastic bottles for example. The
21 technology that is present, especially in other parts
22 of the world, is using new plastic sort of pellets in
23 this product. The beauty of that product is that
24 someday it will probably get into recycled plastic,
25 but the best thing about it for us in the short run

2 is that we can have a material that can easily be
3 colored so black asphalt is dark. You can't really
4 put a color in there. It just gets eaten up by the
5 petroleum-based product that asphalt is but, if we
6 use this synthetic binder, it can be clear and then
7 we can add in dyes and coloring so we did some very
8 interesting pilots using red and green asphalt, and
9 we've been watching how well they hold up but,
10 unfortunately, the materials for those two pilots had
11 to come all the way from Europe, from two different
12 countries in Europe, because we're not yet there in
13 this country to have all of that yet so what we need
14 to do is bring the industry along so we can do more
15 localized things. The price of those pilots was quite
16 high so it's not really something that's feasible to
17 do on a large scale yet, but we are working with the
18 industry and we intend to advance all of those
19 technologies so we can have more of that.

20 CHAIRPERSON BROOKS-POWERS: Thank you for
21 that, and I find like it's so unfortunate like we
22 have to continue to go out of the country for a lot
23 of these things that are better environmentally or
24 sustainability wise and hope the industry is able to
25 pull it along here.

2 My Colleagues earlier asked a question
3 about potholes, and so I wanted to know as a followup
4 is there a plan to increase the internal capacity for
5 hot asphalt to make sure potholes are corrected the
6 first time?

7 FIRST DEPUTY COMMISSIONER FORGIONE: I'm
8 going to check into what your Colleague raised in
9 terms of the Staten Island situation with cold patch.
10 We do have hot asphalt available day and night. We
11 have vendors that we work with so we should not be
12 making any widespread repairs with cold patch.

13 CHAIRPERSON BROOKS-POWERS: I'm going to
14 pause real quickly to let Council Member Restler ask
15 his questions.

16 COUNCIL MEMBER RESTLER: Great. Good
17 afternoon. Good to see you all.

18 I have a lot of DDC and DEP-related
19 questions on our infrastructure, but I'm going to
20 focus today on my favorite least favorite project,
21 the BQE. Sorry, Deputy Commissioner Schwartz, but
22 you're here so you know what a gift. I just firstly
23 wanted to talk about a broader issue, salt. The
24 deterioration and negative impact that salt has on
25 concrete on our bridges. Why do we continue, or could

2 you first just speak to the negative impact that salt
3 has and explain why we continue to use salt instead
4 of alternative approaches?

5 DEPUTY COMMISSIONER SCHWARTZ: Good to see
6 you Council Member.

7 COUNCIL MEMBER RESTLER: Always.

8 DEPUTY COMMISSIONER SCHWARTZ: Salt can
9 deteriorate steel so what happens is if you get
10 cracks in your concrete pavement and it's reinforced
11 concrete, it gets to what we call the reinforcing bar
12 or rebar for short and then it can create a corrosion
13 cycle. The corrosion cycle then results in rust. Rust
14 takes up a bigger volume than steel and then those
15 internal pressures then create popping or
16 delaminations and that leads to the deterioration of
17 pavement. Salt is, though, right now also the very
18 cost-effective material to de-ice the streets in the
19 city. Going to other alternatives such as sand does
20 not do any melting, and then there's alternative
21 materials which we use in very specific locations
22 which do an adequate job but are extremely costly. We
23 do do alternative de-icing within DOT. Most of the
24 salting is done by Sanitation, of course, on the
25 street system, and we use those on the East River

2 bridges and we use them on the BQE, the cantilever
3 section between, and other structures (INAUDIBLE)
4 between Atlantic and Sands.

5 COUNCIL MEMBER RESTLER: But, of course,
6 the deterioration and the need to replace
7 deteriorated rebar is also extremely costly to the
8 city and potentially massive capital projects so the
9 upfront costs of salt or a more costly alternative
10 may or may not make sense long term financially for
11 the city. When did you discontinue use of salt on the
12 BQE triple cantilever?

13 DEPUTY COMMISSIONER SCHWARTZ: We
14 discontinued use of salt on that in 2021, and we also
15 did something else that I think is really positive
16 that we don't talk much about is we implemented a
17 deck sealing program. There are materials out there,
18 silane is a commonly used one, that is applied to
19 bridge decks. We do that as a matter of course on a
20 major capital projects where we'll apply the
21 material, and we received funding a number of years
22 ago for a couple of crews to now go out and every
23 four years or so reapply the material, and so that's
24 an approach to actually help prevent the permeation
25 of the chloride ions that are coming out of salt into

2 the bridge decks and into that rebar so we actually
3 clog up those pores and prevent that from going
4 through.

5 COUNCIL MEMBER RESTLER: But the fact that
6 we use salt for, I don't know, 60 or 70 years on this
7 structure, even though it's been discontinued for the
8 last two or three years, doesn't that still mean that
9 every time it rains the salt is still present and
10 mixing into the rebar and further deteriorating the
11 structure?

12 DEPUTY COMMISSIONER SCHWARTZ: There's
13 certain saturation factors and you could
14 significantly slow down the rate, I won't say that
15 you can necessarily stop the rate, but by
16 discontinuing the use, you should in theory
17 significantly slow down that rate of corrosion.

18 COUNCIL MEMBER RESTLER: I just wanted to
19 ask about the decision to shift I believe half a
20 billion dollars out of the Five-Year Capital Plan
21 into future years, into the outyears, that has been
22 made by this Administration over the past you know 24
23 months and to not invest in an immediate way in the
24 stabilization of the triple cantilever BQE structure.
25 How can you provide assurances to everyday New

2 Yorkers, to constituents in the 33rd Council
3 District, to me, and our Chair that the triple
4 cantilever is safe when we're not making these
5 necessary short-term investments that previous
6 Administration had allocated funding for and were
7 determined necessary?

8 DEPUTY COMMISSIONER SCHWARTZ: Again, I
9 want to assure everyone here that the BQE is safe. We
10 have invested a lot of resources in monitoring. We do
11 quarterly inspections in addition to the biennial and
12 special inspections that could be done by licensed
13 professional engineers. We have monitors out on the
14 structure itself that are measuring vibrations and
15 other things so we have a good understanding what's
16 going on. In addition to that, about 177.8 million
17 was left in the five-year window. That's going to
18 help us to do a few different things. One, it's
19 helping to address the interim repairs that we're
20 actually conducting currently. As you may be well
21 aware, sir, there's a weekend closure coming up this
22 weekend where we're going to complete the majority of
23 the interim repairs. There is a little bit of work
24 we're going to have to come back and resurfacing and
25 striping, but this will be the major concrete work,

2 the last step of that, and it also is here to fund
3 our (INAUDIBLE) when-and-where program so, should
4 something arise that is unexpected, that is picked up
5 by our inspectors who are out there frequently, we'll
6 have the resources in place to address it.

7 COUNCIL MEMBER RESTLER: I appreciate some
8 resources are still available and appreciate the
9 commitment that additional resources can be made
10 available. There's a significant shift of half a
11 billion dollars away from the Five-Year Capital Plan
12 to the outyears. It just raises questions when we all
13 know that this structure requires our immediate
14 attention.

15 The last thing I wanted to ask, and I
16 apologize, Chair, for going over and I promise this
17 is my last question is, Deputy Commissioner, do you
18 believe that we could safely install columns into the
19 current triple cantilever structure to stabilize this
20 structure? Is that a feasible onto Furman Street on
21 the far side? Do you think that is a feasible
22 approach that we could pursue?

23 DEPUTY COMMISSIONER SCHWARTZ: Given the
24 structure and the way it was developed and the way
25

2 that it has behaved over the last 70, 80 years, no. I
3 do not believe that's a solution.

4 COUNCIL MEMBER RESTLER: The structure
5 couldn't be encapsulated and columns installed. You
6 don't think that's a feasible potential outcome?

7 DEPUTY COMMISSIONER SCHWARTZ: The
8 structure was built and behaves in a certain way. By
9 doing what you're suggesting, you're completely
10 changing the behavior of that structure and making it
11 perform in a manner for which it was not designed to
12 perform.

13 COUNCIL MEMBER RESTLER: I always
14 appreciate witnesses who provide direct answers to
15 questions, and it's always good to see you. Thank you
16 very much.

17 DEPUTY COMMISSIONER SCHWARTZ: Thank you.

18 CHAIRPERSON BROOKS-POWERS: Same here.

19 COUNCIL MEMBER RESTLER: We have a really
20 good Deputy Commissioner for Bridges.

21 CHAIRPERSON BROOKS-POWERS: I just want to
22 stay on BQE for a little bit since Council Member
23 Restler took us there. Last week, DOT announced the
24 final phase of the closure and the interim repair
25 work for the BQE. This is the third time drivers have

2 been diverted onto local streets. How is DOT
3 preparing for the rerouting of this particular
4 traffic and what lessons have been learned from the
5 first two times a closure like this took place, and I
6 appreciate it being on the weekend, by the way.

7 DEPUTY COMMISSIONER SCHWARTZ: Excuse me?

8 CHAIRPERSON BROOKS-POWERS: I said I
9 appreciate it being on the weekend.

10 DEPUTY COMMISSIONER SCHWARTZ: Yes,
11 absolutely, and that's one of the things we look to
12 do, right? Sorry. We look to minimize the impact to
13 the extent possible due to the types of repairs that
14 we needed to do for the structure. It did require the
15 full structure to be closed, so weekends and nights
16 obviously have less of an impact than during the
17 weekdays. We've done extensive coordination, and
18 we've learned from the previous. What we've been
19 doing is we've reached out to all our City local
20 partners, the State partners, even our regional
21 partners through Transcom to make sure that the word
22 got out to all the other agencies about this work.
23 That allows them to then broadcast the message across
24 all their networks. In addition, we've got VMS boards
25 warning people. We have worked with NYPD very

2 closely, and they will be providing upwards of 100
3 traffic enforcement agents to help move traffic
4 through the local streets. We have reconfigured the
5 Gowanus Expressway to include the HOV lane, which
6 would normally be going in the outbound direction,
7 but we'll make that inbound so that people have
8 access to the tunnel, and we have adjusted our signal
9 timing to also provide traffic to come through. We've
10 also learned that you need to do a lot of community
11 outreach and we need to get the word out, right, so
12 we continue to do that. We've worked with folks
13 sitting here to make sure that they're aware of the
14 project and they can get it out to their
15 constituents. At the same time, we have a full-time
16 community liaison that is assigned to this project.
17 She's got a large network of hundreds of people so
18 she's able to blast out notices, and we've taken out
19 almost two dozen advertisements in print, radio, TV,
20 and online advertising to let people know. The
21 biggest message to get out there is, and I think our
22 press announcement came out just today, is to stay
23 away. It is always a struggle. No matter what, when
24 you get into beautiful weather, like we're expecting,
25 people come out, so we will try to get the message

2 out and try to move traffic as best as we can, but
3 for people to stay away would be obviously the best
4 thing.

5 CHAIRPERSON BROOKS-POWERS: No, thank you,
6 and you answered one of my questions in terms of the
7 outreach that's going to be conducted. Are you
8 confident this will be the last time there'll be a
9 need to close the roadway and conduct interim repair
10 work?

11 DEPUTY COMMISSIONER SCHWARTZ: It's the
12 last time that we have it scheduled currently. We
13 continue to monitor the condition of the structure
14 and, should future repairs warrant, then we may be in
15 the same position again.

16 CHAIRPERSON BROOKS-POWERS: I know you
17 answered some of these questions with Council Member
18 Restler, but I just wanted to get a little bit more
19 granular on some additional questions, so there's
20 approximately 174.9 million dollars allocated in the
21 Five-Year Capital Plan for the rehabilitation of the
22 BQE from Sand Street to Atlantic Avenue project. In
23 the 10-Year Capital Plan, there was a total of 1.5
24 billion dollars allocated to this project. What is
25 the current scope of this project, what is the status

2 of this project, and what is the updated timeline for
3 completion?

4 DEPUTY COMMISSIONER SCHWARTZ: As we
5 explained, the interim repair work, we're hoping that
6 major closure is this weekend, and then we can come
7 in later and we could wrap up that project so the
8 balance of the money that's within that five-year
9 window would then support any other needed repairs
10 that come up, be they most likely in the when-and-
11 where sense or other flags that may occur. We
12 continue to push forward on major projects, and we
13 are currently in collaboration with FHWA, New York
14 State DOT, to undertake a comprehensive traffic study
15 and prepare the necessary documentation to enter into
16 an environmental review process that we're aiming to
17 start by the end of this year.

18 CHAIRPERSON BROOKS-POWERS: And then
19 what's the updated timeline, so if we're going to
20 start at the end of this year, what's the timeline?

21 DEPUTY COMMISSIONER SCHWARTZ: Right, so
22 we would start that at the end of this year. It's a
23 federally mandated two-year process, and then
24 construction could begin as early as Fiscal Year
25 2028.

2 CHAIRPERSON BROOKS-POWERS: Why is capital
3 funding for the project continually rolled back into
4 later years?

5 DEPUTY COMMISSIONER SCHWARTZ: The funding
6 is just moved within the Capital Plan to better align
7 with the schedule of the project.

8 CHAIRPERSON BROOKS-POWERS: Is the DOT
9 running into any challenges with the completion of
10 this project? If so, can you share that with us?

11 DEPUTY COMMISSIONER SCHWARTZ: Bridge
12 projects take a very long time and are very complex,
13 so there's always challenges that are coming up.
14 We're working through those. It's really a matter of
15 close relationships with our federal and state
16 partners to try to get through that process, and
17 we've got a very robust community engagement aspect
18 to this as well to try to bring everyone along in the
19 process at the same time. By taking these steps
20 early, you set yourself up hopefully for a very
21 successful project.

22 CHAIRPERSON BROOKS-POWERS: Can you give
23 some examples of what some of the challenges are?

24 DEPUTY COMMISSIONER SCHWARTZ: One of the
25 things that has been spoken about quite publicly is

2 just the number of lanes, for example, that the
3 highway will be, right, and so we have undertaken
4 these traffic studies, and our goal is to assess that
5 data and be able to build a structure that is as
6 narrow as possible that meets the needs and demands
7 that come out of the study. Right now, that BQE is
8 currently about 33 feet so it's substandard by
9 today's standards so we do need to bring it up to
10 safety standards, and then we'll work through the
11 data with our partners to get to what the right
12 solution is.

13 CHAIRPERSON BROOKS-POWERS: In February,
14 the Federal Highway Administration rejected the
15 City's application for a grant that would have
16 provided 800 million dollars in funding to replace
17 the decaying triple cantilever portion of the 11-mile
18 BQE. What was the reason given for the rejection, and
19 how does the Department plan on moving forward with
20 repairs of the triple cantilever without this federal
21 grant money?

22 DEPUTY COMMISSIONER SCHWARTZ: Sure. As
23 you know, the Administration is committed to
24 delivering that long-term fix for that City-owned
25 portion of the BQE, and we're grateful to the Biden

2 Administration for even the opportunities and the
3 other ways that they look to help support us in that
4 mission. The submission was early in the timeline. I
5 think we were all aware that it was a little bit
6 early, but it was smart to get it in, get some
7 feedback, get a better understanding. It has no
8 impact to our timeline, and then we look forward to
9 future opportunities to resubmit a stronger
10 application.

11 CHAIRPERSON BROOKS-POWERS: Turning to a
12 related part of this project, how many tickets has
13 DOT given for overweight trucks on the BQE?

14 FIRST DEPUTY COMMISSIONER FORGIONE: Yeah,
15 we don't have those numbers with us, but we can get
16 them to you today.

17 CHAIRPERSON BROOKS-POWERS: Please do. Has
18 there been repeat offenders, either individual trucks
19 or companies, and how has DOT pushed those companies
20 to find alternative routes?

21 DEPUTY COMMISSIONER SCHWARTZ: All right.
22 We'll note not which company necessarily, but whether
23 there have been repeat offenders. In the case that we
24 have a repeat offender, we are doing additional
25 outreach to them to try to get them to understand the

2 reasons why they're being ticketed and what
3 strategies they could employ to avoid that in the
4 future.

5 FIRST DEPUTY COMMISSIONER FORGIONE: But
6 we are mainly seeing people not getting repeat
7 violations. The companies are learning and have
8 adjusted their behavior, and the violations have gone
9 way down from the beginning.

10 CHAIRPERSON BROOKS-POWERS: Way down, so
11 when you give me the numbers, it'll be good to see so
12 I have apples-to-apples what that looks like.

13 FIRST DEPUTY COMMISSIONER FORGIONE: If
14 you'd like week-by-week or month-by-month?

15 CHAIRPERSON BROOKS-POWERS: That'll be
16 great. Thank you for that. I'm going to just end with
17 a few questions on behalf of Council Member Narcisse,
18 who had to leave.

19 My District, this is from her, of course,
20 so not my District, but her District, has a lot of
21 waterfronts, which are impacted by weather. What
22 specific steps are being taken to ensure that our
23 public infrastructure and spaces are resilient to the
24 impacts of climate change, and it also asks if DOT is
25

2 still using blacktop to patch sidewalks. We have seen
3 that happen in the District, and it looks pretty bad.

4 FIRST DEPUTY COMMISSIONER FORGIONE: Okay.

5 The only time we use asphalt on sidewalks is as a
6 temporary repair when there's an imminent dangerous
7 condition that is a very big trip hazard, for
8 example, so, in very few circumstances, we do it. We
9 recently did a small area around one of the NYCHA
10 buildings, and we have then scheduled the permanent
11 replacement to go back in and do it properly in
12 concrete so that does not happen very often but, if
13 she has anything she wants to give to us, that is
14 fine. Then as we've discussed previously, we work
15 closely with our partners here at the table on
16 resilient streets to examine every location that
17 we're working in and to see what sorts of strategies
18 we can employ to make that project more resilient and
19 to address any issues with flooding or ponding.

20 CHAIRPERSON BROOKS-POWERS: Thank you so
21 much for this testimony and public conversation
22 today.

23 I am now going to open the hearing for
24 public testimony.

2 FIRST DEPUTY COMMISSIONER FORGIONE: Thank
3 you very much, Chair.

4 CHAIRPERSON BROOKS-POWERS: Thank you. I
5 remind members of the public that this is a
6 government proceeding and that decorum shall be
7 observed at all times. As such, members of the public
8 shall remain silent at all times.

9 The witness table is reserved for people
10 who wish to testify. No video recording or
11 photography is allowed from the witness table.
12 Further, members of the public may not present audio
13 or video recordings as testimony, but may submit
14 transcripts of such recordings to the Sergeant-at-
15 Arms for inclusion in the hearing record.

16 If you wish to speak at today's hearing,
17 please fill out an appearance card with the Sergeant-
18 at-Arms and wait to be recognized. When recognized,
19 you will have two minutes to speak on today's hearing
20 topics. Today's hearing topics are the Oversight of
21 Future-Proofing the City's Public Infrastructure,
22 Intro. Number 272, a local law in relation to a
23 capital plan and timeline for installing public
24 bathrooms, Intro. Number 574, a local law to amend
25 the Administrative Code of the City of New York in

2 relation to expanding the information provided on the
3 Open Space Coordination Platform.

4 If you have a written statement or
5 additional written testimony you wish to submit for
6 the record, please provide a copy of that testimony
7 to the Sergeant-at-Arms. You may also email written
8 testimony to testimony@council.nyc.gov within 72
9 hours of this hearing. Audio and video recordings
10 will not be accepted.

11 I will call the first panel, which will
12 be Sharon Brown and Raul Rivera.

13 Go ahead, please. Use the mic.

14 SHARON BROWN: Okay, my name is Sharon
15 Brown. Public restrooms are a must. We have military,
16 we have police, we have undercover police officers,
17 military. We have so many undercover people that when
18 we are abusive to the general public, we're also
19 abusive to the undercovers and they see how people
20 are treated as the public. We can't have the FDNY,
21 anyone looking into different situations. Okay, we
22 need something called the stranded person's law for
23 transportation. This is transportation. Okay, there
24 should be a stranded strap hanger law. No woman or
25 child or man should be turned away from government

2 service. No stranded strap hanger. So if someone is
3 consistently trying to get somewhere and they're
4 shown that they're going to and from certain places
5 and they don't have the means, they should be able to
6 get on and either get some kind of pass or something
7 that shows that they can ride or they should have
8 something set up for them so they can ride. No child
9 should come from school and not have the money to
10 ride. Bridges and tunnels... we also need, Access-A-
11 Ride should be available to all and also to those who
12 are stranded. If there are people who are stranded,
13 they should be able to get into a Access-A-Ride and
14 get home. We shouldn't have people walking for hours
15 and miles and things like that. This is concerning
16 transportation. The bridges should have a backup
17 bridge. We are going into the technology age, and
18 there should be immediate ways to make bridges,
19 roads, and tunnels immediately. We should have backup
20 systems where we can lay something down immediately
21 so that people can get over a road or something.

22 CHAIRPERSON BROOKS-POWERS: Thank you.

23 SHARON BROWN: I think that's it.

24 CHAIRPERSON BROOKS-POWERS: Thank you. Mr.
25 Rivera.

2 SHARON BROWN: Thank you so much.

3 RAUL RIVERA: Good afternoon. My name is
4 Raul Rivera. I'm a TLC driver and a TLC driver
5 advocate. Restrooms are important. One of the issues
6 with restrooms in the city is we have thousands of
7 restaurants and they want you to buy their food but
8 they don't care about you using the restrooms.
9 Everywhere you go in the city, you see signs out of
10 service, out of service when it comes to the
11 restaurants. You can't use the restrooms in the
12 restaurants. That's an issue. Maybe the City Council
13 should look into that.

14 What I really want to say to you, Chair,
15 I don't know what we have to do for you to help the
16 drivers. The drivers are being locked out. I don't
17 know if you know about it. There's chaos happening
18 right now. Uber and Lyft are locking out the drivers.
19 They can't work. I don't know why they don't show up
20 here. I don't know if you're aware of this, but
21 there's going to be a lot of protesting going on.
22 We're asking that they come out to your office and
23 protest in your District. That's what they have to
24 do. I don't know why they don't want to do that, but
25 they should. Uber and Lyft are locking out the

2 drivers. The utilization rate that was created by
3 Meera Joshi is a disaster and it's hurting the
4 drivers. In this City Council, we have black people,
5 we have Puerto Ricans, we have Dominicans. It's our
6 own people that are stopping us. Look in the mirror.
7 You're not helping us. We got bills for the drivers.
8 You don't want to pass the bills. Everybody says
9 white supremacy. It's not the white man that's
10 stopping me. It's my own people, my Puerto Rican
11 people, my black people, my Dominican people. You
12 guys are blocking us. It's not the white man. It's
13 not Donald Trump. You guys are blocking us. We're
14 losing our city. Transportations Alternative, Danny
15 Harris. Danny Harris is the true DOT. We asked for an
16 investigation of the DOT. The DOT is dirty. It's
17 filthy. It's dirty. It needs to be investigated. It's
18 our own people scoring us.

19 CHAIRPERSON BROOKS-POWERS: Thank you, Mr.
20 Rivera.

21 RAUL RIVERA: It's our own people. Come
22 on, Powers, you know it's our own people. You're
23 black. You ain't white. You're black.

24 CHAIRPERSON BROOKS-POWERS: Thank you for
25 reminding me of my skin color and my race.

2 RAUL RIVERA: (INAUDIBLE)

3 CHAIRPERSON BROOKS-POWERS: Next, we will
4 have Glen Bolofsky and Tashia Lerebours who are both
5 online.

6 GLEN BOLOFSKY: Good morning, Chair. How
7 are you today? I hope everyone's well. Thank you for
8 this spicy last testimony, and I'm sorry about that.
9 Some people you can't control. Thank you so much for
10 your great team, Chairwoman Selvena Brooks, and also
11 for this important infrastructure meeting, and I also
12 want to thank Central Staff and your local Team as
13 well.

14 We're talking about infrastructure. I'm
15 in the parking ticket industry. When we've had
16 Hurricane Sandy, sadly, it hurt a lot of people who
17 are still hurt. We need this infrastructure done. We
18 really need it, and we really need it now. We've also
19 lived through not just Hurricane Sandy, but the
20 terrible bombings on 9/11, the terrorist bombings,
21 and many other things that have happened where we
22 don't even have the ability to go have hearings on
23 tickets because the City closes down the PVB, just
24 like they did during COVID, and backlogs of tickets,
25 and they won't let us do virtual hearings. They just

2 make it hard for people, and it's really not nice.
3 Government needs to be nice. There needs to be a
4 little love, a little compassion, and there's zero
5 from the Department of Finance in that respect. I
6 want to thank the Chair and the Team for my
7 opportunity to testify. Thank you so much.

8 CHAIRPERSON BROOKS-POWERS: Thank you.

9 Next, we'll hear from Tashia Lerebours.

10 SERGEANT-AT-ARMS: You may begin.

11 TASHIA LEREBOURS: Yes. Hello. Good
12 afternoon. My name is Tashia Lerebours. I'm a
13 Transportation and Voting Community Organizer for
14 Center for Independence of the Disabled New York. I
15 wish to speak about an issue, an important issue
16 CIDNY wants to bring to the Committee's attention.
17 Serious safety concern on New York City streets and
18 sidewalks. You know, the increase over the past few
19 years in the use of recreational electric mobility
20 devices, such as electric bikes and scooters. Users
21 of these means of transportation regularly ride on
22 city sidewalks, often not stopping at crosswalks and
23 are ignoring stop signs and red lights. They also
24 often do not abide by directional regulations of the
25 streets or lanes they are riding on. This is a major

2 safety hazard for all New Yorkers trying to navigate
3 the city streets. This is a safety hazard for people
4 with disabilities. We have people with visual or
5 hearing impairments, and it affects them. In fact,
6 it's come to our attention that there have already
7 been several accidents on NYC streets owing to these
8 issues. The DOT is responsible for ensuring the
9 safety of all pedestrians on NYC streets, including
10 individuals with disabilities. It's CIDNY's position
11 that the safety action plans currently in place are
12 no longer sufficiently protecting New Yorkers with
13 disabilities, and these plans need to be updated in
14 consideration of the massive increase of the use of
15 electronic transportation devices and the documented
16 fact that this increase is correlated to accidents
17 causing injury and unfortunately death. CIDNY is
18 advocating..

19 SERGEANT-AT-ARMS: Your time has expired.

20 Thank you.

21 TASHIA LEREBOURS: All right, thank you.

22 CHAIRPERSON BROOKS-POWERS: Do you want to
23 finish, you could finish your sentence. I think you
24 were ending.

2 TASHIA LEREBOURS: Yes. We also request
3 efforts to protect individuals with mobility,
4 hearing, and vision impairments are expressly
5 considered and incorporated into these updated safety
6 plans.

7 CHAIRPERSON BROOKS-POWERS: Thank you.

8 TASHIA LEREBOURS: Thank you.

9 CHAIRPERSON BROOKS-POWERS: If there's
10 anyone online that wishes to testify and was not
11 recognized, we ask that you raise the hand icon now.

12 With that, we will adjourn this hearing,
13 and I thank everyone that came out today to testify
14 on the state of our infrastructure.

15 Thank you, and this meeting is concluded.

16 [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 June 30, 2024