

CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

COMMITTEE ON HEALTH

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September 9, 2011

Start: 10:10 am

Recess: 1:50 pm

HELD AT: Council Chambers  
City Hall

B E F O R E:

MARIA DEL CARMEN ARROYO  
Chairperson

COUNCIL MEMBERS:

Council Member Inez E. Dickens  
Council Member Mathieu Eugene  
Council Member Julissa Ferreras  
Council Member Helen D. Foster  
Council Member Jessica S. Lappin  
Council Member Melissa Mark-Viverito  
Council Member Rosie Mendez  
Council Member Peter F. Vallone, Jr.  
Council Member James G. Van Bramer  
Council Member Albert Vann

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

Daniel Kass  
Deputy Commissioner for Environmental Health  
Department of Health and Mental Hygiene

Mario Merlino  
Assistant Commissioner for Veterinary Services  
Department of Health and Mental Hygiene

Julie Bank  
Executive Director  
Animal Care & Control of New York City

Melissa Norden  
Chief of Staff  
American Society for the Prevention of Cruelty to  
Animals

Michelle Villagomez  
New York City Legislative Director  
American Society for the Prevention of Cruelty to  
Animals

Amy Christian  
Vice President of Spay/Neuter Operations  
American Society for the Prevention of Cruelty to  
Animals

Julie Morris  
Senior Vice President of Community Outreach  
American Society for the Prevention of Cruelty to  
Animals

Steven Hansen  
Chief Operating Officer  
American Society for the Prevention of Cruelty to  
Animals

Jennifer Lander  
Medical Director for the Adoption Center  
American Society for the Prevention of Cruelty to  
Animals

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

Shaan Khan  
Senior Advisor  
Office of Manhattan Borough President

Esther Koslow  
Member  
Shelter Reform Action Committee

Brad Morgan  
Volunteer  
Stray from the Heart

Irina Hanson  
Volunteer  
Stray from the Heart

Evon Handras  
Director of Administrative Service  
Mayor's Alliance for New York City's Animals

Carly Knudson  
Executive Director  
New Yorkers for Clean, Livable and Safe Streets

Emily McCoy  
Supporter  
People for the Ethical Treatment of Animals

Nancy Taylor  
President, CEO  
Bidawee

Anne-Marie Karash  
Associate Director  
Humane Society of New York

Jane Hoffman  
President  
Mayor's Alliance for New York City's Animals

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

Harris Bloom  
Concerned Citizen, Comedian/Writer

Carol Moon  
Concerned citizen

Teresa Russo  
Concerned citizen

Mary Orling  
Concerned citizen

Tiffany Lacy  
Executive Director  
Animal Haven.

Kendra Mara  
Director of Community Involvement  
Animal Haven

Archie Gottesman  
Chairman of the Board  
Animal Haven

Jennifer Bristol  
Associate Director  
Animal Haven

Sule Rodriguez  
Concerned citizen

Zelda Penzel  
Co-founder  
SOS, Save Our Shelter Animals

Female Speaker  
Concerned citizen

Barbara Pelucci  
Concerned citizen

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

Margaret Moore  
Concerned citizen

John St. Giorgio  
Veterinarian, Complete Care Veterinary Center  
Veterinary Medical Association of New York City

Donna Abbaticio  
Volunteer  
Animal Care and Control

Leze Cruz  
TNR certified concerned citizen

Al Benninghoff III  
Concerned citizen

Roxanne Delgado  
Concerned citizen

Jay Bullett  
Concerned citizen

Lucille Defina  
Concerned citizen

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2 CHAIRPERSON ARROYO: Good morning.  
3 Thank you, everyone, for being here on a Friday  
4 morning, where we probably would prefer to be  
5 doing something else. My name is Maria del Carmen  
6 Arroyo, I Chair the Committee on Health here in  
7 the City Council. And today, the Committee will  
8 be conducting a hearing in, on Intro 655--proposed  
9 by Council Member Jessica Lappin, who will be  
10 joining us in a little while--dealing with animal  
11 shelters in New York City. In our City, the  
12 Department of Health and Mental Hygiene, DOHMH,  
13 provides animal care services through a contract  
14 with the nonprofit organization, Animal Care and  
15 Control, AC&C. AC&C takes nearly, takes in nearly  
16 40,000 dogs and cats every year. In 2010,  
17 approximately 6,700 animals were adopted through  
18 this process, and 15,500 were provided to other  
19 shelters through the New Hope program. While  
20 euthanasia rates have declined at the AC&C by  
21 nearly 50 percent in the last six years, the fact  
22 is that over 11,000 animals are euthanized, were  
23 euthanized, I'll get it right by the end of the  
24 hearing, in 2010, and that number we all know is  
25 extremely too high. This legislation amends the

1  
2 Animal Shelter and Sterilization Act by requiring  
3 that full service animal shelters operate in three  
4 boroughs: Brooklyn, Manhattan and Staten Island.  
5 Full service shelters would need to expand their  
6 operations and adoption services to seven days per  
7 week, twelve hours per day. One full service  
8 shelter will need to remain open to receive  
9 animals 24 hours per day, seven days a week. The  
10 bill also amends the requirement that a full  
11 service shelter be provided in each borough.  
12 Instead of full service shelters, The Bronx and  
13 Queens would have receiving centers that must  
14 accept animals seven days per week, twelve hours  
15 per day. There would also be an expansion in  
16 field services provided throughout the five  
17 boroughs to protect the public health and safety,  
18 and rescue lost, stray or injured animals. DOHMH  
19 has indicated that due to the savings associated  
20 with, if this legislation is implemented,  
21 additional funding will be invested in AC&C, to  
22 improve care for animals. We at the Council must  
23 remain vigilant and ensure that the Department and  
24 AC&C follow through with the planned expansion of  
25 services, assuming this legislation is adopted.

1  
2 As Chair of this Committee, I am prepared to hold  
3 follow-up hearings on this issue, and to ensure  
4 that the full service shelters have adequate  
5 capacity, that the receiving centers are efficient  
6 and functional, and most importantly, that our  
7 animals are receiving the quality care that they  
8 need and deserve. Today, we will hear from DOHMH  
9 and AC&C, animal advocacy organizations, and other  
10 concerned members of the public. And at this  
11 point, I'm going to urge everyone, regardless of  
12 what side of this issue you sit on, that when you  
13 take that mic, you do so respectfully, and in  
14 order. The sergeants will be given instruction if  
15 we feel that outbursts are disruptive, we will  
16 recess the hearing until we can get ahold of  
17 ourselves. But I think that we can have a very  
18 dignified conversation, hear everyone's concerns,  
19 and influence whatever the outcome here will be.  
20 I want to thank the Committee staff that do all  
21 the work in preparation for the hearing. Lacey  
22 Clark, who had the nerve to go on vacation  
23 [laughter]; Terzah Nasser, who is running shotgun  
24 as Counsel to the Committee today, thank you  
25 Terzah; and Joe Mancino who at 2 o'clock in the



1  
2 morning was editing stuff, thank you, Joe. I want  
3 to acknowledge my colleagues who are here, Council  
4 Member Ferreras from Queens, and Council Member  
5 Vallone, also from Queens; and nobody else from  
6 The Bronx. [laughter] But they'll be joining us  
7 as we go through the day. [background comments]

8 COUNCIL MEMBER VALLONE: [off mic]  
9 Boroughs with shelters aren't here.

10 CHAIRPERSON ARROYO: [laughs] And  
11 Council Member Lappin will join us shortly, and  
12 we'll hear from her as soon as she comes in.  
13 Sergeant has to receive a small form that looks  
14 like this, if you're here and want to provide  
15 testimony. If we don't have this form, we will  
16 not call you, so please make sure that you have  
17 filled one out if you have something you want to  
18 get on the record. We are pressed for time this  
19 afternoon, so I, after the Administration testify,  
20 I'm going to turn on the clock. Three minutes. I  
21 will implore you, please do not read your  
22 testimony verbatim, give it to us, we will enter  
23 it into the record. Give us your statement from  
24 here, it makes a greater impact than if you sit  
25 there and read it from paper. If you go over the

1 three minutes, I will stop you. Don't be  
2 offended. So I'm giving you a heads up. Okay?  
3 So, with that, we're going to hear from, is this  
4 on the same panel? Yeah, okay. Mario Merlino,  
5 who's handwriting I could not understand; Daniel  
6 Kass, from DOHMH; and Julie Banks from New York  
7 City Animal Care and Control. Good morning. You  
8 may begin, whichever order you like to go.

10 DANIEL KASS: I'm going to start,  
11 thank you. Thank you, Chairperson Arroyo, Council  
12 Members Vallone and Ferreras, and in anticipation  
13 of Council Member Lappin's arrival, thank you, as  
14 well. My name's Daniel Kass, and I'm the Deputy  
15 Commissioner for Environmental Health at the  
16 Department of Health and Mental Hygiene. On  
17 behalf of Commissioner Farley, I want to thank you  
18 for the opportunity to testify today regarding  
19 Intro 655. With me, as you mentioned, is Mario  
20 Merlino, our Assistant Commissioner for Veterinary  
21 Services, and Julie Bank, Executive Director of  
22 Animal Care & Control of New York City. I'd like  
23 to begin by providing just a brief overview of the  
24 Department's public health work as it relates to  
25 animals. The Department promotes and protects

1  
2 public health by working to prevent, discovery and  
3 intervene in cases of animal borne diseases,  
4 hazards and complaints of animal nuisances. Our  
5 functions include state mandated dog licensing,  
6 permitting and inspecting animal handling  
7 facilities, such as pet shops, animal boarding  
8 facilities, and animal grooming facilities,  
9 licensing commercial horses and issuing permits to  
10 boarding stables, receiving and responding to  
11 reports of animal bites and investigating animal  
12 nuisance complaints. We also monitor wildlife and  
13 domestic animals for diseases, such as rabies,  
14 that can impact human health, and we issue permits  
15 for the exhibition of wild and exotic animals.  
16 We're here because the Department is also charged  
17 with managing and caring for the City's population  
18 of owner surrendered, abandoned and lost animals.  
19 To that end, we operate by contract with the not-  
20 for-profit animal care and control of New York  
21 City, or AC&C, animal shelters in Manhattan,  
22 Brooklyn and Staten Island, and receiving centers  
23 in The Bronx and Queens. AC&C receives about  
24 40,000 dogs and cats in its facilities every year.  
25 It provides the animals with veterinary care, and

1 shelters them in hope that they are adopted either  
2 directly from the shelter or through the many  
3 animal rescue groups affiliated with AC&C. AC&C  
4 also holds animals that are being evaluated for  
5 rabies, and for behavioral problems following  
6 attacks on people. Before an animal is adopted  
7 from the shelter, or returned to his or her owner,  
8 AC&C medical personal spay or neuter the animal as  
9 part of a long term strategy to prevent  
10 overpopulation and to comply with the  
11 sterilization requirements of the Animal Shelter  
12 and Sterilization Act. AC&C also conducts field  
13 pickup of animals that present a public health  
14 risk. The Department strongly supports Intro 655  
15 as a significant advance in the City's efforts to  
16 provide animal care and control services. Intro  
17 655, which offers amendments to the Animal Shelter  
18 and Sterilization Act, is the critical component  
19 of a comprehensive agreement to enhance services  
20 reached by the Bloomberg Administration, the City  
21 Council, AC&C, and community animal organizations,  
22 including the ASPCA and the Mayor's Alliance for  
23 New York City Animals. Under the agreement, the  
24 scope of Animal Care and Control services the  
25

1 Department provides, would be enhanced  
2 substantially, and our efforts would focus on  
3 increased animal adoption, and reduced animal  
4 overpopulation through methods other than  
5 euthanasia. Signing Intro 655 into law will  
6 enable substantial improvements in operations, and  
7 increases in the financial commitments the City  
8 makes to the animal shelters. The Administration  
9 has pledged that by Fiscal Year 2014, the annual  
10 budget to AC&C will exceed \$12 million, a 77  
11 percent increase above Fiscal Year 2011 funding.  
12 The additional funding will be phased in over  
13 three years, with the largest single increase  
14 coming in July 2012, and will enable AC&C to hire  
15 additional veterinary, behavioral, animal control  
16 and customer service staff. AC&C would expand the  
17 days and hours its facilities would be open to the  
18 public, and concentrate field resources in  
19 boroughs with receiving centers. This expansion  
20 of services is made possible not only by the  
21 Administration's promise of additional funding,  
22 but also by a comprehensive plan initiated with  
23 Council support to increase the percentage of dogs  
24 that are licensed. Licensing one's dog is the  
25

1 best way to ensure that a lost pet is returned  
2 home, and owners are not fined for failure to  
3 license. Furthermore, the licensing fee provides  
4 critical revenue to support increased services for  
5 homeless animals, including services that will be  
6 mandated by Intro 655. The Department estimates  
7 that just one in five dogs in New York City are  
8 licensed, despite State legal mandates that all  
9 owners license their dogs. This fall, the  
10 Department will launch a media campaign to educate  
11 New Yorkers that they must license their dogs.  
12 The Department will also launch a web-based pet  
13 finder service that enables people who find  
14 licensed dogs, to provide us with contact  
15 information to relay that to the registered owner.  
16 At the same time, the Department will work with  
17 the Council and animal advocates to increase the  
18 base dog licensing fees, which has not changed in  
19 many, many decades. The current fee of \$8.50 was  
20 intended to provide all the revenue needed to  
21 support animal control, care and welfare. Today,  
22 the fee falls drastically short of compensating  
23 the City for the current costs of issuing a  
24 license, which means that the fee does not provide  
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1  
2 any revenue for actual animal services. To rectify  
3 this, the City will urge State legislators to  
4 raise the fee and enact other changes to  
5 facilitate the issuance of licenses. For example,  
6 State law currently authorizes third parties, such  
7 as pet shops, animal shelters and veterinarians  
8 that issue licenses on behalf of the City, to  
9 retain just one dollar of licensing fee, to  
10 compensate them for their work. We will seek an  
11 increase that makes it worth their while to  
12 license dogs, making it even easier for New  
13 Yorkers to comply with the law. We will also seek  
14 flexibility in how the City issues licenses. For  
15 example, other jurisdictions with greater  
16 licensure rates provide owners with options of  
17 multiyear and lifetime licenses. Funding the  
18 expanded, funding for expanded animal welfare  
19 services would also come from the considerable  
20 savings the City would realize if Intro 655 is  
21 enacted. The bill proposes to amend the Animal  
22 Shelter and Sterilization Act to require that  
23 animal care facilities be open daily in each  
24 borough, and eliminates the mandate that a full  
25 service shelter be open 24 hours a day in all of

1  
2 the five boroughs. Even without full service  
3 shelters in every borough, adoptions have  
4 increased by 135 percent between 2005 and 2010,  
5 due largely to the work of animal rescue  
6 organizations. And euthanasia rates have fallen  
7 49 percent since 2005. The partnerships that have  
8 enabled this occur will be maintained and  
9 strengthened under the bill, and we hope to see  
10 ongoing improvement over time. Intro 655 would  
11 spare the City the capital expenditures and the  
12 operational costs required to build, renovate and  
13 staff round the clock shelters, allowing these  
14 dollars to be leveraged instead, to significantly,  
15 and importantly more immediately, enhance the  
16 scope and quality of shelter services. In  
17 particular, Intro 655 would, if enacted, do the  
18 following. First, continue to mandate operation  
19 of three full service shelters that would be open  
20 every day to accept animals, offer animal adoption  
21 and provide necessary veterinary care and animal  
22 sterilization. Two, of these three full service  
23 shelters, one would be required to be open to the  
24 public 24 hours a day. Based on current practice,  
25 the shelters would be located in Manhattan,



1  
2 Brooklyn and Staten Island, with the Manhattan  
3 shelter open 24 hours. In the other two boroughs,  
4 the amended Animal Shelter and Sterilization Act  
5 would require animal receiving facilities to be  
6 maintained seven days a week, twelve hours a day.  
7 This was, would result in a significant increase  
8 in services in The Bronx and Queens, which  
9 currently have receiving centers open eight hours  
10 a day for just two days in The Bronx and one day  
11 in Queens. In addition, Intro 655 would require  
12 for the first time, maintenance of field services  
13 to pick up animals from all boroughs, seven days a  
14 week, twelve hours a day, and at all hours when  
15 public health and safety is threatened. This  
16 would represent a significant expansion of field  
17 operations, which currently operate weekdays from  
18 9:00 to 5:00, with a field operator on call at all  
19 hours to assist the Police Department in  
20 emergencies. These receiving and field services  
21 would be phased in with added funding and be fully  
22 implemented by July 2014. In setting out this  
23 comprehensive plan, the Department and community  
24 animal organizations agreed that simply serving  
25 homeless animals, so homeless, abandoned and lost

1  
2 animals is not enough. We must do more to prevent  
3 overpopulation over the long term. These efforts  
4 are already underway. Last year, the Department  
5 worked with the State Legislature to create the  
6 Animal Population Control Fund, and with the City  
7 Council to enable the City to directly support the  
8 provision of free or subsidized spay and neuter  
9 services. In addition, the City Council passed  
10 legislation the dog license fee for animals, for  
11 dogs rather, that are not spayed or neutered. The  
12 Department issued rules for this fund in the  
13 spring, and is now preparing a request for  
14 proposals to enable organizations and  
15 veterinarians to utilize these funds. This fall,  
16 the Department's media campaign will also promote  
17 animal sterilization as a key component of  
18 responsible pet ownership. Over time, we believe  
19 that expanded spay/neuter will reduce the  
20 population of homeless animals. Over the last few  
21 years, the City has made significant progress  
22 reducing dog overpopulation. The number of dogs  
23 entering the shelter has declined by nearly 15  
24 percent from 2003 to 2010, dropping from 13,600 to  
25 11,600. ACC&C also finds homes for an increasing

1  
2 percentage of dogs. 63 percent of dogs received  
3 at the shelters were adopted or rescued in 2010,  
4 compared to only 25 percent in 2003. We need to  
5 make similar progress with the City's cat  
6 population. Intro 655 would enact strategies to  
7 control cat overpopulation over the long run.  
8 Cat's comprise nearly two-thirds of the total  
9 number of animals entering the shelters each year,  
10 and there are, and therefore present a special  
11 challenge. There are many more cats in the  
12 shelter system than people interested in adopting  
13 them. To reduce cat overpopulation over time,  
14 Intro 655 would require cat owner who allow pets  
15 to roam freely and outside their homes to have  
16 them sterilized. Unsterilized cats allowed to  
17 roam freely often end up breeding and contributing  
18 to overpopulation. In addition, Intro 655  
19 authorizes the Department to promulgate rules to  
20 register, trap, neuter and return programs. Trap,  
21 neuter, return is a strategy used by caregivers to  
22 ultimately reduce the feral cat population. Cats  
23 are trapped, sterilized, vaccinated, and tagged,  
24 and returned to where they were found. Many of  
25 the changes contained in Intro 655 are made

1  
2 possible by significant progress over the last  
3 several years in shelter operations. A decade  
4 ago, when the Council enacted the animal shelter  
5 and sterilization act, homeless animals were far  
6 less likely to be adopted and far more likely to  
7 be euthanized than they are today. Over the last  
8 ten years, however, animal rescue groups acting in  
9 partnership with ACC&C now find new homes for tens  
10 of thousands of sheltered animals every year.

11 This significant increase in adoptions resulting  
12 from the rescue groups' efforts, and from ACC&C's  
13 in-house adoption program, has increased adoptions  
14 and reduced euthanasia. With the goal of  
15 increasing adoptions, funds associated with this  
16 bill will allow AC&C to add adoption counselors to  
17 facilitate matching pets to new owners. Today,  
18 the challenge facing the City is the need to  
19 allocate and target resources to keep animals  
20 healthy and adoptable, and implement long term  
21 strategies that engage pet owners to reduce  
22 overpopulation. At a time when shelters across  
23 the country are losing funding and even closing, I  
24 am pleased that New York City will be able to  
25 substantially enhance the operating budget and

1  
2 scope of service, by focusing on targeted funding  
3 and long term strategies to reduce overpopulation.  
4 The comprehensive plan I've outlined here, and  
5 described by Intro 655, reflects the input of many  
6 institutions. And I would like to thank Speaker  
7 Quinn and her staff, Animal Care and Control of  
8 New York City, the Society for the Protection of  
9 Cruelty to Animals and the Mayor's Alliance for  
10 Animals, for working for New York City animals, to  
11 come, for working to come to a common  
12 understanding of the problems, and of crafting a  
13 concrete way to address these problems. If Intro  
14 655 becomes law, the Department will report to the  
15 Council on a variety of indicators that will track  
16 our progress, and we look forward to sharing that  
17 information with you and continue the Department's  
18 successful collaborations with the City Council,  
19 and animal advocates. Again, thank you for the  
20 opportunity to testify and for considering this  
21 legislation. And I'll be happy to take questions.  
22 Julie Bank also has a prepared statement.

23 CHAIRPERSON ARROYO: Okay, and  
24 before Julie goes, I want to acknowledge we've  
25 been joined by Council Member Vann, Council Member

1  
2 Foster from The Bronx. I was outnumbered by  
3 Queens a little while ago. [laughs] And our  
4 prime sponsor has joined us, Council Member  
5 Lappin, who will in the interests of time, not be  
6 making an opening statement, on the legislation.  
7 Okay.

8 JULIE BANKS: Good morning,  
9 Chairperson Arroyo, Council Member Lapping, and  
10 Members of the Health Committee. Thank you for  
11 inviting me to speak today regarding my strong  
12 support for Intro Bill 655. My name is Julie  
13 Bank, and I am the Executive Director of Animal  
14 Care and Control of New York City, the nonprofit  
15 organization which is under contract with the City  
16 of New York to perform animal control services.  
17 AC&C has been in existence since 1995, and our  
18 mission is to promote and protect the health,  
19 safety and welfare of pets and people in New York  
20 City. Our contract with the City of New York  
21 consist of animal sheltering, field service and  
22 adoption programs. We rescue and care for nearly  
23 40,000 animals a year, and we are the only  
24 organization that takes in any animal in need,  
25 regardless of what they look like, what behavior

1  
2 they are exhibiting, and how healthy they are. As  
3 a 501(c)(3), nonprofit corporation, we go above  
4 and beyond our contract with the City to provide  
5 donor supported care and placement to our city's  
6 homeless animal population. We rescue and care  
7 for cats like Gilbert, who fell from a high-rise  
8 apartment and was provided medical treatment  
9 thanks to our star program. A dog named Leonard,  
10 who was left to die under a bridge in The Bronx,  
11 and was nursed back to health and adopted. And a  
12 five week old kitten we named Verrazano because he  
13 was thrown from a moving car on the Verrazano  
14 Bridge, and rescued by one of our field officers.  
15 We also touch the lives of several hundred  
16 thousand people each year. For example, Mary, who  
17 lives in Brooklyn, and became very distraught when  
18 she lost her dog. We were able to reunite her  
19 with her beloved pet after tracing his microchip.  
20 Or the veteran who just got home, who we were able  
21 to match with a dog, to help him cope with his  
22 post-traumatic stress disorder. I am grateful for  
23 the dedication of the staff and volunteers who  
24 work tirelessly each day to do the best job that  
25 they can to help the animals of our great City.

1  
2 They know that despite the great work they do,  
3 recent budget cuts have made their jobs harder,  
4 which is why we are so excited that additional  
5 funding is within reach. AC&C staff believe that  
6 every animal and animal owner deserves attention  
7 and care. The animals deserve a clean place to  
8 sleep and exercise, quality food, human attention  
9 and medical care. The public expects appropriate  
10 customer service, and programs that keep animals  
11 safe. The efforts of our organization, with the  
12 collaboration of community partners, has been  
13 amazing. And is demonstrated by the decrease in  
14 euthanasia between 2005 and 2010, and 135 percent  
15 increase in adoptions during the same period. If  
16 Intro 655 passes, AC&C will be able to build on  
17 the progress we have already made, and expand the  
18 care and services we provide. At a time when the  
19 shelters, when other shelters are struggling, and  
20 when City services are being stretched by budget  
21 cuts, this bill would enable AC&C to see  
22 significant new resources. These resources will  
23 be dedicated to improving basic animal care,  
24 increasing medical attention for those animals in  
25 need, expanding receiving center and field service



1  
2 hours, and hiring additional clinical shelter  
3 operation and adoption personnel. Customer  
4 service staff will also be added to ensure a  
5 positive customer experience when visiting any of  
6 our care centers or calling AC&C seeking  
7 additional information, and generally increasing  
8 opportunities for both people and pets. In short,  
9 this additional funding will significantly expand  
10 and enhance services and allow AC&C to provide  
11 better care for the animals that we rescue. I  
12 want to thank the Health Department, the ASPCA,  
13 the Mayor's Alliance, and other animal advocacy  
14 groups for seizing the opportunity to enhance  
15 services for animals in our care, especially in  
16 such a difficult climate, budget climate. I also  
17 want to thank the City Council for being so  
18 supportive of our work, and I invite all of your  
19 to visit our shelters and see firsthand the  
20 wonderful work that we are doing. I strongly urge  
21 the Council to support the bill before you today.  
22 Thank you very much.

23 CHAIRPERSON ARROYO: Mario? No?  
24 Okay. I was kidding about your handwriting, by  
25 the way. [laughter] 'Cause Joe could read it,

1  
2 that--I just couldn't. [laughs] I think--I'll do  
3 a couple of questions, and then I'll defer to my  
4 colleagues. For me the most pressing question is,  
5 why three years to realize the implementation of  
6 what the legislation seeks to accomplish?

7 DANIEL KASS: Well, I think a  
8 couple of reasons. First, this is a very  
9 substantial increase in funding, and I don't know  
10 of, you know, any nonprofit organization that I've  
11 ever worked with, that has been able to absorb a  
12 near doubling of staff over a very short period of  
13 time. A phase-in allows us to do several things.  
14 If we're going to be increasing field services,  
15 potentially moving animals in a different way into  
16 the shelters, we want to ensure that the shelter  
17 operations themselves are as shored up and as  
18 competent and as staffed up as possible. So the  
19 first order of business is to basically try to  
20 improve the services at the full service shelters.  
21 We also want to ramp up over time the number of  
22 hours and days that the receiving centers operate  
23 in The Bronx and Queens. So that would be phased  
24 in over a period of time. Again, to manage both  
25 the staffing issue, but also to evaluate sort of

1  
2 the best means of operating those, those shelters.  
3 The, this year, the budget will increase by \$1  
4 million, at Animal Care and Control. Next year it  
5 will go up by over, over the current baseline by  
6 \$3.7. So the second year's increase is a very  
7 substantial increase. And this year really  
8 prepared AC&C for that increase. The following  
9 year it'll go up to the full, to 90 percent of its  
10 intended increase; and then in the beginning, at  
11 the close of three years, it will go up by 100  
12 percent.

13 CHAIRPERSON ARROYO: So, we're not  
14 going to haggle about this during budget  
15 negotiations next year, right.

16 DANIEL KASS: I'm sorry, could you  
17 repeat that?

18 CHAIRPERSON ARROYO: We're not  
19 going to haggle this number, this amount, when we  
20 get to--

21 DANIEL KASS: No, this is a--

22 CHAIRPERSON ARROYO: --budget  
23 negotiating next year, where the Department's  
24 going to cut this funding, because we have bad  
25 fiscal times.

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DANIEL KASS: Well, I can tell you this.

CHAIRPERSON ARROYO: Answer I'm looking for is, "No, we will not." [laughter]

DANIEL KASS: The an--the answer is no, and here's why, because we've published, the City published a four year fiscal plan. It, it commits these funds over a four year period, assuming passage of this bill. In addition, the, the Department itself has made steps to remove this budget from what we refer to as our PEG-able base, which is, means that when we absorb cuts, we, we don't intend to count this toward the absorbable cuts.

CHAIRPERSON ARROYO: Okay. Good answer. You both, in your testimony, reference 135 percent increase in adoption. 135 could be three, 30, 300, 3,000. What's the number?

DANIEL KASS: Give me a second, I'll look at the numbers.

CHAIRPERSON ARROYO: [laughs] Just the facts. Lawyer in training. [laughter]

DANIEL KASS: So the current--hang on. Do we know where that number is? This is the

1  
2 intake. Thank you. So, the total adoptions in  
3 2004, the statistic that I have on this chart, is,  
4 was just about 13,000. It's now 21,000.

5 CHAIRPERSON ARROYO: I want the  
6 record to reflect that the woman on the panel  
7 found the answer. [laughter] Okay. Questions.  
8 We have Council Member Vallone, followed by  
9 Council Member Lappin.

10 COUNCIL MEMBER VALLONE: Thank you,  
11 Madam Chair. Thank you, for being here and  
12 appreciate work you do. Um. I take a backseat to  
13 no elected when it comes to my record of animal  
14 advocacy and my love of animals. Take a backseat  
15 to the people here, they do more than me, but when  
16 it comes to electeds, I think I do okay. But I  
17 can't support this. This seems to me to be a form  
18 of extortion. We will finally provide the funding  
19 necessary to take the proper care of our animals,  
20 if you change the law and allow us to sacrifice  
21 Queens and Brooklyn. I cannot allow that, I can't  
22 allow the animals in Queens and Brooklyn, Queens  
23 and The Bronx, thank you, Queens and The Bronx, to  
24 be treated differently. In 2000, this City  
25 Council, under the leadership of my father, passed

1  
2 a law mandating shelters in every borough. My  
3 mother testified at that hearing. And since then,  
4 you've been in violation of that law; in fact, in  
5 '02, you came to us and said, "We need an  
6 extension." You promised us that if you, we gave  
7 you the extension, you would build the shelters.  
8 And we extended your time to 2004. Ten years  
9 later, two counties, Queens and The Bronx, which  
10 would be like the 17th largest state, in each,  
11 each one, in the country, still have no shelter.  
12 Why is that?

13 DANIEL KASS: Well, I'm, I  
14 respectfully disagree with the characterization  
15 that animals in The Bronx and Queens are second  
16 class. Nor that we've done nothing to try to  
17 comply with the law. First, over many years, the  
18 agency has pursued properties to try to build  
19 shelters. We acquired the Bainbridge Library in  
20 The Bronx, to do just that. We've developed  
21 initial plans for it. That has faced enormous  
22 community opposition, both from electeds and from  
23 community organizations. There has been capital  
24 money dedicated at times, to the planning process  
25 for, and the, and the initial architectural design

1  
2 of that. In addition, we continue to pursue  
3 acquisition of a facility in Queens, that we  
4 intend to open under this bill as an animal  
5 receiving center. But that, that facility is  
6 still in process, I can let you know where it is.  
7 But it's, right now we're finalizing documents at  
8 City Planning, it's in ULURP, it'll go before the  
9 City Planning Commission for a zoning override  
10 vote in the next couple of meetings, once  
11 finalized. So the City has actively pursued  
12 property. Now that said, it's not, I also  
13 respectfully disagree that animals in The Bronx  
14 and Queens are not managed or treated equally.  
15 The Bronx and Queens fully comprise 39 percent of  
16 all the animals taken in by the shelters. It's a,  
17 they, there's a different means by which they  
18 arrive, there's a burden, it is true, placed on  
19 residents to often bring the animals to the  
20 shelters. [hissing] Although there is a degree  
21 of, you know, we do continue field services  
22 operations in those areas. This bill, while not  
23 building out full service shelters there, will  
24 substantially increase the opportunities for the  
25 public to interact with AC&C through the receiving

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2 centers. It will concentrate field services in  
3 those neighborhoods, to pick up stray and unwanted  
4 animals from streets or from people who, who own,  
5 who have taken possession of them. And they will  
6 move those animals very rapidly into full service  
7 shelters where they can get quality care intake.  
8 It also will--

9 COUNCIL MEMBER VALLONE: Well, you  
10 had your--

11 DANIEL KASS: Go ahead.

12 COUNCIL MEMBER VALLONE: --chance  
13 to testify about what this bill does. I'd like to  
14 know why we don't have full service shelters in  
15 the, in Queens and in The Bronx. I believe you  
16 said it's been ten years, but you can't find a  
17 location. Is that your answer to that, to that  
18 question?

19 DANIEL KASS: We haven't, we, we  
20 are pursuing a location in Queens. We have, we  
21 have found a location in The Bronx that has faced  
22 substantial opposition.

23 COUNCIL MEMBER VALLONE: And you  
24 couldn't find a location that didn't, didn't,  
25 where you didn't face opposition?



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DANIEL KASS: Correct.

COUNCIL MEMBER VALLONE: In ten years. Okay. And let me respectfully disagree with your statement that animals and people aren't treated differently in Queens and The Bronx. In fact, I don't know if you read the Daily News today, in fact I haven't seen the article, but I know the author's at the back. But I did speak to the family last night, of an animal that was lost, and put to death in six hours. Now whether or not it should've been put to death, you know, there's a lot to that; it was sick, I understand. But the fact is the family in Queens doesn't know where to go when they've lost an animal. They traveled to Staten Island, to Manhattan, to The Bronx, and it took them a while to--to Brooklyn--it took them a while to find their animal. And by the time they found it, it was dead in the freezer. So, that's today's Daily News. So, you cannot sit there and say that the people and the animal, animals in Queens and The Bronx, are not under a completely different set of, of rules, than other boroughs. They, a person who loses their dog, doesn't know where to go in Queens, doesn't know where to go in

1  
2 The Bronx. In other boroughs, they have a place  
3 where they would go to find that dog, and that  
4 time period could save that dog's life. That is a  
5 huge difference, that's why we need a full service  
6 shelter in every borough. Now, you said the only  
7 reason that you haven't followed the law that we  
8 passed, is 'cause you couldn't find a location.  
9 Let's talk about the Dangerous Dog Board. I know  
10 you're aware of it, but some of the people here  
11 may not be. Administrative Code 17349, mandates  
12 the existence by law of a Dangerous Dog Board,  
13 which is supposed to meet four times a year, to,  
14 to do things like come up with policies to better  
15 take care of our animals. Is there a Dangerous  
16 Dog Board in existence today?

17 DANIEL KASS: No.

18 COUNCIL MEMBER VALLONE: No. Were  
19 you having trouble finding a room in the Health  
20 Department to establish a Dangerous Dog Board?  
21 Was there, was that the problem there, too, with  
22 your agency obeying the law?

23 DANIEL KASS: Well, you know, I  
24 just want to say that I've, I've been the Deputy  
25 Commissioner for Environmental Health for a little

1  
2 over a year now. When I came in, I looked at the,  
3 comprehensively at the kind of animal services  
4 that we fund, that we provide in our mandates, and  
5 as you know, we've reached out to counsel to  
6 constitute the Board. So we will, we will  
7 constitute this Board before the end of this year,  
8 we will meet four times a year, we will counsel,  
9 you know, we expect to name three of the five  
10 members of it. And I, I just want to say one  
11 other thing, which is that, this is--one of our,  
12 our mandate clearly is to help manage the danger  
13 that some animals pose to, to the population of  
14 New York. Dangerous Dog Board constituted now  
15 will be, will be helpful for us. We will be  
16 substantially under this bill, and the resources  
17 attached to it, expanding the field services  
18 available to respond to complaints of dangerous  
19 dogs, to pick them up where available or where  
20 necessary. In addition, there are modest  
21 resources that we would, that would be provided to  
22 the Health Department to increase the staff at our  
23 end, to also increase the number of investigations  
24 that we do, to write more stipulations to owners  
25 for the kinds of changes that they have to make

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2 when a dog is determined to be a danger to the  
3 public. Those include everything from fencing to  
4 leashing to, to licensing, to not allowing the dog  
5 out at certain hours, to managing nuisances. This  
6 year, we've also stepped up our efforts at the  
7 Office of Administrative Tribunal and Hearing.  
8 For the first time we've actually brought--

9 COUNCIL MEMBER VALLONE: Again--

10 DANIEL KASS: So, I'm, I'm, what  
11 I'm just trying to say is--

12 COUNCIL MEMBER VALLONE: Going a  
13 little off topic, but I, I want to give you credit  
14 for everything you just said.

15 DANIEL KASS: Right.

16 COUNCIL MEMBER VALLONE: Because  
17 you have done that. I've been out there yelling  
18 for a Dangerous Dog Board for six years; you've  
19 only been in your position there for a year. But  
20 I've been explaining that you violated the law for  
21 a long time. I've had the Health Department in my  
22 office, I've been to the Health Department,  
23 they've basically looked at me and shrugged their  
24 shoulders and said, "Yeah, we know. We just don't  
25 have a Dangerous Dog Board." And again, in

1  
2 violation of the law, the same way you're  
3 violating the full service shelter law. And just  
4 to go off topic half a second, you absolutely,  
5 you're absolutely right, you did contact me and  
6 the Council about the fact that you are trying to  
7 reestablish that Board, so let me let the Animal  
8 Rights Advocates hear no, that there are five  
9 members on that Board, three get appointed by the  
10 Council, two by the Mayor. They should consist of  
11 veterinarians, animal trainers, a representative  
12 of recognized humane societies, and a member of  
13 the public. So we get three appointments, the  
14 Mayor gets two.

15 DANIEL KASS: Right.

16 COUNCIL MEMBER VALLONE: We're  
17 taking law, we're taking suggestions and  
18 applications and then we're going to make our  
19 recommendations. Please provide them to the Chair  
20 or myself, since I'm sitting here, and I'll  
21 provide them to the Chair. And, did you point at  
22 me? Oh [laughter] oh then, okay, Joe. And I want  
23 to get that Board started as soon as possible.  
24 Because like I said, its job will be to come up  
25 with policies to protect our animals. And our

1  
2 people. And I want to thank you for that, for  
3 reaching out recently for that. But it's, again,  
4 been a long time that you've been in violation of  
5 the law. So, my, my point is that, you've assured  
6 us that you are going to, in '02, that you were  
7 going to follow the law in '04, and you didn't.  
8 And now, you're asking us to basically let you off  
9 the hook for the law we passed in 2000, for the  
10 promise that you will fund, provide funding in the  
11 future, because of the law. And you haven't  
12 obeyed these laws, so as our Chair said, I think  
13 we will be haggling over this funding in the  
14 future. Once we pass a law to let them off the  
15 hook, for something that we mandated a long time  
16 ago. I--

17 CHAIRPERSON ARROYO: [off mic] I  
18 know where he lives.

19 COUNCIL MEMBER VALLONE: You know  
20 where he lives. [laughter] I happen to think a  
21 lot of the things that you're doing and the  
22 sponsors are doing on this bill are very good.  
23 But I happen to think you can do them right now.  
24 You can provide that funding right now and get it  
25 done. We don't need to change the law, and

1  
2 shortchange Queens and Brooklyn, to get the good  
3 parts of these bills done. So I appreciate what  
4 you're trying to do, for the most part, I really  
5 appreciate what the sponsors are trying to do,  
6 they're trying to get the best they can under the  
7 circumstances, in the face of an Administration  
8 that just won't obey the law. And they're trying  
9 to do the best they can, and I completely  
10 understand that. But I can't support a bill that  
11 doesn't treat the animals and the people of Queens  
12 and The Bronx equally. They deserve the same  
13 protections. Thank you, Madam Chair.

14 CHAIRPERSON ARROYO: Council Member  
15 Lappin. And we've been joined, also, by Council  
16 Member Melissa Mark-Viverito from Manhattan and  
17 The Bronx, and Council Member Mendez. Thank you  
18 for joining us.

19 COUNCIL MEMBER LAPPIN: Thank you,  
20 Madam Chair. Thank you for being here and for  
21 your testimony in support of the bill. And I  
22 wanted to reiterate that I've also been reached  
23 out to regarding the Dangerous Dog Advisory Board  
24 and certainly echo the comments that have been  
25 made today. If you know somebody who you think

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2 would be interested in serving, if you'd be  
3 interested in serving, please do let us know. I  
4 just wanted to be crystal clear for everybody,  
5 what the hours and the services are now, in The  
6 Bronx, and in Queens. And what they will be under  
7 this bill. How many hours, what's open when, what  
8 are the services in those two boroughs, right now  
9 today.

10 JULIE BANKS: Well, currently in  
11 The Bronx, the receiving centers are open two full  
12 days a week, and those days are Wednesday and  
13 Saturday. And is that--that's correct, sorry.  
14 And in Queens, it's open one full day a week, and  
15 that is Friday.

16 COUNCIL MEMBER LAPPIN: And what,  
17 what would, how would that change?

18 JULIE BANKS: They would be open  
19 seven days a week, twelve hours, seven days a  
20 week, and there would be services available in  
21 those communities twelve hours.

22 COUNCIL MEMBER LAPPIN: Okay. I  
23 think that's a pretty significant change. And I  
24 just want everybody to clearly understand that.  
25 That The Bronx would go from two days a week to



1  
2 seven, and Queens would go from one day a week to  
3 seven. That is, to me, a very significant  
4 improvement in services on the ground. I also  
5 wanted to ask about field services. Can you talk  
6 a little bit more about that, what they will be?

7 DANIEL KASS: By the time the  
8 budget is fully rolled out, there will be, in  
9 every, there will be a presence in every borough,  
10 we believe concentrated in Queens and Brooklyn,  
11 but that doesn't mean it won't be increased  
12 elsewhere, for field services that would operate  
13 twelve hours a day, seven days a week, and 24  
14 hours a day for public health emergencies. That  
15 also represents a substantial increase over the  
16 present. Not only in terms of the number of  
17 hours, but also in terms of the number of actual  
18 staff and vans that will be attached. Part of  
19 this bill, part of the, the City's financial  
20 commitment to this also includes capital plan  
21 money, that will allow for the purchase of up to I  
22 think 17 additional vans, and staff associated  
23 with those, to facilitate pickup.

24 COUNCIL MEMBER LAPPIN: Right, so  
25 it'll be much, much easier for people who live in

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those two boroughs to do the right thing.

DANIEL KASS: That's right. And it will be easier, also, it will, I think, support our relationship with the Police Department, which also reports a number of animals. And right now there are limited services available to support them in bringing animals to shelters. We'll be able to do that as well.

COUNCIL MEMBER LAPPIN: Okay. So, one of the biggest complaints that we hear about even the, the one day a week that the Queens office is open, it's not that accessible. And you did mention briefly what your plans are capital wise in The Bronx and Queens. I would like to hear a little bit more about where you are in the siting process, and what you're looking at, to make these sites more accessible.

DANIEL KASS: Let me speak first about The Bronx. In The Bronx we have a storefront receiving center, that's relatively centrally located. We will continue the lease on that property for the, for the time being. We intend to use some capital funds to make some improvements to the customer service area, to make

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2 it a little, you know, a nicer place to, to be,  
3 and also to better manage people as they come in.  
4 In Queens, we continue to pursue the acquisition  
5 of an animal hospital. We have, we have sought a  
6 zoning override to enable that to, to move forth  
7 with City Planning Commission.

8 COUNCIL MEMBER LAPPIN: And where  
9 is that? Can you--

10 DANIEL KASS: It's at the, the  
11 zoning override has been drafted--

12 COUNCIL MEMBER LAPPIN: No, no, I  
13 mean, sorry, where in Queens.

14 [pause, background noise]

15 DANIEL KASS: It's in Jamaica. But  
16 the, you know, this is a acquisition process, so  
17 this, oops, I'm sorry.

18 COUNCIL MEMBER LAPPIN: [laughs]  
19 The Chair would like to know, "Where in Jamaica?"

20 DANIEL KASS: Well, the, you know,  
21 the Health Department is not responsible in the  
22 City for negotiating the acquisition of a  
23 property. So, once we make it through the process  
24 to enable the citywide administrative services to  
25 pursue that, I think at that point there'll be

1  
2 sort of more specificity about the location. I  
3 can say that it's a nice facility. It will  
4 require some renovation. It'll offer some  
5 flexibility in the kinds of services we provide,  
6 it'll be a far better facility than the current  
7 Queens facility. But in the meantime, we also  
8 intend to make some customer service area  
9 improvements in the Queens facility.

10 COUNCIL MEMBER LAPPIN: Okay. I  
11 wanted to talk about licensing fees, since I was  
12 the author of the bill that we passed to increase  
13 the licensing fees for dogs that are not spayed  
14 and neutered. And we said at the time, we thought  
15 it was a real potential revenue generator, because  
16 only one in five dogs are licensed. So, you  
17 talked about a media campaign and a web-based pet  
18 finder, which I think are great. I wanted you to  
19 expand just a little bit, I mean, I have advocated  
20 for the education piece, and then I think an  
21 enforcement piece, followed potentially by an  
22 amnesty, because I think it's hard to get people's  
23 attention sometimes. A little stick and a little  
24 carrot is often, you need both. So, can you just  
25 elaborate a little bit on what the media campaign

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2 will be, how widespread it will be, how long it  
3 will be, and then what the follow-up plans will be  
4 after that.

5 DANIEL KASS: Yeah, thank you, so  
6 we, we've begun working with a, an advertising  
7 firm, we have draft materials for a subway bus  
8 placard, web-based social media campaign that will  
9 begin sometime in October of this year. The aim  
10 of the campaign will be to create a brand for dog  
11 licensing so that it's quite recognizable. The  
12 message, the messages essentially will be to  
13 remind or teach people, because frankly people  
14 don't know, and we haven't done a particularly  
15 good job of letting them know, that dog licensing  
16 is mandatory in New York City. It will also  
17 describe some of the benefits associated with it.  
18 And we will simultaneously put out messages  
19 touting the benefits of spaying and neutering your  
20 pet.

21 COUNCIL MEMBER LAPPIN: And are we  
22 going to make it easier for people to do that? We  
23 had some discussion.

24 DANIEL KASS: So let me speak for a  
25 second just about the, what we know so far about

1  
2 the positive consequences from the passage of the,  
3 of the lase that you sponsored to support the  
4 Animal P:opulation Control Fund. We do see  
5 substantial revenue associated with this. At this  
6 point, there's about \$250,000 a year coming into  
7 the Department to support spay/neuter services.  
8 We've, as I mentioned in my testimony, we're about  
9 to issue a request for proposals, for  
10 veterinarians and organizations to utilize those  
11 funds. We're setting up systems to enable them to  
12 do that. So, we were a little bit concerned that  
13 we would see a drop off in licensing, given the  
14 new differential between the fees for, for  
15 sterilized and unsterilized animals. We haven't  
16 seen that, a substantial one at all. And in fact,  
17 the revenue is, is significant. That said, we  
18 will do everything we can to increase licensing.  
19 So, in addition to the campaigns, we took to heart  
20 your suggestion the last time we met, about trying  
21 to make sure that there's a little bit of a stick.  
22 And the idea is that once the campaign is  
23 launched, we're going to be working with the Parks  
24 Department, in the dog runs and in the parks, to  
25 educate the public about the licensure

1  
2 requirements. We intend to start by letting  
3 people know, if they don't have a license, that  
4 they need to get one. And then rather than fining  
5 them, which is authorized under Administrative  
6 Code, we'll be giving them applications and  
7 instructions for how to license their dog, and  
8 monitoring whether they do.

9 COUNCIL MEMBER LAPPIN: Excellent,  
10 great. Happy to hear that. The last thing I  
11 wanted to touch on is the TNR rules. And you  
12 know, obviously there are people in the City with  
13 experience, in this area, both individuals and  
14 animal groups. And so, we will be giving you the  
15 authority to promulgate rules. And I just want  
16 your assurance on the record that you will be  
17 consulting with people who have some experience  
18 and expertise in creating those rules.

19 DANIEL KASS: You have my  
20 assurance. I mean, this will be a public  
21 rulemaking process, the, our intent is to speak to  
22 organizations with an interest in this area, with  
23 experience in this area, in advance of the draft  
24 of the rules. We'll be publishing a draft for  
25 public comment, and then consider public comments

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2 in finalizing those rules. So, absolutely. Our--  
3 we're excited about the authority that will be  
4 granted for this, because, you know, these, these  
5 are efforts that are already underway in this  
6 City. There's, there are many voluntary pro--TNR  
7 programs.

8 COUNCIL MEMBER LAPPIN: Yes.

9 DANIEL KASS: And we, many of them  
10 operate under best practices. We want them to  
11 seek the technical assistance of organizations out  
12 there, to do them as well as possible, and, and  
13 build support in communities where it's  
14 appropriate.

15 COUNCIL MEMBER LAPPIN: Right,  
16 great, thank you.

17 CHAIRPERSON ARROYO: Thank you.  
18 Council Member Lappin. Following the line on the  
19 TNR, I think one of the concerns that I've heard  
20 is that folks are just going to find their cat  
21 missing. How will they know their animal was  
22 picked up and action taken? Is the animal going  
23 to bear evidence that this has been accomplished?  
24 And how do we inform the public, if you find your  
25 kitty with some, displaying some kind of tag or



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something, what that would mean? And that that would not be cause for concern.

DANIEL KASS: So, the trap/neuter/return programs are really intended to help manage and ultimately over time reduce the population naturally for colonies of feral cats. Cats that are unsocialized, cats that are unowned, cats that have reproduced, you know, on their own, outdoors. Or where cats have been abandoned to them, and over time have, have become part of these colonies. The, the rules will likely describe an expectation for how--well, they will describe an expectation that for people who are registering colonies with the City, for organizations, individuals, either they will observe basic practices--and one of those basic practices will be to find some way of identifying a cat that, as belonging to a colony. Typical methods include ear clips, but that may not be the only one that's appropriate. The, so for cats that are part of a colony, the intent here is not only to support the organization's efforts to do this job well, and build community support, but to enable the Department of Health to recognize a cat

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2 that is or is not part of a managed colony. For  
3 people whose cats roam free, that, that will not  
4 be affected so much by the rules that we would  
5 promulgate for trap/neuter/return. Those, there  
6 will be expectations that those cats be spayed or  
7 neutered. We implore people who allow their cats  
8 to roam free, to maintain identification on them  
9 so that if they are picked up, we know how to, how  
10 to reach the owners for them.

11 [pause]

12 CHAIRPERSON ARROYO: Yeah, okay.

13 And how does that, field services, I'm  
14 understanding, is Animal Care and Control. But we  
15 also will be working with groups outside of Animal  
16 Care & Control, that will be performing these  
17 tasks, as well, or the TNR will be solely Animal  
18 Care and Control?

19 DANIEL KASS: TNR, TNR is actually  
20 neither--

21 CHAIRPERSON ARROYO: I didn't sleep  
22 well last night, so I'm--[laughter]

23 DANIEL KASS: I'm sorry.

24 CHAIRPERSON ARROYO: --very  
25 confused.

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DANIEL KASS: Was it the hearing?

CHAIRPERSON ARROYO: And just  
[laughs] no. No, it wasn't, actually. Council  
Member Van Bramer joined us shortly and had to  
leave, so.

DANIEL KASS: Okay. The--I've lost  
track of the question now.

CHAIRPERSON ARROYO: TNR.

DANIEL KASS: I'm sorry. The, the-

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CHAIRPERSON ARROYO: AC&C, will it-

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DANIEL KASS: Yeah. AC&C will not  
be conducting TNR. TNR currently, and in fact the  
rules are not intended to have the Department  
operate trap/neuter/return programs either. It's  
an opportunity to formally recognize the presence  
of managed colonies, that are already managed or  
that will be managed by outside organizations.  
So, it's absolutely a function of outside  
organizations. I think maybe later you'll be  
hearing from the Mayor's Alliance for New York  
City's Animals, that is a parent organization and  
a technical assistance group that supports some of

1  
2 these efforts. They do quite a bit of training in  
3 this area. The clinical services provided for TNR  
4 programs, largely reside with the ASPCA and  
5 voluntary organizations that are not AC&C.

6 CHAIRPERSON ARROYO: Okay. Okay,  
7 so, I'm--Council Member Debbie Rose could not join  
8 us today, she represents a section in Staten  
9 Island. Unlike all of the other services, Staten  
10 Island will have a full service shelter. They  
11 usually argue about HHC's facilities not being on  
12 Staten Island. And there is a capital  
13 construction upgrade project at the facility in  
14 Staten Island. What's the timetable for that  
15 project completion?

16 DANIEL KASS: Currently, the design  
17 phase is being finalized. In fact the City just  
18 won an award for the preliminary design of that  
19 shelter.

20 CHAIRPERSON ARROYO: No showing  
21 off. [laughter]

22 DANIEL KASS:

23 CHAIRPERSON ARROYO:

24 DANIEL KASS:

25 CHAIRPERSON ARROYO:

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2 DANIEL KASS: The--well, I had  
3 nothing to do with it. The, the--We will, the  
4 capital money is there for the construction of it.  
5 And so we expect ground to be broken over the next  
6 year or two, we're not exactly sure what the  
7 timetable looks like, but it's very much in the  
8 works.

9 CHAIRPERSON ARROYO: Okay, no, in  
10 terms of Queens and The Bronx, you said a  
11 centrally located storefront location in The  
12 Bronx, and you plan capital improvements at that  
13 location. What's the timeline for that capital  
14 improvement project?

15 DANIEL KASS: This'll be part,  
16 they're modest, I don't want to raise expectations  
17 beyond the idea that it's, they're improving  
18 cosmetically and in terms of the flow of people  
19 and animals into, into the receiving center. That  
20 said, we're, this will be part of our capital plan  
21 that'll be rolling out in November. And so we  
22 expect that this will happen over the next fiscal  
23 year.

24 CHAIRPERSON ARROYO: Okay. On the  
25 upgrading of the AC&C, more specific questions

1

2 around the funding. Current staffing at AC&C,  
3 what will ultimately, at the end of the three year  
4 implementation process, will the staffing look  
5 like? Ultimately how many new positions will it  
6 create?

7

JULIE BANKS: Well, currently, we  
8 have about 138 employees at Animal Care and  
9 Control. With the expectation--

10

CHAIRPERSON ARROYO: And that's in  
11 the three boroughs and the receiving center.

12

JULIE BANKS: That's our--Correct,  
13 including our field services. So we do rely  
14 heavily on volunteer support on a regular basis,  
15 and encourage more volunteers as we go along. We,  
16 with the anticipation of the extra funding for  
17 this year, we already have approximately 24 new  
18 positions posted on our website, and that includes  
19 everything from our medical department to animal  
20 care technicians to veterinarians to veterinary  
21 technicians to behavior individuals to, there's  
22 even a dog walking position on that, on that site.  
23 So right now there's about 24. We anticipate a  
24 total of about 100 new employees when the money is  
25 phased in.

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CHAIRPERSON ARROYO: And how, what's the timeline for that hundred staff?

DANIEL KASS: AC&C is a contracted organization so we'll be, you know, this is, we'll be negotiating with them, over the final scope of each of the year's contracts. But we would expect the staffing increase to be proportional to the funding increase each of the years. So this year, about 20 percent of the funding and 20 percent of the staff will, will be hired; next year, we go up to about two-thirds the following 90 percent; and then fully 100 percent in 2014.

CHAIRPERSON ARROYO: Okay, so at this point, you couldn't answer a question about how they will be deployed.

DANIEL KASS: We can tell you, basically, what the intention is about how to, how the phase-in will look. So--

CHAIRPERSON ARROYO: Okay.

DANIEL KASS: --this year, we will begin to add days to the receiving center operations; we're going to concentrate the additional staff on shelter operations themselves, both to ready them for the overall increase, as

1  
2 well as, as well as others. We'll begin to ramp  
3 up field services, add additional days next year.  
4 Finalize most of the hires for the shelter  
5 operations themselves next year. And then, we'll  
6 complete over the last, you know, 30 percent of  
7 the budget, the number of hours and days at the  
8 receiving centers, the staff associated with  
9 those. And then fully, fully implement all of the  
10 field services.

11 CHAIRPERSON ARROYO: Okay, so, I'm  
12 going to give you a heads up. I mentioned it in  
13 my opening statement, and this Committee is  
14 prepared to hold your feet to the fire, on the  
15 assumption that if this legislation is enacted.  
16 So, I think you can anticipate round about in  
17 September, to have to come back to this Committee,  
18 to report on your progress, in the implementation  
19 of, over the next three years. And the questions  
20 that you will have to answer at that hearing, will  
21 be the very same ones: staff, how many, where are  
22 they, capital project status, at the different  
23 shelters and the receiving centers. So that we  
24 can remember that we've made a commitment to the  
25 public about enacting, and more importantly,



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2 successfully implementing additional services  
3 around this issue.

4 DANIEL KASS: Let me say, we agree,  
5 and we'll be happy to, to come to hearings and  
6 describe progress. We're also pleased that the  
7 law itself adds new indicators for us to report to  
8 the Council, that are not just the current ones  
9 that have to do with the intake and disposition of  
10 animals, but also specifically address the phase-  
11 in and the expected increase in services. So we  
12 will be reporting indicators on a regular basis,  
13 about the number of hours, and the number of  
14 staff, and the types of operational improvements  
15 that have happened.

16 CHAIRPERSON ARROYO: So you have a  
17 year to prepare, isn't that wonderful?

18 DANIEL KASS: Thank you.

19 CHAIRPERSON ARROYO: Council Member  
20 Viverito.

21 COUNCIL MEMBER MARK-VIVERITO:  
22 Thank you, Madam Chair, and I got here a little  
23 late, so if some of the questions I ask are, have  
24 been asked, answered, I apologize for having to  
25 repeat. But I want to thank you all for being

1  
2 here. I know that Ms. Bank I met with you  
3 recently, and you're relatively new to AC&C, but  
4 you come with a lot of experience and spoken  
5 highly of. And I know that there are serious  
6 concerns within AC&C that have existed. And that  
7 there are real attempts being made to rectify  
8 that. I do have a full service shelter, the  
9 Manhattan one is in my district, and we sat and  
10 discussed it. So, I know that you are very aware  
11 of the concerns there. Specifically with regards  
12 to the existing full service shelters, maybe we  
13 can speak directly about how Intro 655 impacts or  
14 will impact the existing service shelters.

15 JULIE BANKS: I think we all know  
16 that we don't have enough staff, and we don't have  
17 enough, you know, simply bodies to do the job that  
18 we feel that we need to do. So, from a very  
19 practical perspective, more funding brings in more  
20 staff, and more staff brings in better animal  
21 care, and brings in quicker animal care. And it  
22 brings in more professional animal care, as well.  
23 So, we are really looking at it from very much of  
24 a very exciting opportunity to really move forward  
25 and do the best job that we can for the animals.

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And the additional funding brings in very practical, more staff and more resources.

COUNCIL MEMBER MARK-VIVERITO: To the existing shelters.

JULIE BANKS: To the existing shelters, as well as the receiving centers, because the existing shelters will be absorbing the animals from the receiving centers, and will be providing the care, as well.

COUNCIL MEMBER MARK-VIVERITO: And I know that, you know, as I am a sponsor of this bill, and clearly as the Chair has indicated, and many of have been receiving a lot of emails and calls about--the animal advocacy community's a very passionate one. But there's diverse opinions within it as well. So clearly there are those that just don't believe that there's any positive aspects to this bill. I differ. I support the sponsor on this bill. I think as with any legislation, there's always room for improvement, that's what the hearing is about. That's what the conversations are about, that in those areas where there are legitimate ways that we can improve and strengthen the language, then we're willing to

1  
2 look at that. And so, any of the input that we  
3 get is something that we will factor as we proceed  
4 with this. One of the existing sections of the  
5 proposed legislation says here, would codify a  
6 field services program which would pick up lost,  
7 stray, homeless or injured dogs and cats from all  
8 five boroughs. So that's the question I think the  
9 Chair was going in that direction, too. You do  
10 have pets that sometimes you're going to find that  
11 don't have tags, that aren't microchipped. So in  
12 the case where you are picking up animals and  
13 bringing them to the shelters, what attempt is  
14 there made? I mean, is there an aspect of really  
15 putting it out there, educating the larger  
16 community, about where people can go to find or  
17 try to track or trace their lost pet? I think  
18 what Chairman, or Council Member Vallone brought  
19 up is a real concern. And that's always my fear,  
20 with my cat, if anything were to happen. Like  
21 where do you go first? So, I wish there was maybe  
22 a way of centralizing a place where people could  
23 go if they do have a lost pet. How do we get that  
24 information out there?

25 JULIE BANKS: Well, you know, the

1  
2 majority of the animals that come into Animal Care  
3 & Control come in without identification. And I  
4 think the education of the public on putting  
5 identification, whether it's a license, ID tag,  
6 microchip, is a really important thing, because  
7 getting, if they come in with current  
8 identification, and that, that word "current" is  
9 the key, because sometimes they do come in and  
10 they're not current, we can't get 'em back home,  
11 but if they come in with current identification,  
12 we hold 'em longer, and we can get 'em back home,  
13 and notify you that the animal is in our care.

14 But Animal Care & Control has actually been  
15 working with the ASPCA and the Mayor's Alliance on  
16 a very exciting, new lost and found opportunity  
17 for the community. Hasn't really been announced  
18 yet, but I guess I'm announcing it right now.

19 Where we have created a volunteer run lost and  
20 found project where people will be able to go to  
21 the AC&C website and file lost reports and found  
22 reports, and there will be individuals who will  
23 actually actively not only be looking at our  
24 buildings, but looking at our pictures that we  
25 currently have on, on site. And communicating

1  
2 with lost pet owners to get their animals back.  
3 They'll also be looking at other sites besides the  
4 AC&C sites 'cause there's other places that people  
5 put lost pet reports, like Craigslist and any of  
6 these other places, or any of these other national  
7 sites that people use. So what it's going to do  
8 is it's going to connect all of this information,  
9 it's going to go to volunteers who are completely  
10 committed, because they're already doing it right  
11 now, to help people find pets. Connect that with  
12 the new Department of Health locator system for  
13 licensed pets, we're going to put 'em all  
14 together. So the first place would be go to, say,  
15 the AC&C site, and you'll get information on the  
16 next step. So, I think what we're going to see  
17 when this gets introduced in the next couple  
18 weeks, is a huge increase in animals going home,  
19 and a much more coordinated response to members of  
20 the community in what to do if they've lost their  
21 pet.

22 COUNCIL MEMBER MARK-VIVERITO:

23 Well, thank you for that, that's great. So, I  
24 mean, those were my two questions. I do want to  
25 say, not to put all the blame on AC&C, I know

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2 there also have historically been a lot of  
3 concerns about what people think, and I might have  
4 shared in that view about Department of Health, in  
5 terms of the inattention, to really the shelter  
6 system when it comes to our animals and the City  
7 of New York. But Deputy Commissioner, I think  
8 that you have demonstrated a real commitment to  
9 make this a priority. I thank you for the  
10 attention that you're paying to it, and the  
11 diligence. I'm a strong, strong advocate for our  
12 pets in the City, sometimes we get knocked for  
13 that. But I think that, that it's an important  
14 aspect of the work that we should do. So, thank  
15 you for that, and I look forward to continuing to  
16 work on getting this bill moving forward. Thank  
17 you.

18 CHAIRPERSON ARROYO: Thank you,  
19 Council Member. I want to go back, I missed a  
20 question on the TNR. And the, are we looking at  
21 other jurisdictions and what they're doing, how  
22 their program's working? So that we can borrow  
23 some of the best practices.

24 DANIEL KASS: We have been talking  
25 to others. And we will, you know, in the

1  
2 rulemaking process, take a harder look at what  
3 goes on elsewhere. There aren't many  
4 jurisdictions that have officially recognized TNR  
5 programs. We've been talking to Baltimore, which  
6 is probably the closest analogue to what we're  
7 thinking, in which they've also, you know,  
8 officially enabled TNR colonies, and their  
9 supporters and advocates, to register with the  
10 City. And then, you know, take action  
11 accordingly. So, we will be looking at other  
12 jurisdictions, as well.

13 CHAIRPERSON ARROYO: All right,  
14 thank you for that, and I, I'm not crazy about  
15 Baltimore, they beat the Yankees yesterday, so  
16 [laughter] Two days in a row, two days in a row.  
17 In extra innings, yeah. Thank you, Joe. I want  
18 to thank you for your testimony--yes. [background  
19 comment] Sure, sure.

20 COUNCIL MEMBER MARK-VIVERITO:  
21 Just, just, sorry, just speaking of the, the  
22 volunteer program for pets that are lost, when it  
23 comes to cats, people that own cats, has there  
24 been any thought given to people being able to  
25 voluntarily register them? I know that there's



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not the same mandates as dogs. So that, in case, for instance, an animal, you know, cat does get lost, and they want to track it or find it, I mean, has there been any thought given to that?

DANIEL KASS: We, we have not, at this time, considered licensing cats. We're, our intention is to really try to do what we're supposed to do, which is dogs. We do that better. Now, we--

COUNCIL MEMBER MARK-VIVERITO:

Well, I'm not saying that, licensing necessarily, maybe a voluntary program where people could register their pet, their cat, somewhere in case there's, you know, you do lose it, or some--you know, it gets picked up, and--

DANIEL KASS: Right. I mean, we can certainly, we can certainly think about that. I think part of what we want to do as a Department, and with AC&C being more robust as an organization, under this funding, is to do more community education about the importance of these things. So, microchipping a cat is a terrific way of ensuring that its identity and its loc--and its owners will be known. AC&C has the facilities to

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2 basically read microchips. So that's certainly  
3 one critical way, but we'll, we'll give this some  
4 thought.

5

COUNCIL MEMBER MARK-VIVERITO:

6

Thank you.

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CHAIRPERSON ARROYO: Thank you,

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Council Member. Again, thank you for coming to

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testify on this legislation. There are different

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opinions about it, and everyone obviously feels

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very strongly about their position on it. We look

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forward to continuing this conversation. And in

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the event that we move it out of the Council and

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enact it as law, that you have been forewarned

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that September hearing in the Health Committee

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will be dedicated to Intro 655. Okay? And it's

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implementation process. So, thank you very much--

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DANIEL KASS: Thank you.

19

CHAIRPERSON ARROYO: --for your

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testimony. I'm going to call up the next panel,

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and I'll take the opportunity to, I know there's

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some folks came in a little late, and signed up

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for testimony, to remind everyone that we're going

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to be on a clock. It's a three minute clock.

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That I'm going to stick to very strictly. I'm

1  
2 going to ask you to please summarize your  
3 testimony. The hardcopy will be entered for the  
4 record. That you give us the respect to those who  
5 are testifying. If you disagree with their  
6 opinion, that's okay, but please do so  
7 respectfully and without disruption, and that if  
8 that happens, that Jerry over there in the corner  
9 is going to get really mean. [laughter] Because  
10 I'm going to ask him to. But we hope we don't get  
11 there. In the spirit of managing time, please pay  
12 attention to the clock, it's over there. And  
13 we've been joined by Council Member Dickens,  
14 welcome. And I am calling up the next panel:  
15 Melissa Norden, ASPCA; Michelle Villagomez, New  
16 York City Legislative Director for the ASPCA;  
17 [background comment] oh, all, it's all ASPCA,  
18 okay. Julie Morris--oh, I see, you bring five and  
19 each speak three minutes, so you get 15. [laughs]  
20 We have Amy Christian, Dr. Steven Hansen and Dr.  
21 Jennifer Lander. If you can all come up. Are you  
22 all here? Please come up. Yeah. So, we have  
23 Melissa, Michele, Julie, Amy, Dr. Hansen and Dr.  
24 Lander. Try to make yourselves as comfortable as  
25 possible on the table. You can choose who's going

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2 to testify first, or in the order that you're  
3 going to go in. I'm going to give you about 30  
4 seconds to get that together, and you can begin  
5 when you're ready. Make sure that you state your  
6 name for the record, please. And when the light  
7 is off, the mic is on.

8 MELISSA NORDEN: Okay. [laughs]  
9 Good morning, my name is Melissa Norden, I'm Chief  
10 of Staff of the American Society for the  
11 Prevention of Cruelty to Animals. I'm here today  
12 on behalf of the ASPCA and its 2.5 million  
13 nationwide supporters, 100,000 of whom live right  
14 here in New York City. I urge you to support  
15 Intro 655, which would restore programs and  
16 services to the City's animal shelters and result  
17 in increased funding for the Animal Care and  
18 Control program. In 2010 alone, the ASPCA has  
19 invested over \$20 million of private funding, in  
20 New York City's direct animal care programs.  
21 Additionally, over the last six years, we've given  
22 a total of \$7.5 million in grants to the Mayor's  
23 Alliance for New York City's Animals, a coalition  
24 of 150 animal rescue groups and shelters working  
25 with the City's Animal Care and Control program,

1  
2 to end the needless killing of healthy and  
3 treatable cats and dogs in the shelter system.  
4 The ASPCA works in communities all over the City,  
5 using private funds to offer such services as low  
6 and no cost spay, neuter and vaccination clinics,  
7 a premiere hospital that serves shelter pets and  
8 the public's companion animals, and a humane law  
9 enforcement department that investigates animal  
10 cruelty. We keep the needs of AC&C in mind when  
11 structuring our programs. Annual budget cuts to  
12 New York City's Animal Care and Control program  
13 have had a predictably negative effect on New York  
14 City's residents and our at risk animals, which  
15 has resulted in elimination or restriction of  
16 basic services, like the lost and found program  
17 and field operations which picks up stray and  
18 injured animals throughout the City. Hours have  
19 been reduced at the receiving centers to one day  
20 in Queens and two days in The Bronx. The call  
21 center at AC&C has been eliminated, and calls are  
22 being diverted to 311, which has little, if any,  
23 expertise with animals. Budget cuts have also led  
24 to the elimination of jobs at City's three  
25 shelters, making it harder for the remaining staff

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2 to provide the best service possible to animals  
3 and potential adopters. We are grateful to  
4 Council Member Lappin for introducing this bill  
5 that will restore vital programs and services and  
6 improve conditions at the City's Animal Care and  
7 Control facilities, and for the City's stated  
8 commitment to increasing its investment in Animal  
9 Care and Control over the next three years by  
10 nearly \$10 million. Recognizing the overwhelming  
11 economic and budgetary issues facing New York  
12 City, we believe that delivery of comprehensive  
13 plans, such as the one in Intro 655, will in the  
14 short and long term result in improvements to the  
15 services provided to the people and animals of New  
16 York City. We continue to believe that each  
17 borough deserves a full service shelter, and these  
18 new resources will be an important first step in  
19 the long term rebuilding of New York City's  
20 shelter system. In the future, we would also like  
21 to revisit the issue of board composition and  
22 independence, so that AC&C's board has a  
23 complement of members with operational expertise  
24 and the ability to fundraise. Our commitment to  
25 helping New York City's animals is the reason why

1  
2 we support Intro 655. My colleagues here will  
3 provide more information on legislation and the  
4 work we do in New York City. Thank you.

5 [pause, background noise, laughter]

6 CHAIRPERSON ARROYO: Hey, way to  
7 set the tone. [laughter]

8 That's hard to live up to.

9 [laughter] Okay, my name is Michelle Villagomez,  
10 I'm the New York City Legislative Director for the  
11 ASPCA. I am going to bring up some highlights  
12 from my testimony, and then speak a little off the  
13 cuff addressing some of the things that you  
14 brought up earlier. The ASPCA supports Intro 655.  
15 We've been working with the Mayor's Alliance, the  
16 City Council, the Mayor's Office, and the  
17 Department of Health and Mental Hygiene, to  
18 determine how to best address New York City's  
19 companion animal issues, and improve conditions in  
20 our City shelters. We work in close collaboration  
21 with the Mayor's Alliance, Animal Care and  
22 Control, and are committed to reaching the day  
23 when no New York City dog or cat of reasonable  
24 health and temperament is killed merely because he  
25 or she does not have a home. Council Member

1  
2 Lappin has introduced a bill that would restore  
3 vital programs and services and improve animal  
4 care facilities in the City. So I'm not going to  
5 reiterate what the bill does, but for us, it's  
6 very exciting to be able to expand services and  
7 engage in these conversations. Some of the things  
8 that were mentioned earlier were about the dog  
9 licensing campaign, and we worked very closely  
10 with Council Member Lappin, and your Committee, to  
11 push dog licensing. You know, we testified at  
12 that hearing, talking about the opportunity for  
13 funding that has been left at the table, just  
14 because we are only licensing one out of five  
15 dogs. So we're working with the Department of  
16 Health and hope to continue to work with them on  
17 this public outreach and dog licensing education  
18 campaign. At the ASPCA, we're looking to see sort  
19 of what we can do internally to supplement that  
20 and spread that. We supplement a lot of the  
21 services here in New York City, my colleague  
22 Melissa mentioned that we put in over \$20 million  
23 in direct care services. A lot of that is in  
24 spay/neuter and--high volume, high quality  
25 spay/neuter. We also participate in microchip



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2 clinics, so Councilwoman Viverito, you were  
3 concerned about identification, and we always, as  
4 part of our public education campaign, tell people  
5 that it's very important to have identification  
6 even on your cats. And the microchip is a great  
7 way to do that. So, we offer those services here.  
8 See what else I can put in. The funding, the  
9 funding increase that would correspond with this  
10 legislation is very exciting to us. This increase  
11 in funding by nearly \$10 million is showing that  
12 the City is commitment to--pardon me, committed to  
13 investing in its shelter system, and sort of  
14 revamping it, and given the tough fiscal times  
15 that the City has been facing, and how every City  
16 service has been challenged, the fact that the  
17 City is committing to increasing funding over the  
18 next couple of years into a program that has been  
19 traditionally underfunded, and also hearing from  
20 the Department of Health that it's going to be  
21 excluded from PEG-able, from the PEG-able funding  
22 group, is really, really very exciting for us.  
23 You know, we will continue to invest, putting in  
24 our services, putting in our dollars, putting in  
25 our sort of outreach capabilities to help AC&C and

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help the City system as much as we can going forward.

[pause, time bell]

Good morning, I'm Amy Christian, I'm the Vice President of Spay/Neuter Operations at the ASPCA, and I've been overseeing all of the ASPCA's spay/neuter services, both nationally and in New York City since 2005. About 35 percent of the 40,000 spay/neuter surgeries our Department currently performs every year in New York City are for rescue animals, thousands of which are feral cats, brought to our spay/neuter clinic in Queens, for spay or neuter as part of a TNR project. As such, I work closely with AC&C, the Mayor's Alliance, rescue groups, foster networks and more individual TNRs than I can count. I'm hear speaking for Jessie Oldham [phonetic], who's the Director of Community Outreach for the ASPCA, and she ran a TNR 501(c)(3) in Brooklyn from 2004 to 2009. I knew her in this capacity long before she was an employee of the ASPCA. And as everybody has said so far, the ASPCA endorses TNR, that's why I urge you to support Intro 655. Trap/Neuter/Return, or TNR, is a humane method of feline

1  
2 population control that entails humanely trapping  
3 cats, having them spayed or neutered, rabies  
4 vaccinated, and then returning them to their  
5 original location. While returning cats to their  
6 original location is not necessarily an intuitive  
7 step in a program that addresses population  
8 control, the process exists because the sterile  
9 cats act as placeholders, preventing a new set of  
10 reproducing cats from moving into the area. With  
11 this process, the overall feline population  
12 numbers declined over time because of attrition.  
13 When cats are removed and not returned, a vacuum  
14 effect occurs and new reproducing cats move into  
15 the area that's no longer occupied by the resident  
16 cats. The reproducing cats not only then continue  
17 to contribute to the overpopulation issue, but  
18 still display a number of community nuisance  
19 behaviors that spayed or neutered cats do not.  
20 During the TNR process, cats who are good  
21 candidates for adoption, such as friendly cats or  
22 young kittens, are pulled from the streets and are  
23 found homes, while the cats who are feral are  
24 returned to their original location with an ear  
25 tip which indicates that they're sterile. Despite

1  
2 its connotation, feral cats are not typically  
3 aggressive, and they make every effort to avoid  
4 human contact. Fixing free roaming cats decreases  
5 their chance for illness as it reduces fighting  
6 and mating, which entail the transmission of  
7 bodily fluids. Fixing these cats also provides a  
8 community service for the surrounding neighbors as  
9 there is less smell, because male spraying is  
10 greatly reduced, less noise because mating and  
11 fighting noises are reduced greatly, or entirely,  
12 and less cats, because with reproducing cats, no  
13 female in heat will attract less males cats to the  
14 area. And many residents have commented on the  
15 efficacy of free roaming cats keeping rodents  
16 away. The cats also receive a rabies vaccination  
17 at the time of sterilization, which helps protect  
18 the cats and the community against rabies.

19 Currently, the ASPCA partners with the feral cat  
20 initiative of New York City, which provides a four  
21 hour training workshop on TNR best practices,  
22 which addresses your questions from before, which  
23 includes but is not limited to community  
24 involvement, how and why TNR works, responsible  
25 feeding practices, subsidized spay/neuter options

1  
2 and so on. Thank you for [time bell] the  
3 opportunity to appear before you today.

4 [laughter]

5 [pause]

6 Great. My name is Julie Morris,  
7 and I'm the Senior Vice President of Community  
8 Outreach for the ASPCA. I've been there for 20  
9 years. And I've worked in animal sheltering for  
10 about 30 years, I was the Executive Director of  
11 the Human Society of Huron Valley in Ann Arbor,  
12 Michigan for many years. And then worked at the  
13 Michigan Human Society in Detroit, Michigan,  
14 before coming to New York. My current position  
15 has me oversee six departments at the ASPCA. The  
16 commonality with those departments is providing  
17 positive outcomes for animals at risk, includes  
18 the adoption center and a variety of other  
19 departments. I want to thank the Council for the  
20 opportunity of being here and supporting 655. The  
21 current staffing and services of Animal Care and  
22 Control are unacceptable. We all know that,  
23 that's a big issue. The current staffing levels  
24 are inadequate to provide an appropriate quality  
25 of level of care and medical services, and Intro

1  
2 655 will allow us to restore key services that  
3 have been cut and staffing to acceptable levels,  
4 as well as provide a safety net for New York  
5 City's animals. The creation and sustainability  
6 of a comprehensive and effective animal control  
7 program in New York City requires a public/private  
8 partnership of many groups, including the ASPCA,  
9 the Mayor's Alliance for New York City Animals,  
10 and over 150 individual plus rescue groups working  
11 together in daily collaboration with animal care  
12 and control. The goal of the partnership is to  
13 increase adoptions and transfers, increase the  
14 number of spay/neuter surgeries, reduce  
15 euthanasia, and reduce intake through TNR. The  
16 ASPCA's role is transferring animals from ACC to  
17 the ASPCA Adoption Center, spay/neuter services in  
18 all five boroughs, human law enforcement, and  
19 grant making services. We've also provided  
20 expertise to the ACC on a daily basis. I assigned  
21 two of my staff members to work full time, more or  
22 less, at the AC&C for the last seven months: Kate  
23 Pollen [phonetic] who is an expert in shelter  
24 operations and standard operating procedures, and  
25 Trish Millan [phonetic] who's an animal behavior

1  
2 expert. They wrote job descriptions--many of the  
3 staff didn't have job descriptions--they wrote job  
4 descriptions, they wrote standard of operating  
5 procedures, they helped coach staff, train staff,  
6 teach them in safer [phonetic], we've recently  
7 hired Dr. Stephanie Janesko, who formerly worked  
8 at the ACC, so that could free up that money for a  
9 Director of Operations, and 75 percent of her time  
10 will be dedicated to writing medical protocols,  
11 training, operations, and procedures. So we help  
12 actually on a daily basis, with ACC operations.  
13 I'm not reading, I lost my place here. And we  
14 want to say despite the ACC's best efforts, they  
15 don't have the staffing to do the job, and one of  
16 the things we think with Intro 55, while we--655,  
17 while we want to see a full service shelter in  
18 every borough, this gives us something that's  
19 going to happen now, and it's going to make an  
20 immediate different in the life of animals, and  
21 save animal lives. Thank you.

22 [pause]

23 STEVEN HANSEN: All right? Hello,  
24 thank you. [laughter] Hello, I'm sorry, I'm Dr.  
25 Steven Hansen, I'm the Chief Operating Officer for

1  
2 the ASPCA. My purpose today is to provide you  
3 more details on some of the exact medical services  
4 that we provide. We do recognize that some of our  
5 largest overpopulation challenges are in  
6 neighborhoods that are, where people receive less  
7 veterinary care, have less access to veterinary  
8 care. So we bring our veterinary care to those  
9 areas. We have six surgical trucks that do roam  
10 the five boroughs; we have one that goes  
11 nationally. And just to give you an idea on some  
12 of the facts for the numbers, in 2010 we provided  
13 29,000 surgeries, including 16,000 for qualifying  
14 low income parents and 13,000 for rescue  
15 organizations. These surgeries included 20,500  
16 cats and 8,500 dogs. And this year, we will  
17 provide services for 40,000 animals. And the way  
18 that we are increasing these services to these  
19 animals is through the clinic that we did open  
20 this spring in Queens. Our Queens clinic can  
21 generate 350 surgeries per week, which will reach,  
22 will get is in the neighborhood of 15,000  
23 additional animals per year. We do believe that  
24 we need to achieve 50,000 to 60,000 total  
25 surgeries per year, to substantially reduce the



1  
2 euthanasia of adoptable animals in our shelters in  
3 the City. And we believe that we can reach those  
4 numbers within the next one to two years, with our  
5 addition of our clinic in Queens. So we have a  
6 very large presence in Queens right now. And in  
7 addition, I also wanted to talk a little bit  
8 about, it's what we call our focus project. What  
9 a focus project is, is we've identified two areas  
10 where we are intensifying our surgeries, and what  
11 we're going to do is using research techniques,  
12 we've teamed up with ecologists from Lincoln Park  
13 Zoo in Chicago, and we're using field techniques  
14 to actually count cats. And what we're going to  
15 do is we're going to provide intense services to  
16 these areas, and then we're going to count and  
17 find out whether we're effective. We're going to  
18 compare 'em to two areas where we are, we are  
19 already providing routine services, and compare  
20 'em in a research format, and hopefully publish  
21 what we find. We'll learn from this experiment  
22 and we'll adjust, and continue on until we are  
23 completely successful and roll out what we find  
24 across the City and nationally. Thank you very  
25 much.

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[pause]

Hi, I'm Dr. Jennifer Lander, and I'm Medical Director for the Adoption Center at the ASPCA. I've served in this position for over seven years. I oversee the medical care of over 3,000 animals that come through our facility each year. And I develop the medical protocols for the facility. I also help manage population flow in our shelter, guiding animals from various sources through the adoption process, paying special attention to infectious disease control and prevention. The ASPCA has had an ongoing relationship with Animal Care & Control of New York City since its inception. We work in close collaboration with the Mayor's Alliance of New York City, and with AC&C to increase adoptions, transfers, spay/neuter and as well as to reduce euthanasia and animal intake. The ASPCA takes in more animals from AC&C than any other single agency. In 2010 we transferred nearly 1,700 animals, and this year so far, we have transferred over 1,000 animals from AC&C to the ASPCA. The current budget, resulting in short staffing, presents AC&C from implementing effective

1  
2 protocols for the prevention of infectious disease  
3 outbreaks. In addition, the current lack of  
4 capital funds prevents AC&C from installing high  
5 quality ventilation systems to ensure adequate air  
6 quality for the animals in its care. This results  
7 in the greater risk of disease. When animals from  
8 AC&C arrive at our facility, we see a nearly 100  
9 percent outbreak rate of disease. This is  
10 primarily upper respiratory infection, including a  
11 very dangerous disease called canine influenza.  
12 These conditions can all be very, very serious,  
13 even life threatening, but they are entirely  
14 preventable. The number of animals infected, and  
15 the severity and duration of disease symptoms, can  
16 both be dramatically decreased, I'm sorry,  
17 increased, with adequate staffing. Resources for  
18 staff training and capital improvements will also  
19 help this. The financial investment that will  
20 arise from the passage of Intro 655, will lead to  
21 better quality of life for the animals, less  
22 disease, and ultimately save more lives. Another  
23 effect of this very important finding is that AC&C  
24 would have adequate staffing, to implement proper  
25 cleaning and disinfection protocols, to also help

1  
2 prevent disease transmission. There are many  
3 reasons why funding for AC&C staffing and  
4 resources would ultimately benefit New York City's  
5 homeless animal population and improve our  
6 outcomes/ Spending on the upfront basic needs  
7 would decrease costs later, when animals can move  
8 more quickly through our system. Consequently,  
9 healthier populations being transferred to other  
10 facilities like the ASPCA would then require less  
11 time and resources at the receiving facility.  
12 This would increase the number of animals that  
13 each receiving facility could actually take.  
14 Having healthier populations housed at AC&C and  
15 being adopted by the general public will reflect  
16 positively on New York City's attention to  
17 homeless animals, and would create a healthier and  
18 safer New York City animal population. We  
19 continue to support ASPCA, AC&C, by transferring  
20 animals from their shelters and we look forward to  
21 improve conditions for the animals and the  
22 shelters. [time bell]

23 CHAIRPERSON ARROYO: Thank you all  
24 for your testimony. Dr. Hansen, you indicate  
25 that, or the target you believe must be achieved,

1  
2 50,000 to 60,000 surgeries, in order to really  
3 begin to make an impact. And you were referencing  
4 Queens when you were, in that part of your  
5 testimony. So are we looking at just Queens, or  
6 is, in general in the City.

7 STEVEN HANSEN: That total number  
8 of 50,000 to 60,000 is the five boroughs, in  
9 total. What I was mentioning in Queens, is that  
10 we have a veterinary facility that we opened in  
11 Queens, and that facility is able to ramp up and  
12 do a substantial number of surgeries. We have  
13 transport that are helping bring animals in, and  
14 we have rescuers who bring animals in directly.

15 CHAIRPERSON ARROYO: Questions, my  
16 colleagues? Melissa?

17 COUNCIL MEMBER MARK-VIVERITO:  
18 Thank you, Madam Chair. I want to thank the ASPCA  
19 for all its work. I know that we've developed a  
20 really close working partnership. I know you've  
21 been aggressively doing spay/neutering in my  
22 district, in East Harlem in particular. And I  
23 also have been speaking, for many years, about  
24 doing some sort of feral cat initiative, so I'm  
25 very, very happy that that is a component that is

1  
2 in this bill. And Ms. Christian, for your  
3 explanation of the importance of TNR. I know that  
4 those that have been vocally opposed to this  
5 legislation mention that TNR is not an effective  
6 tool, I think, and so that, that, I think your  
7 explanation really kind of clarifies some of the  
8 opposition that we've been hearing. And Ms.  
9 Norden, I know that you speak very specifically,  
10 and I think that, I'm glad to hear, right, that,  
11 and that's the ultimate goal is that we would love  
12 to see a full service shelter in every borough,  
13 and that that does not, this bill does not prevent  
14 us from continuing to strive towards that goal. I  
15 believe that that should be the case, as well.  
16 But that there is some immediate steps that we  
17 need to take right now to provide greater  
18 resources to AC&C, so that better care can be  
19 given to our animal population in New York City.  
20 So, I believe, Mr. Hansen, that in terms of the  
21 program that you indicate, that my community is  
22 one of the ones that has been identified for this  
23 feral cat initiative, in terms of the count and  
24 looking at the indicators along the way. So I  
25 was very happy to hear that when I met with all of

1  
2 you a couple of months ago. So just wanted to, to  
3 thank you for the clarity you've provided. I  
4 think you've answered some of the questions that  
5 have been raised by some of the opponents to this  
6 bill. And we look forward, again, to  
7 strengthening it, to continuing to move forward,  
8 and to, and give more resources to the AC&C that  
9 is needed. Thank you.

10 CHAIRPERSON ARROYO: Council Member  
11 Vallone?

12 COUNCIL MEMBER VALLONE: I do have  
13 questions, but I can ask them later, and I'd  
14 rather get the animal rights groups in here to  
15 testify, especially since there's so many sitting  
16 in, in the other room right now. I don't know why  
17 the City Council can't, in the future, look into  
18 getting a screen back here for these people who  
19 are, spent their time to come down here, and have  
20 to hear our voices, as opposed to actually see  
21 what's happening in this room. So, I just want to  
22 thank you guys in the ASPCA for your help, in the  
23 past, working on different bills. You were  
24 instrumental in getting the, in helping me get the  
25 anti-dog leashing bill passed, which was, which

1  
2 took a lot of work to convince people why that was  
3 important. And you guys were very helpful with  
4 that. I understand why you support this bill. I  
5 think a lot of the good things that this bill  
6 does, can be done, right now, without sacrificing  
7 a full service shelter in Queens and in The Bronx,  
8 but thank you for the work you do.

9 CHAIRPERSON ARROYO: Any other  
10 questions? No. Thank you for your testimony and  
11 thank you for the work that you do on behalf of  
12 this City and its animal population. I don't know  
13 where we would be without your intervention and  
14 your good work. Thank you. The next panel, we  
15 will call up. And I don't know if I mentioned,  
16 we'll do a panel in favor, a panel against, so  
17 we'll hopefully hear pro and con in that order.  
18 Brad Morgan, Stray from the Heart, are you here?  
19 Hi. Arina Gochstern [phonetic], Stray from the  
20 Heart, also. And if I butcher your name, please,  
21 I apologize. Esther Koslow [phonetic], Shelter  
22 Reform Action Committee. And we have Shaan Khan  
23 [phonetic], from Manhattan Borough President  
24 Stringer's Office. Shaan, are you here? You want  
25 to come up? He. Can we get, yes, hi, welcome,



1  
2 come on in. And I apologize, I didn't realize you  
3 were here, so we're going to hear from Shaan  
4 first. And the others to follow. But I think, my  
5 understanding is the Borough President of  
6 Manhattan is opposed to the legislation, so he  
7 fits right in to that panel. [laughs] Okay. You  
8 may begin when you're ready, please identify  
9 yourself for the record, and remember you're on a  
10 three minute clock, so share your thoughts from  
11 the heart and not from your written testimony.

12 [pause]

13 SHAAN KHAN: Thank you. Not used  
14 to testifying here. [laughs] My name is Shaan  
15 Khan, I'm Senior Advisor for Manhattan Borough  
16 President Scott Stringer. Borough President  
17 Stringer asked me to read this testimony on his  
18 behalf. Thank you, Chair Arroyo, and Members of  
19 the City Council Committee on Health for the  
20 opportunity to testify today. New York City has  
21 the opportunity to become a national leader in the  
22 humane treatment of animals. Through sensible  
23 reform, we could create a model system that  
24 provides shelter animals with proper conditions,  
25 harnesses the energy of the City's advocate

1  
2 community, and meets a no-kill standard where only  
3 untreatable animals are put down. However, before  
4 we can achieve these goals, we must first focus on  
5 the root of our problem: the City's division of  
6 Animal Care and Control, an entity which lacks the  
7 funding and expertise to truly live up to its  
8 name. In recent years, we've seen reports of  
9 otherwise healthy animals put down in their  
10 shelters, and dogs and cats stacked in cages,  
11 sometimes sleeping in their own waste. These  
12 conditions are magnified by overcrowding and the  
13 absence of full service shelters in The Bronx and  
14 Queens. While these shelters were mandated by  
15 City law nearly ten years ago, the City has  
16 instead resorted to obstructionist legal maneuvers  
17 rather than fulfill its obligation. As part of a  
18 recent and welcome agreement to commit \$10 million  
19 in additional funds over three years, as well as a  
20 needed boost to dog licensing fees, Intro 655  
21 would absolve the City of its responsibilities to  
22 construct these shelters. Instead, ACC would fund  
23 vans to pick up animals in these boroughs and take  
24 them to one of the already overcrowded shelters in  
25 Brooklyn, Manhattan or Staten Island. Even with

1  
2 these new funds, ACC plans to spend about \$1.47  
3 per resident, and amount which is still well below  
4 the national average of \$3.50 per resident.

5 Obviously, any proposal that adds resources to our  
6 animal care system is a welcome step. However, I  
7 urge you to consider that these resources could be  
8 put to a better use by first addressing the

9 structural deficiencies within AC&C. AC&C is

10 controlled by the City's Department of Mental

11 Health and Mental Hygiene, an agency whose core

12 focus is the welfare of people, not animals. Its

13 seven member Board of Directors consists of agency

14 officials that lack the independence, expertise or

15 fundraising capabilities that are required for ACC

16 to fulfill its valuable mission. What we need is

17 a top-to-bottom restructuring of ACC, a new model

18 that reconstitutes the organization into a quasi-

19 independent, not-for-profit, with a large, diverse

20 board, that can bring both new resources and new

21 expertise to the City's animal welfare system.

22 The City's done this before. In the late '70s,

23 Central Park was in a state of disrepair and

24 neglect. Today it's the nation's premiere urban

25 oasis, thanks largely to \$390 million in funds

1 raised privately by the Central Park Conservancy,  
2 since its founding in 1980. Although the Parks  
3 Department retains policy control over the park,  
4 85 percent of its \$37.4 million annual budget is  
5 raised independently by the Conservancy, and its  
6 dedicated 60 member board. We can and should  
7 establish a similar model for AC&C. New York's  
8 animal loving community is large, diverse and  
9 deeply passionate about the humane treatment of  
10 animals. The City should harness this energy and  
11 fundraising potential. We need to throw open the  
12 doors of the City shelter system and create a new  
13 [time bell] management structure--is that my three  
14 minutes? Thank you--a structure of AC&C, one that  
15 can leverage both the City's financial and human  
16 capital. If AC&C had a board capable of raising  
17 significant funds, there's no question in my mind  
18 we could finally get a full service, get these  
19 full service shelters built in Bronx and Queens.  
20 Three weeks ago, I unveiled this proposal and  
21 asked New Yorkers to show their support by signing  
22 a online petition. To-date, we have already  
23 amassed well over 7,000 signatures. We have also  
24 been contacted by individuals willing to step up  
25

1  
2 and help fund a new self-sustaining ACC. It's  
3 clear that the New York animal care community is  
4 able and willing to help restructure this  
5 organization into the type of entity our City's  
6 animals deserve. I strongly urge you to take this  
7 proposal under serious consideration as you  
8 deliberate on the merits of Intro 655. Thank you  
9 very much for the opportunity to testify.

10 [pause]

11 ESTHER KOSLOW: Oh, right, okay.

12 My name is Esther Koslow. And I represent Shelter  
13 Reform Action Committee. For those of you who are  
14 not familiar with us, we're 17 years old, we're as  
15 old as the AC&C because we were created when the  
16 AC&C was created. We didn't have a crystal ball,  
17 it was easy to know from the get-go that the AC&C  
18 would not work. The structure was wrong. The DOH  
19 was in charge. And if you have the DOH in charge  
20 of the AC&C, you ensure failure because the DOH  
21 has no mandate to care for animals. It does have  
22 a mandate to care for people, to protect people  
23 from animals. Now, this current bill, while  
24 laudable because it does provide money, that money  
25 is not enough, and it will be wasted. And the

1  
2 reason why it's going to be wasted, it's going to  
3 be thrown at this system, where the DOH is in  
4 charge of everything. It, for 17 years, the DOH  
5 has disserved the AC&C. It's underfunded, it's  
6 savagely slashed the budget in the last two years,  
7 and these services that 655 are going to now  
8 compensate for, are to bring back the services to  
9 where they were in 2009, which weren't great. One  
10 note, the receiving centers, they will take the  
11 place now of the shelters that were mandated 11  
12 years ago. But they are just, really they're  
13 holding pens for animals, and then they get  
14 shipped to shelters which can hold them. Because  
15 our shelters are overcrowded, they don't have  
16 space, but the AC&C is not allowed to say it  
17 doesn't have space, because the DOH will not allow  
18 it. That would embarrass the DOH, and would lead  
19 one to infer that shelters are needed in the  
20 Queens and Bronx. I implore you, I'm not here to  
21 praise 65, 655, I'm not here to bury it. What I  
22 am here to do is to ask every sponsor and member  
23 of this committee to expand upon it, to address  
24 that big elephant in the room, it's the Department  
25 of Health. And there are people here who

1 testified today who cannot directly confront of  
2 the DOH for political reasons, and cannot directly  
3 confront the Mayor for political reasons. But why  
4 not use your power and change the AC&C with very  
5 little money required by the City? A lot of  
6 competent people, like the board members of the  
7 ASPCA, if we had quality like that, to come over,  
8 they could attract the money, they could hire  
9 management that's competent. But you've set in  
10 place a three year program to allow the DOH  
11 another three years to disserve the AC&C, to parse  
12 out the money slowly, not in one fell swoop, very,  
13 very slowly. None of these enhancements are going  
14 to supposedly take place until 2014. [time bell]  
15 Let's do it today. Thank you.

17 [pause]

18 BRAD MORGAN: Good morning,  
19 Committee Chair and Members of the Committee.  
20 Thank you for giving Stray from the Heart the  
21 opportunity to speak at this hearing, on behalf of  
22 the City's homeless animals. My name's Brad  
23 Morgan, I've been a volunteer with Stray from the  
24 Heart since 2007. Stray from the Heart is a not-  
25 for-profit, volunteer based organization dedicated

1  
2 to the rescue, rehabilitation and adoption of  
3 homeless dogs. Today, we ask this Committee and  
4 the City Council, to first amend Intro No. 655, to  
5 include and preserve Section 17-803, of the  
6 Administrative Code, requiring full service  
7 shelters in all boroughs. Second, create a  
8 separate and independent entity to implement and  
9 oversee the City's Animal Care and Control  
10 policies. Since our inception a decade ago, Stray  
11 from the Heart has placed over 1,500 dogs in good  
12 homes. The majority of these dogs have come from  
13 the New York shelter system. As a result, we have  
14 a vested interest in the wellbeing of the  
15 thousands of wonderful dogs and cats who enter the  
16 ACC shelters and care deeply about those who never  
17 have the chance to leave. While the euthanasia  
18 rate has declined in recent years, the reduction  
19 has come in large part at the expense of the  
20 City's small rescue groups, whose budgets have  
21 been depleted by the cost of boarding and  
22 providing veterinary care, to cats and dogs taken  
23 from the ACC. As a result, many of these small  
24 charities have been forced to take in a fewer  
25 number of animals. Fewer animals leaving the ACC



1  
2 shelters will eventually lead to a rise in  
3 euthanasia rates. The harsh reality is that  
4 reliance on the animal rescue community to do the  
5 work of the ACC, is a system that is no longer  
6 working. The proposed bill would create a new  
7 system that is equally unworkable, increasing  
8 receiving hours without increasing shelter space,  
9 is a shortsighted, is shortsighted and fiscally  
10 illogical. Where will the dogs and cats dropped  
11 off at the receiving centers go? The existing  
12 shelters are already severely overcrowded. It is  
13 a fallacy to suggest that increasing receiving  
14 hours without a plan for handling the increased  
15 flow of animals is a meaningful improvement.  
16 Without an accompanying increase in shelter space,  
17 dogs and cats brought to receiving centers will  
18 have to be transferred to the existing full  
19 service shelters where overcrowded, disease  
20 infested conditions have reached critical  
21 proportions. These are the very same conditions  
22 that led to the enactment of the Animal Shelters  
23 and Sterilization Act of 2000, the very same Act  
24 the proposed law intends to repeal. Such repeal  
25 will result in the needless death of thousands of

1  
2 cats and dogs, many of whom could be cherished  
3 family pets if given the chance to live. [time  
4 bell]

5 [pause]

6 IRINA HANSON: Okay, good morning,  
7 my name is Irina Hanson [phonetic], I'm with Stray  
8 from the Heart. And as Mr. Morgan already pointed  
9 out, we ask the Committee and the City Council to  
10 please oppose Intro No. 655 in its current form.  
11 The City Council cannot and should not abandon  
12 their commitment to the welfare of our homeless  
13 animals simply because the DOH has refused to  
14 implement the existing shelter law. Repeal of  
15 Administrative Code Section 17803 will condone the  
16 Department of Health's deliberate refusal to  
17 comply with the statute enacted by the City  
18 Council ten years ago. As some of you know, Stray  
19 from the Heart has attempted through the judicial  
20 system to compel the Department to implement the  
21 current shelter law. The Appellate Court rejected  
22 our suit for lack of standing, but did not rule on  
23 the merits of our claim. Rejecting our lawsuit  
24 for lack of standing does not mean that the  
25 Department does not have to comply with the

1  
2 statutory duties. In early June, we filed a  
3 Motion for Leave to Appeal the Issue of Standing  
4 to the highest court. However, passage of Intro  
5 655 as proposed will essentially tell the Court of  
6 Appeals that the Department's duty under current  
7 law is no longer enforceable. We therefore ask  
8 you to allow the judicial system to rule on this  
9 very important issue affecting the future of our  
10 animal shelter system. What we need is a  
11 structural change. New York City's animal shelter  
12 system has a long history of operating under a  
13 constant crisis management model. Rather than  
14 putting a Band-Aid over a critically wounded  
15 system, the City Council needs to examine the root  
16 of the disease and address it with a long term  
17 result based plan. Such a plan has been proposed  
18 by Manhattan Borough President Scott Stringer.  
19 His plan calls for a top to bottom restructuring  
20 of the ACC with emphasis on creating a separate  
21 and independent ACC system. Many of New York  
22 City's taxpayers are animal loving people and care  
23 deeply about how our government treats them. they  
24 are also savvy and understand the cost to reform a  
25 broken shelter system and would not want you to

1  
2 approve a plan that's destined to fail. We  
3 therefore ask you to support Mr. Stringer's  
4 proposal to reform the ACC, a plan that is logical  
5 and fiscally responsible. So let me summarize,  
6 Intro 655 is a politically expedient, short term  
7 fox for a much larger and deeper problem that  
8 actually requires a long term solution. We  
9 therefore urge the City Council to oppose this  
10 bill if it's not amended to include the  
11 requirement of full service shelters in all five  
12 boroughs, and to create separate, autonomous  
13 entity to implement and oversee the City's Animal  
14 Care and Control policies. An independent ACC  
15 will promote the recruitment of individuals with  
16 knowledge and experience in animal welfare, animal  
17 sheltering and fundraising. It will also promote  
18 volunteerism and sponsorship opportunities for the  
19 private sector. [time bell] But even more  
20 importantly, it will finally transfer New York  
21 City's shelter system into a successful, no-kill  
22 model in the very near future.

23 CHAIRPERSON ARROYO: Thank you.

24 IRINA HANSON: Thank you for the  
25 opportunity to speak.

1  
2 CHAIRPERSON ARROYO: No, and I, I  
3 really do thank you for trying to stick to the  
4 three minute, you guys are doing a really  
5 phenomenal job, and have really set the standard  
6 for everyone to follow. It is possible to get  
7 your thoughts out in that amount of time. Before  
8 I got to Council Member Vallone, I want to  
9 acknowledge we've been joined by Council Member  
10 Eugene, a Member of the Committee, thank you,  
11 Council Member.

12 COUNCIL MEMBER VALLONE: Well,  
13 thank you, Madam Chair. I've been saying for  
14 years that the Health Department should not be in  
15 charge of protecting our animals. They've been an  
16 abject failure, as you've said. And in fact,  
17 somebody from the Department years ago said to me,  
18 "We don't believe it's our job to take care of  
19 animals. That's not our mandate," just like you  
20 said. And in the face of that, you know, we've  
21 been stymied on so many things we've been trying  
22 to do for animals, because they just don't believe  
23 that it's their job, and they shouldn't have it.  
24 We should be giving it to somebody else. So I  
25 agree with you, Esther, completely on that. And

1  
2 you're absolutely right about receiving center  
3 being no substitute for a shelter. I mean, what  
4 does a receiving shelter do? It saves me a toll,  
5 if I have a stray animal that I'm dropping off.  
6 It doesn't provide care, it doesn't provide a  
7 location for us to retrieve our stray animals, it  
8 doesn't provide extra room for our shelter system  
9 so they can humanely take care of animals until  
10 they're adopted. It's a place to drop off the  
11 animals. So expanding the time on that doesn't  
12 help Queens. We need--or The Bronx. We need full  
13 service shelters, not receiving centers. And I  
14 want to congratulate Stray from the Heart for your  
15 lawsuit. You won, and correct me if I'm wrong,  
16 I'm not an expert on this, but I'm an attorney,  
17 and I want to explain to some people who aren't  
18 attorneys, you won in the Supreme Court on the  
19 merits of the case; the City is not obeying the  
20 law. You lost in the Appellate Division due to a  
21 lack of standing, which is a technicality, which  
22 just the Court ruled, after the Supreme Court  
23 ruled in their favor, the Court ruled you didn't  
24 have standing, meaning they weren't personally  
25 hurt by this law, so they didn't have the right to

1  
2 bring the suit, which I think is ridiculous, and  
3 I'm glad you're appealing. So you filed the  
4 Motion to Appeal in June? No word on that yet? I  
5 happen to believe that's probably why the  
6 Administration is moving so quickly on this now,  
7 so they don't get ruled against and found in  
8 complete violation of the law, that my father  
9 passed in 2000 again. So, stay in touch with the  
10 progress of that law. I, unfortunately, - - I  
11 have to leave now, get back to my district, but  
12 anyone who needs to reach me on this issue or any  
13 other can reach me very easily, either at my  
14 Council website or at Facebook page. So, if you  
15 have stuff you need to send me, find me there.  
16 But I want to thank you, Madam Chair, and all of  
17 the animal rights advocates who came out today.  
18 Thank you.

19 CHAIRPERSON ARROYO: And thank you  
20 Council Member Vallone, for making sure that we're  
21 paying attention to a lot of the details. I'm  
22 going to go to Council Member Dickens and then  
23 Council Member Mendez.

24 COUNCIL MEMBER DICKENS: Thank you  
25 so much, Madam Chair, and I want to apologize to

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my colleagues, and to all of--

COUNCIL MEMBER MENDEZ: People, excuse me, Madam Chair, people are leaving, we may have questions for them, I know I do.

CHAIRPERSON ARROYO: Oh, no, yes, panel. Thank you.

COUNCIL MEMBER MENDEZ: Thank you, Madam Chair.

CHAIRPERSON ARROYO: Thank you.

COUNCIL MEMBER MENDEZ: And I'm sorry, Council Member Dickens.

COUNCIL MEMBER DICKENS: That's all right, that's all right, Council Member. I want to apologize and I want to thank all of the animal rights advocates as well as those who are opposing for various reasons, the Intro that we have before us today. I had a death in my family, and I had to be late, and now I've got to leave. I have, will continue to read the testimonies of all of you who have come down to testify. I will also confirm with my Chair of Health, and as I have signed onto this legislation, in support, I do recognize and understand the testimony of all of you here, that have just testified, and the



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reasons why you've opposed. So thank you so very much and again I apologize.

COUNCIL MEMBER MENDEZ: Thank you, Council Member Dickens, my apologies again for interrupting you. Thank you, Madam Chair. For this panel, Ms. Koslow.

ESTHER KOSLOW: Yes.

COUNCIL MEMBER MENDEZ: Okay. You mentioned that some of this with AC&C is a matter of funding, a little funding. So what is a little funding. You never threw out a ballpark--

ESTHER KOSLOW: Oh, no, it's not just underfunding--

COUNCIL MEMBER MENDEZ: Some, some, but you said some funding could help--

ESTHER KOSLOW: No--

COUNCIL MEMBER MENDEZ: --the situation, make it better.

ESTHER KOSLOW: Funding is always helpful, but not when you are sending it to a system like the AC&C, which we're not using properly. I mean, remember, the DOH didn't come with this deal asking for money, the DOH was ready to keep cutting money, and the AC&C very

1  
2 compliantly was ready to keep cutting services.  
3 The ASPCA and the Mayor's Alliance, with full  
4 credit to them, came begging for money. They knew  
5 they couldn't ask for the shelters because of that  
6 Appellate decision, and Stray from the Heart. The  
7 DOH was not going to build the shelters, was not  
8 going to discuss it.

9 COUNCIL MEMBER MENDEZ: Okay.

10 ESTHER KOSLOW: But the AC&C is in  
11 crisis, it's been in various stages of crisis for  
12 years.

13 COUNCIL MEMBER MENDEZ: So, there  
14 has to, there has to be other systemic changes--

15 ESTHER KOSLOW: Yes.

16 COUNCIL MEMBER MENDEZ:  
17 Irrespective of money. Okay.

18 ESTHER KOSLOW: And if you changed  
19 it structurally, I'm sorry--

20 COUNCIL MEMBER MENDEZ: No,  
21 because, Council Member Melissa Mark-Viverito and  
22 I have given funding in the past to AC&C, and  
23 granted it was a little funding, and there wasn't  
24 any substantive changes, it was so--

25 ESTHER KOSLOW: And they will--

1  
2 COUNCIL MEMBER MENDEZ: --so that's  
3 why I wanted to know if there was a monetary  
4 amount that would make a difference. Or if there  
5 systemic changes that need to come about with the  
6 funding. Or it's just systemic changes alone  
7 might get us to a better place.

8 ESTHER KOSLOW: Systemic changes  
9 alone would get you there.

10 COUNCIL MEMBER MENDEZ: Okay.

11 ESTHER KOSLOW: If you had  
12 something, like the Central Park Conservancy, if  
13 you had fabulous directors, who have a rolodex of  
14 powerful and influential animal lovers, they could  
15 raise the money. I mean, the City would still  
16 have to pay its fair share, but the City is never  
17 going to pay much. Because we're doing services  
18 for the City. But yes, you need to change the  
19 structure. And then, like in the movie, the money  
20 will come.

21 COUNCIL MEMBER MENDEZ: Okay. The,  
22 the other thing of interest to me is, using the  
23 Central Park Conservancy, which is not something I  
24 particularly favor, conservancies. So I'm  
25 wondering why that structure is being used as

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opposed to a structure like the CCRB, or you know, why has this structure of a conservancy become like an ideal situation to run this?

ESTHER KOSLOW: Well, we don't, we don't approach it because it's a conservancy. It was a system created by individual civic leaders and philanthropists who saw that the City wasn't going to its job. The City was not going--

COUNCIL MEMBER MENDEZ: The City was broke. It didn't have any money to do its job.

ESTHER KOSLOW: Right.

COUNCIL MEMBER MENDEZ: You know, that's what happened in the 1970s.

ESTHER KOSLOW: I know, I know.

COUNCIL MEMBER MENDEZ: So.

ESTHER KOSLOW: But also, when they were choosing what things to do, Central Park was low on their list. And the AC&C has always been low on the City's list here. So, we wanted to get a group of people who would fill out, flesh out a large board, people who actually care and would do things, and be movers and shakers, just like the conservancy. There would be a little seat at the

1  
2 table for the DOH, 'cause the DOH has a very  
3 limited role in animals, it's to protect people  
4 from animals. But caring for animals would have  
5 to be the province of people who actually cared.  
6 You don't have to stick with the Central Park  
7 Conservancy, we're doing it because it was a  
8 private/public partnership. We were going to  
9 leave that little chair for the DOH. But as far  
10 as I'm concerned, pull out the chair, get rid of  
11 the DOH, altogether, and that would be fine with  
12 me. If the ASPCA would lend us some of their  
13 board members, things would change immediately.  
14 Immediately. If the structure changes, the money  
15 will come. And actually, the shelters will come.

16 COUNCIL MEMBER MENDEZ: Okay.  
17 Anyone else want to add anything to my questions?  
18 All right. Thank you very much.

19 CHAIRPERSON ARROYO: Any other  
20 questions? Sure.

21 COUNCIL MEMBER MARK-VIVERITO:  
22 Again, thank you for your testimony, and I think  
23 that many of us don't disagree with what has been  
24 indicated. I think what we, the message that is  
25 clearly being sent through this legislation, and

1  
2 even the testimony of the ASPCA validated, that  
3 there are efforts underway, to have those  
4 conversations with the City about making ACC more  
5 independent in terms of the Board of Directors.  
6 There's conversations I think Ms. Norden  
7 mentioned, that are already happening, that were  
8 happening, you know, along, had been happening  
9 along the way. So, there are structural changes  
10 that need to happen, and those changes don't  
11 happen overnight. And I think that being in  
12 government now, and dealing with the bureaucracy,  
13 we understand that to be the case. And  
14 unfortunately, that's why some of us here, I know  
15 Rosie, myself and obviously Lappin and others, are  
16 very strong animal rights advocates.  
17 Unfortunately, it's not given a priority, you  
18 know, in the Administration, it's not given a  
19 priority, unfortunately, a lot of times, in our  
20 general society. And it takes that consistency of  
21 effort to finally see the changes happen. So the  
22 changes are not going to happen overnight, and I  
23 think this is a practical solution to again  
24 indicate that there is a need, there are more  
25 resources being put, and along the way continue to

1  
2 advocate for the full service shelters, and for  
3 additional changes in AC&C. So, all of that is  
4 happening simultaneously. And this should not be  
5 seen as the end all, be all. That's what I would  
6 ask for the people that are opposed to consider.  
7 And I'm sure we're not going to change your point  
8 of view, and we, but we will strive to continue to  
9 make this better legislation, but also to continue  
10 the efforts that have to go hand-in-hand with it.  
11 And that's what some of us here will do. So, I  
12 just wanted to make sure, I don't know if that was  
13 heard, in terms of the testimony from the ASPCA,  
14 but the conversations about the Board of Directors  
15 of AC&C, that's already been advocated, and that  
16 work is already starting to be done. So, thank  
17 you.

18 CHAIRPERSON ARROYO: Thank you,  
19 Council Member. Thank you for your testimony.  
20 This is a process, and we welcome your input. And  
21 very much needed, to make sure that what we do, we  
22 do the best that we can, and given the  
23 circumstances that we're confronting. And as the  
24 Chair of this Committee, I make it a practice of  
25 not signing onto bills that are before this

1  
2 Committee, so that I can try to remain balanced in  
3 my approach to making sure that we're doing the  
4 right thing as a Committee. So, your input is  
5 greatly appreciated, and you bring up some  
6 incredibly important and very strong points that  
7 we must be very, very concerned with. And I  
8 guarantee you that we will take them very, very  
9 seriously. Thank you very much for your  
10 testimony. The next panel will be a panel in  
11 favor of legislation, that we're hearing, and it  
12 is going to include Jane Hoffman, Mayor's Alliance  
13 for New York City's Animals; Evan Handers  
14 [background comment] Evon Handras, Mayor's  
15 Alliance for New York City's Animals; Nancy Taylor  
16 Bidawee; Carly Marie Knudson, New York City Class,  
17 NY Class; and Emily McCoy, from PeTA. Mm, and  
18 Maria Karash, Humane Society, I apologize, yeah.  
19 So, we have one, two, three, four, five, six, I'm  
20 sorry to put so many of you on that panel.  
21 [background voices] We're trying to be as  
22 efficient with time as possible, as I have to be  
23 out of here by 2:00 o'clock. [background voices]  
24 It's okay, that's fine, as long as you're  
25 comfortable, that's what's important. Okay, when



1  
2 you, when you use the mic, if the light is on, the  
3 mic is not on. You have to turn off the light in  
4 order for the mic to work. Please identify  
5 yourself for the record. You may begin when you  
6 are ready. And we're going to put the clock at  
7 three minutes. As you can see, everyone before  
8 you has been very observant of the time. And I  
9 appreciate that. So, I expect you guys to do the  
10 same. You may begin when you're ready. And the  
11 mics are fairly, you know, you can pull them in  
12 directions, 'cause they have a lot of feed. Don't  
13 know, volunteer--[background voices, laughter]

14 EVON HANDRAS: Hello, my name is  
15 Evon Handras, I've been the Director of  
16 Administrative Service for the Mayor's Alliance  
17 for New York City's Animals since 2007. In this  
18 position, I administer the Maddie's Spay/Neuter  
19 Project for community cats and stray cats in New  
20 York City, and the Maddie's Spay/Neuter Project in  
21 NYC for owned cats and dogs. This provides very,  
22 very low cost or free spay/neuter for the cats and  
23 dogs of people who receive public assistance in  
24 New York City. I became, I also work with the New  
25 York City Feral Cat Initiative, which is one of

1  
2 the Mayor's Alliance Programs. I became a TNR  
3 certified caretaker in 2005, and have been  
4 involved in many TNR projects over the years. I  
5 understand that the Department of Health will  
6 create rules pertaining to the registration of  
7 individuals and groups conducting  
8 trap/neuter/return. We at the Mayor's Alliance,  
9 look forward to providing input into that process.  
10 We are pleased with the provision requiring owners  
11 of cats that are allowed to roam outdoors, to have  
12 their cats spayed or neutered. While we believe  
13 that all cat owners should spay or neuter their  
14 cats and keep them indoors, we understand that  
15 this provision is specific to owners who allow  
16 their intact cats outdoors and contribute to the  
17 City's cat overpopulation problem. There is  
18 absolutely no excuse for any cat owner in New York  
19 City not to have their cat spayed or neutered. We  
20 have ample spay/neuter resources that are free or  
21 low cost and accessible to every New York City pet  
22 owner. The ASPCA now devotes all of its mobile  
23 spay/neuter clinics to the public and deploys  
24 these clinics throughout the City seven days a  
25 week. The Human Society of New York, the Toby

1  
2 Project, and other programs, are also available to  
3 provide low cost and free and accessible spay and  
4 neuter. Female cats that are not spayed and are  
5 allowed outdoors and become pregnant often end up  
6 on the streets or at Animal Care and Control.  
7 They can become pregnant as young as four months  
8 old. Most people are surprised by that. Or if  
9 that doesn't happen, we have five or six more  
10 kittens several times a year, who end up at the  
11 shelter or are given away to people who may not  
12 neuter them either. Thus continuing the cycle.  
13 In my field experience, doing rescue and  
14 trap/neuter/return, I have found that many of the  
15 cats are young male cats who are not neutered.  
16 Intact male cats, when they mature, begin to  
17 spray. While this is perfectly normal behavior  
18 for the cats, it is not acceptable to most pet  
19 owners, and the cats end up on the street or at  
20 Animal Care and Control. This provision of the  
21 bill promotes responsible pet ownership. It  
22 eliminates the risk that owned free roaming cats  
23 will contribute to the City's cat overpopulation  
24 crisis, and in addition provides health and  
25 beneficial benefits for the cats. I urge the City

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2 Council to make it even clearer that the provision  
3 [time bell] requires owner to spay/neuter cats  
4 they allow to roam outdoors is not intended to  
5 cover feral cats. It seems clear from the  
6 definition of feral cats and TNR, and the  
7 Commissioner's rules to come about registering  
8 people who do TNR, that the City Council realizes  
9 that the heart of trap/neuter/return is neutering.  
10 The provision applies to people who willfully  
11 allow their unneutered cats to go outside. May I  
12 have a few more seconds, or I have to stop.

13 CHAIRPERSON ARROYO: If I give it  
14 to you, I have to do it for everyone else.

15 EVON HANDRAS: Nope, I'm done.

16 CHAIRPERSON ARROYO: And I haven't  
17 had to.

18 EVON HANDRAS: Thank you.

19 CHAIRPERSON ARROYO: Okay. Next?

20 [background voices]

21 CARLY KNUDSON: Good morning, I'm  
22 Carly Knudson, Executive Director of New Yorkers  
23 for Clean, Livable and Safe Streets, also known as  
24 NYCLASS. We're a nonprofit, animal advocacy  
25 organization, working to better the lives of New

1  
2 York City's animals. I would like to thank the  
3 Health Committee and Madam Chairwoman Arroyo for  
4 this opportunity to testify in support of Intro  
5 655, on behalf of our 40,000 members. [background  
6 voice] This bill, introduced by Councilwoman  
7 Lappin, will restore vital services and programs  
8 to Animal Care and Control as we've heard today.  
9 As a volunteer at the Brooklyn Shelter, a foster  
10 mom to a rescue dog, an adoptive mom to a pit  
11 bull, also from the Brooklyn Shelter, and a  
12 caretaker of a feral cat colony, I understand the  
13 dire situation our New York City animals are in.  
14 It is a situation that will take a long time to  
15 fix, but I believe that Intro 655 is the first of  
16 many steps in that process. Repeated budget cuts  
17 to New York City's Animal Care and Control  
18 program, as we've heard, have resulted in  
19 extremely negative effects on the City's at risk  
20 animals, again receiving hours, the call centers,  
21 on staff, onsite, are all important aspects that  
22 have been negatively impacted, making it more  
23 difficult for AC&C to run smoothly. Restoring the  
24 essential services is essential if Animal Care and  
25 Control is going to eventually move from its

1  
2 current state into a shelter system that can  
3 realistically be no-kill in the future. The  
4 commitment to increasing funding over the next  
5 three years by nearly \$10 million will lead to an  
6 increase in the number of staff onsite. As a  
7 volunteer, this is vital. It will allow us,  
8 excuse me, more time to actually spend time with  
9 the animals, making sure that they are happy and  
10 healthy and adoptable. Lack of funding has been a  
11 great obstacle to the efforts of the groups  
12 working in the City's homeless animals, for the  
13 City's homeless animals, and NYCLASS is grateful  
14 to Councilwoman Lappin for her leadership on this  
15 legislation, as reestablishing these key services  
16 is necessary. And we are appreciative of Speaker  
17 Quinn and the Mayor's Office for recognizing this  
18 issue and commend them for tackling these critical  
19 concerns, finally. Given our current economic  
20 climate, it is unfortunate reality that the two  
21 full service shelters in The Bronx and Queens  
22 cannot yet be built; that said, NYCLASS firmly  
23 believes the future construction of two full  
24 service shelters in The Bronx and Queens is  
25 essential, if Animal Care and Control is going to

1  
2 be rebuilt. In addition, we support the efforts  
3 rearrange the Board of Directors to include those  
4 individuals who have the expertise, compassion and  
5 drive to push Animal Care and Control towards  
6 becoming an independent agency. This independence  
7 will allow for a new ability to fundraise and  
8 capacity to make deep and significant operational  
9 and systemic changes aimed at saving more animals'  
10 lives. Again, I would like to reiterate on behalf  
11 of NYCLASS's 40,000 members, our support of this  
12 legislation, Intro 655, has the ability to make  
13 immediate improvements to Animal Care and Control.  
14 Thank you for the opportunity to appear today.

15                   EMILY MCCOY: Hi, my name is Emily  
16 McCoy, and I'm speaking on behalf of PeTA, and our  
17 35,000 members and supporters in New York City,  
18 who would like to offer their support of Intro  
19 655. This legislation will allow Animal Care and  
20 Control to address the animal overpopulation  
21 crisis that plagues New York City, as well as  
22 begin to provide much needed improvement to our  
23 City shelters. The \$10 million funding increase  
24 laid out in Intro 655 over the next three years,  
25 will allow shelters to employ qualified staff, and

1  
2 ensure that shelters can stay open seven days a  
3 week, giving a lifeline to animals who might  
4 otherwise be dumped on the streets to die badly.  
5 Perhaps most importantly, these funds will give  
6 residents access to an affordable spay/neuter  
7 program which is the only long term way to reduce  
8 the number of homeless cats and dogs. Although  
9 these are significant improvements, we urge the  
10 City Council to consider a slight alteration to  
11 the proposed trap, neuter and release program.  
12 Because of many of the hazards homeless cats in  
13 New York City face in New York's concrete jungle,  
14 including disease, violent teens, unstable street  
15 people, and freezing cold, icy weather, PeTA would  
16 like to see trapped and neutered cats relocated to  
17 a well-run, indoor/outdoor sanctuary outside the  
18 City, rather than sent back to the harsh streets,  
19 which, where they often hated, hurt and with few  
20 exceptions, guaranteed a miserable life. We  
21 believe that where there's a will there's a way,  
22 and that such a country haven would be possible to  
23 achieve. Thank you for your consideration, and  
24 for giving hope to the thousands of animals who  
25 badly need your help.



1  
2 NANCY TAYLOR: Good afternoon,  
3 Chairperson Arroyo and Members of the Committee.  
4 I'm pleased to have the opportunity to testify  
5 today. My name is Nancy Taylor, and I am the  
6 President and CEO of Bidawee, a nonprofit animal  
7 welfare organization in Manhattan, with offices on  
8 Long Island. For 108 years, Bidawee has remained  
9 steadfastly committed to saving lives and  
10 promoting loving, long term relationships between  
11 people and companion animals. Our organization is  
12 a member of the Mayor's Alliance for New York  
13 City's Animals, and enjoys a successful  
14 association with Animal Care and Control as a new  
15 hope partner. In the last four years, 1,260 dogs  
16 and cats have been transferred from AC&C to  
17 Bidawee, to find their forever homes. We've seen  
18 firsthand the challenging and heroic work AC&C  
19 employees have undertaken on behalf of homeless  
20 pets with limited resources and an eroding budget.  
21 I'm here today to express my very strong support  
22 for Intro 655 that will restore urgently needed  
23 programs and services for our City's shelters.  
24 Having the ability to add staff, expand days and  
25 hours of service, and increase rescues for stray,

1  
2 injured and abandoned animals, can provide much  
3 needed impetus to our City in achieving its  
4 strategic goals of increasing adoptions and  
5 decreasing homelessness. And in this challenging  
6 economic environment, a three year financial  
7 commitment to increase the budget by 77 percent  
8 over existing levels will undoubtedly save lives,  
9 decrease suffering and threats to public health  
10 and safety. I would also like to add that I have  
11 sort of a unique perspective. For more than 50  
12 years, Bidawee has run three animal shelters. And  
13 when faced with the economic realities after the  
14 fourth quarter of 2008, we were forced to close  
15 one of those shelters, despite having a very  
16 strong, committed and philanthropically minded  
17 board of directors. At that time, our donations  
18 dropped [time bell] 42 percent. So, it's not a  
19 simplistic thing to add a philanthropically minded  
20 board to raise money to support shelters. Thank  
21 you very much for your time.

22 [pause]

23 ANNE-MARIE KARASH: Do I push this  
24 thing? Oh, hi, how are you? Thank you very much  
25 for this opportunity to speak today. My name is

1  
2 Ann-Marie Karash, and I'm Associate Director at  
3 the Humane Society of New York. The Humane  
4 Society of New York is pleased that in these tough  
5 economic times additional funding is being made  
6 available to help more homeless animals and to  
7 support the efforts of trap/neuter/return. The  
8 society has been actively involved with TNR for  
9 over 30 years, and we continue to spay, neuter and  
10 treat feral cats in our clinic seven days a week.  
11 Simply stated, there are far more animals than  
12 there are homes to adopt them, and free roaming  
13 cats reproduce and suffer endlessly. No one wants  
14 to see animals born, only to see them die. And we  
15 know firsthand that TNR has significantly reduced  
16 the number of animals that would've been taken to  
17 one of the City's shelters and euthanized.  
18 Spaying and neutering is the first line of defense  
19 in helping to control the overpopulation of  
20 animals. And TNR is a highly important component  
21 in bringing the number of homeless cats down to a  
22 manageable number anywhere, but especially here in  
23 New York City. And again, thus reducing the  
24 number of animals that have to be brought into the  
25 City's shelter system and killed. Again, we

1  
2 appreciate the increase of funds to help  
3 spay/neuter and we're grateful for this  
4 opportunity to speak with you today.

5 JANE HOFFMAN: I'm it. I'm Jane  
6 Hoffman, I'm the President of the Mayor's Alliance  
7 for New York City's Animals. We're a not-for-  
8 profit corporation, we're made up of over 150  
9 animal rescue groups and shelters of New York  
10 City, and our goal is to make New York City a no-  
11 kill community by 2015. This means we do not kill  
12 healthy or treatable cats or dogs simply because  
13 they don't have a home. And taking your words  
14 very much to heart, I'm not going to read this.

15 CHAIRPERSON ARROYO: [laughs]

16 JANE HOFFMAN: At the Mayor's  
17 Alliance, my tiny staff and I of nine people have  
18 gone up to Manhattan Animal Care and Control one  
19 day a week for the last, since June, to walk dogs  
20 and clean cages. And I have personally seen how  
21 much a difference six to ten, nine more bodies can  
22 make at those shelters. So, I applaud the Council  
23 for adding money to add staff. They need bodies,  
24 that's what they need to take care of the animals.  
25 I firmly believe we need shelters in all of the

1  
2 boroughs; however, the political and the economic  
3 realities right now is we're not going to get 'em.  
4 And these animals and this agency needs the  
5 funding and the care now. I don't want to wait  
6 another ten years, perhaps, to have, argue over  
7 this law, and have the ACC remain in crisis. I'd  
8 also like to point out that the board of directors  
9 has been something at ACC that we've been talking  
10 about for years. It is a not-for-profit  
11 organization. Animal Care and Control is an  
12 independent entity. The problem is--it holds the  
13 contract through Department of Health--the problem  
14 is it does not have an independent board like a  
15 not-for-profit should. They need to be, they need  
16 to expand that board, and they need to put people  
17 on, as the ASPCA also said, with operational  
18 expertise and with the ability to fundraise. I  
19 think Nancy's point is well taken, boards, despite  
20 their best efforts in this climate, cannot always  
21 raise enough money. But to give them a chance, I  
22 think that board composition does need to change.  
23 I'd also like to say that I'm extremely pleased  
24 that the annual reporting about the management and  
25 operation of ACC is in this bill, I think that's

1  
2 crucially important. It's going to provide a lot  
3 more information than we've gotten in the past,  
4 though we do get quite a bit of information. And  
5 I love the language that does not limit DOH's  
6 authority to offer additional services and  
7 facilities to facilitate the decline in the number  
8 of unwanted and uncared for animals in New York  
9 City. That's very important. It doesn't mean we  
10 can't have them. All over the country, they build  
11 animal shelters without a law mandating it. It's  
12 political will, it's capital, we can do it, we're  
13 New York City. We don't need a law to do this.  
14 And we haven't done it. So I want the money now,  
15 I want the services restored, and basically TNR is  
16 the only way to do this, it's the only efficient,  
17 effective and humane way to reduce the cat  
18 populations. You've heard about this. I want to  
19 have a great, you know, we have a great  
20 opportunity here to really make the City better  
21 for the cats in our City. And then, you know,  
22 finally, the spaying and neutering of owned cats  
23 that go outside, nobody's going to go run around  
24 and round them up, we don't have the facilities or  
25 people to do that. It's forcing people to

1

2 recognize their obligation to spay and neuter  
3 their cats, be responsible pet owners. Thank you.  
4 [time bell]

5

CHAIRPERSON ARROYO: Rosie,

6

question?

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COUNCIL MEMBER MENDEZ: Thank you,

8

Madam Chair. Yeah, my questions earlier about the

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conservancy is because, you know, that was a very

10

unique situation, where people were motivated by

11

their property values. So, fixing up the park,

12

you know, had a direct result for them. And so

13

it's not just that they cared about the park.

14

Maybe some people did. So, you know, so I don't

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know if that's the right model, but it's clear we

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need to have some changes and I'm glad some of

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this was raised. I'm sorry, when you were

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speaking, you were talking about, and you got cut

19

off, about 42 percent you dropped in donations

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that--

21

NANCY TAYLOR: [off mic] Donations

22

after--

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COUNCIL MEMBER MENDEZ: Hold on,

24

you're going to have to put it so that we can

25

capture your testimony. I want to understand, you

1  
2 know, when donations dropped, what other economic,  
3 you know, factors were involved with, you know,  
4 donations dropping at that point.

5 [background noise, voices]

6 NANCY TAYLOR: After, after the  
7 fall of 2008, our donations, which had been close  
8 to \$10 million a year, dropped by 40 percent. And  
9 the fiscal reality for Bidawee was that if we  
10 wanted to come out the other side with an  
11 organization still functional, that we face the  
12 very hideous task of having to close a shelter,  
13 that it had existed through the Great Depression.

14 COUNCIL MEMBER MENDEZ: Thank you,  
15 that was helpful to get a little bit more details  
16 on that. I don't know, Madam Chair, do you have a  
17 question? I think I have another question, but  
18 it's not quite formulated in my brain yet.

19 CHAIRPERSON ARROYO: Okay. So, you  
20 might want to save it for the next panel, if it  
21 comes up, you feel free. Thank you for your  
22 testimony. I'm hearing a very consistent theme  
23 around the ACC and the concerns around that I  
24 think is significant and something that we can  
25 certainly follow up and talk about further with



1  
2 the entity, because I think as somebody rightly  
3 mentioned, it is a separate entity, and the board  
4 composition is important there, to have it fully  
5 functional and independent. So, Rosie?

6 COUNCIL MEMBER MENDEZ: I  
7 formulated my question. [laughter] And I, and I  
8 want to ask it of this panel, that's in pro. The  
9 previous panel talked about the lawsuit, which,  
10 you know, I'm sorry to say, I don't know a lot  
11 about and I was trying to get a little bit more  
12 information. And you know, as a lawyer, I  
13 certainly respect the law. But I know sometimes  
14 the law doesn't work, which is exactly what's  
15 happened here, you have to take steps, and that's  
16 what this group has done, they've filed a lawsuit.  
17 But in the process, you know, of waiting for  
18 justice to happen, I think we need a solution.  
19 And, you know, I've cosponsored this bill because  
20 it seems like this is a good solution, maybe not a  
21 perfect one, but a good solution, until we get to  
22 the next level. Just want to know if anyone on  
23 this panel has any thoughts about the lawsuit and  
24 if it would be better to wait to see what happens  
25 with the case, instead of moving forward

1  
2 temporarily with something. Or with some other  
3 law that helps.

4 JANE HOFFMAN: I think I'm the only  
5 lawyer on the panel. I, what happened in the suit  
6 is, is they won at the Supreme Court level. They,  
7 the City appealed it to the Appellate Division  
8 First Department, the five judge panel decided  
9 that they did not have standing. It is technical,  
10 but a lot of the law is technical. They are  
11 asking for leave to appeal. I, to the Court of  
12 Appeals, our highest court. I think that the  
13 chances of it being accepted are not good because  
14 it was a five--and that's my personal opinion,  
15 there's many people who disagree with me,  
16 probably, but that a five judge panel who decided  
17 unanimously in a very short decision that they did  
18 not have standing, I don't know the chances that  
19 the Court of Appeals will in fact take it. I  
20 don't know how long it will take for them to  
21 decide, and then we've got to go back down and go  
22 through the merits. And you know, as an attorney,  
23 starts all over again. I just, I'm very  
24 concerned, I feel like now, I don't want to talk  
25 about building another cabin on my boat, my boat

1  
2 is sinking. I want to do something now, and I'd  
3 just like to reiterate, I think all over the  
4 country shelters are built without being mandated  
5 by a law. I think that if the City Council puts  
6 their considerable muscle behind insistence on  
7 getting shelters built in those boroughs, I think  
8 it can be done. And I want the money, I'm sorry,  
9 I want the money now. [laughter]

10 COUNCIL MEMBER MENDEZ: Thank you  
11 so much, and thank you, Madam Chair.

12 CHAIRPERSON ARROYO: Thank you all  
13 for coming today, and for your testimony and your  
14 input is very valuable and very necessary in the  
15 process. So I thank you for the testimony. I'm  
16 going to call up another, the next panel, against  
17 the legislation. I'm going to ask my colleague,  
18 Council Member Mendez, can you Chair for me while  
19 I step out of the room, I need to make a phone  
20 call real, very quickly. Harris Bloom, Teresa  
21 Russell, Mary Orling [phonetic] and Carol Moon,  
22 all citizens of the City who want to share their  
23 opinion. Thank you for being here. Rosie?

24 COUNCIL MEMBER MENDEZ: I'm  
25 honored.

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CHAIRPERSON ARROYO: Okay.

[pause, background noise]

HARRIS BLOOM: Actually, I have it by my desk, can I give it to you after? I'll take it after.

COUNCIL MEMBER MENDEZ: Thank you. Whoever's ready, and please remember to identify yourself for the record.

[pause]

HARRIS BLOOM: Hi, my name is Harris Bloom. First of all, thank you very much for giving me the opportunity to speak at this committee hearing. The fact of the matter is, is that the New York City Shelter System currently is a disaster. In fact, Deputy Commissioner Kass inadvertently proves that point by stating that even though other cities are reducing funding for their shelters, we are demonstratively increasing ours, during this recession. That should really raise some red flags, you know, just in common sense. Even with the new moneys, New York City will give less than half the national average to the care and welfare of its animals. So basically what this bill does is put a Band-Aid on a bullet

1  
2 wound. Now, Mr. Kass also was talking about the  
3 two new shelters, which Mr. Vallone was pretty  
4 incredulous at his answers, and I don't blame him.  
5 He stated that the two new shelters are not being  
6 built due to space and community opposition.  
7 Space, there's no space in Queens or The Bronx.  
8 How are we supposed to take that seriously?  
9 Seriously. As far as community opposition goes,  
10 I'm pretty sure that Brooklyn is currently  
11 building a basketball court, and shopping center.  
12 In the process, bulldozing dozens of homes, making  
13 hundreds, if not thousands of people move. I'm  
14 pretty sure they had some community opposition  
15 there, as well. You might want to ask them, as  
16 the City. In fact, the funny thing is that the  
17 only good thing about the City owning the  
18 shelters, pretty much, is that they can do  
19 whatever they want. But the fact of the matter  
20 is, that they don't care to help the animals  
21 enough. Now the fact of the matter is, the only  
22 reason that these shelters aren't being built is  
23 money. I don't know how much it really costs to  
24 build and staff a shelters, quite frankly, but in  
25 this recession, you know, it's not going to

1  
2 happen. I realize that. And that is exactly why  
3 we need to amend this bill and take the ACC out of  
4 the Department of Health's hands. You know, the  
5 funny, yet sad thing about the funding issue, is  
6 that the ACC bought, you know, people were talking  
7 about the board of directors, how we can increase  
8 or whatever. You know, we don't have the right  
9 people. The ACC Board currently has two people  
10 who are Wall Street hotshots on the board. I work  
11 on Wall Street, I know. And the head of marketing  
12 at Penguin Publishing. And yet, do you know how  
13 much they raise? For fundraising? Almost  
14 nothing. You can check the Form 990, it's public  
15 record. That's why we have to change [time bell]  
16 the whole system, get rid of the Department of  
17 Health, and things will hopefully then change.  
18 Thank you.

19 COUNCIL MEMBER MENDEZ: Thank you.  
20 Whoever's next.

21 [pause, background noise]

22 CAROL MOON: Good morning. Thank  
23 you for the opportunity to speak today. My name  
24 is Carol Moon. And I oppose Intro 655 in its  
25 present form. I'm wondering how many of you have

1  
2 ever actually visited the City shelters? They  
3 consist of an uninviting warehouses in Manhattan,  
4 a horrible internment camp in Brooklyn, both on  
5 the fringes of the boroughs, where hardly anyone  
6 ventures to come, if they want to adopt an animal.  
7 Did you know that when the Manhattan shelter was  
8 renovated, they assigned only 18 cages in the  
9 Manhattan shelter, and a little over 100 cages for  
10 dogs, in a system that takes in 40,000 animals a  
11 year. The result is that dogs and cats, who could  
12 otherwise be up for adoption, remain in the  
13 holding wards for lack of space. Then, they get  
14 sick, and in the disease ridden shelters, they  
15 can't go to adoptions and so they're killed.  
16 Please do not support a bill that takes the City  
17 off the hook for being required to build shelters  
18 in The Bronx and Queens. It will mean that  
19 hideous numbers of animals will continue to be  
20 killed for lack of space, in order to empty cages  
21 in the three already overcrowded shelters.  
22 They're already killing about 300 cats and dogs  
23 every week, for space. I know, I get the alerts  
24 about them every day. The shelters will be  
25 obliged to pack even more animals into the already

1  
2 overcrowded shelters, which will mean even higher  
3 kill rates. A system handling over 40,000 animals  
4 each year and just \$10 million spread out over  
5 three years, for three shelters, plus two  
6 receiving centers, New York City will still be  
7 below the national average in per capita spending  
8 by cities for animals in shelters. Really, shame  
9 on Mayor Bloomberg, Speaker Quinn, the ASPCA and  
10 the sponsors of this bill for not doing their  
11 homework. New York animals and our citizens will  
12 be shamefully shortchanged. Intro 655 barely  
13 allows for the restoration of basic humane  
14 services that were severely cut or never offered.  
15 Unconscionable cuts in services that resulted in  
16 more animal suffering and being killed. But  
17 perhaps the worst part of this is that there will  
18 be no fundamental change in the way the shelter  
19 system is run. Nothing to change the failed  
20 paradigm of in the front door, and out the back  
21 door in plastic bags to the landfill. For over  
22 10,000 healthy, treatable adoptable animals each  
23 year, too many animals, not enough cages. They'll  
24 clear them out every night for the next day's  
25 arrivals, who will also be killed to make space.



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2 Moreover, the present ACC board and DOH has failed  
3 miserably to do right by animals and the trust the  
4 public has placed in them. And they need to be  
5 removed as the agency in charge. Borough  
6 President Stringer has proposed a change [time  
7 bell] of board and structure that must be given  
8 serious consideration. And I hope you will do  
9 that. Thank you.

10 COUNCIL MEMBER MENDEZ: Ma'am, I  
11 don't remember if you identified yourself for the  
12 record, so let's just do that.

13 CAROL MOON: I thought I did, but  
14 excuse--

15 COUNCIL MEMBER MENDEZ: Okay.

16 CAROL MOON: My name is Carol Moon.

17 COUNCIL MEMBER MENDEZ: Okay. And  
18 I hand this back over to our Chair, who's  
19 returned, thank you.

20 TERESA RUSSO: Hi, my name's Teresa  
21 Russo, and I'm opposed to Intro 655 as it's  
22 written, for the following reasons. One of the  
23 mandates is a mandatory spay and neuter for free  
24 roaming cats, and pets. And I'm not sure how that  
25 would be enforced. It also provides for more

1  
2 mobile vans for animal control officers. And I  
3 see that as being how they're going to check to  
4 see if these are actually pets, free roaming pets,  
5 or if they're feral cats, or how, how're they  
6 going to decide that, and they'll probably just be  
7 picking them up and bringing them in to Animal  
8 Care and Control. It's already a very overloaded  
9 shelter system, the cats would likely end up being  
10 euthanized if they're feral. And I think that,  
11 that for that reason, there shouldn't be a  
12 mandatory spay and neuter, I think that creates a  
13 big problem. It's been shown in other cities that  
14 have adopted that into law, that the amount of  
15 animals in shelters actually went up, and not  
16 down, and the amount of euthanasia. And so I  
17 think it's not a good provision and it should be  
18 removed from the bill. Also, the fact that the  
19 boroughs of Queens and The Bronx have been  
20 woefully underserved by the animal shelter system,  
21 and now this bill would mandate that they remain  
22 underserved. And I think that it's wrong to  
23 remove the City's responsibility to build shelters  
24 in those boroughs. The receiving centers, as it's  
25 been said, are mainly that, receiving centers. I

1  
2 suppose a person loses a pet, and they, in Queens  
3 or The Bronx, where do they go to look for that  
4 pet? Right now, they have to go into the shelter  
5 to look for it them self, that's the way things  
6 are right now. So, those boroughs, people living  
7 in the those boroughs, they have to decide where  
8 their pet was brought ,and it's just not a good,  
9 they should be, there should be shelters open in  
10 those boroughs as well. And ... I think the money  
11 coming in's a good thing, there does need to be  
12 more staff, and I could see that that's a good  
13 thing. The money should be used to promote  
14 adoptions, I think, more so than it's doing now.  
15 And one more thing, you know, I'm almost done, but  
16 I wanted to ask the Council Members to consider a  
17 bill to ban the sale of puppy mills in the City of  
18 New York. The City's already so overrun, and the  
19 shelters are so overrun with unwanted animals, and  
20 yet there's so many dogs being sold, from puppy  
21 mill, you know, in the City. Other cities have  
22 banned, either banned or recent--or have plans to  
23 ban the sale of puppies from puppy mills and  
24 stores. One in Los Angeles just this past June,  
25 passed a law to ban the sale of puppies from puppy

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mills. [time bell] So, you need to consider that. Thank you.

CHAIRPERSON ARROYO: Thank you. Thank you for your input. Oh, there's somebody else. I'm sorry. I missed the beginning of the panel, I apologize.

MARY ORLING: You are forgiven. Thank you for having me, too. My name is Mary Orling [phonetic]. I'm a concerned voter, I mean, citizen. And I would, I would like to give, briefly, the reasons expressed by other people, for my opposition. The reasons are simply the law should not be passed because it mandates the sterilization of all outdoor cats. And for the same reason that the person on my right said, whereas it was believed that mandatory spay/neuter was the solution, and it's actually turned out to be part of the problem, because it hasn't worked, and for this reason I'm opposed to this technique. It also eliminates the law that mandates the presence of the shelter in the other two boroughs, as you've discussed. And I just added a question, "Why should the animals of The Bronx and Queens be denied a vital service simply because they reside

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2 in those boroughs?" And third of all, the funding  
3 problem, which even though funding has been  
4 increased, it still is less per capita than in  
5 other cities. And so, I presume that the problems  
6 are not being solved under the current shelter  
7 management system. Evidently, the programs are  
8 not working if last year thousands of animals were  
9 killed in what are euphemistically known as  
10 "shelters." I think the dogs and cats of New York  
11 City deserve better. Thank you for hearing me.  
12 Thank you for helping me.

13 CHAIRPERSON ARROYO: Thank you for  
14 your testimony. Rosie, you have a question? I'm  
15 sorry, Council Member Mendez.

16 COUNCIL MEMBER MENDEZ: Rosie's  
17 fine. Sir, I don't remember your name.

18 HARRIS BLOOM: Harris Bloom.

19 COUNCIL MEMBER MENDEZ: Okay. Mr.  
20 Bloom. In the panel before you, Ms. Hoffman  
21 referred to her boat is sinking, and so not that,  
22 something needs to be done--

23 HARRIS BLOOM: Right.

24 COUNCIL MEMBER MENDEZ: --to save  
25 the boat and not just put a whole new cabin.

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HARRIS BLOOM: Right.

COUNCIL MEMBER MENDEZ: You said, I love these euphemisms, and so you said that we got a bullet wound and the Band-Aid is not going to help. [laughs] So, you know, what do we do? You know--

HARRIS BLOOM: You amend the bill. [laughs] You amend the bill to get the ACC out of the DOH's control. Like I said, I mean, you got the DOH here, you've got the ACC board that has all these fancy people on the board, I mean, guys from Wall Street. And yet they're doing nothing. We want people who care about animals.

COUNCIL MEMBER MENDEZ: Okay.

HARRIS BLOOM: On the board of the shelter system. Doesn't that make sense?

COUNCIL MEMBER MENDEZ: Sssso, in the interim? Until we can do that.

HARRIS BLOOM: Yes.

COUNCIL MEMBER MENDEZ: What do we do? I mean, we can--

HARRIS BLOOM: You, you amend the bill. I mean, isn't, when is the bill--

COUNCIL MEMBER MENDEZ: Until we

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can amend--

HARRIS BLOOM: --when is the bill,  
when is the bill coming up for a vote?

COUNCIL MEMBER MENDEZ: I don't--

HARRIS BLOOM: A year? Two months?

COUNCIL MEMBER MENDEZ: Listen, the  
process here at City Hall sometimes is mysterious.

CHAIRPERSON ARROYO: Oh, yeah.

COUNCIL MEMBER MENDEZ: So

[laughter]

HARRIS BLOOM: We know, you guys  
passed a bill in 2000, making a law, and nothing  
happened, to build two new shelters. So, I mean,  
you know, you don't have to tell me that it's  
mysterious.

COUNCIL MEMBER MENDEZ: Yeah, and  
you could also thank term limits for that, 'cause  
there's been changes, and people coming in and  
out, and sometimes certain things do not - -

HARRIS BLOOM: But you can change  
the term limits, I mean, Bloomberg did that. But  
anyway.

COUNCIL MEMBER MENDEZ: No, he just  
extended it.

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CHAIRPERSON ARROYO: Okay, wait, wait, let's get into a debate.

HARRIS BLOOM: Just for him.

COUNCIL MEMBER MENDEZ: I'm just trying to get an answer in terms of, until there is the part of the bill that will pass that changes the board--

HARRIS BLOOM: Right.

COUNCIL MEMBER MENDEZ: --what do we do in the interim to make the situation better for animals in the City?

HARRIS BLOOM: Right now, you just do something on an emergency basis, because obviously it is an emergency. The fact that we're increasing the budget over the next three years, when everybody else is decreasing their budgets, should tell you something, common sense dictates that there is an emergency right now. You file some sort of an emergency bill. You're on the City Council. For now, just do what needs to be done to improve the situation, until you can amend the bill and get the DOH out of control.

CHAIRPERSON ARROYO: Okay, so--

COUNCIL MEMBER MENDEZ: Okay.



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CHAIRPERSON ARROYO: --I'm not an expert--

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COUNCIL MEMBER MENDEZ: Thank you.

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CHAIRPERSON ARROYO: --on nonprofit law--

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HARRIS BLOOM: Thank you.

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CHAIRPERSON ARROYO: --I don't think we can legislate composition of a not-for-profit board. So, but, I think the spirit of the message is well taken, very well taken. And in working with all of the advocates and the interested parties in this issue, we can work to accomplish that. But as a legislative body, we don't have purview to legislate who or what, what individual can be appointed or should be appointed to a not-for-profit board. So--

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HARRIS BLOOM: The head of the board is also the head of DOH.

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CHAIRPERSON ARROYO: Okay, so, we're not going to--Okay. But we can't debate that discussion here. I'm sorry, we just can't--

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HARRIS BLOOM: Okay, I understand.

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CHAIRPERSON ARROYO: Although,

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although, as I said before, the spirit of the

1  
2 message regarding the composition of that board,  
3 and how well, it can move this process forward, is  
4 very well taken. We've heard it. And we'll work  
5 with the advocates and the stakeholders to  
6 accomplish that.

7 HARRIS BLOOM: And I thank you,  
8 you're obviously very serious about it.

9 CHAIRPERSON ARROYO: We can't, but  
10 we cannot, but we cannot legislate it. I'm sorry.

11 HARRIS BLOOM: I understand, I  
12 understand that, and I thank you for your  
13 seriousness.

14 CHAIRPERSON ARROYO: Okay, well,  
15 and yeah, we've very serious about this. [laughs]

16 HARRIS BLOOM: Oh, not everybody  
17 is.

18 CHAIRPERSON ARROYO: Well, I don't  
19 know, I think for the general public, I think  
20 there is a significant gap of understanding  
21 regarding how seriously we take this role, as  
22 individual members, members of this Committee,  
23 members of this body. So, we take this very  
24 seriously. This and every other piece of  
25 legislation that comes before the City Council.

1  
2 And I appreciate your passion. And your sense of  
3 commitment around this issue, that without a  
4 doubt, has been a source of great frustration for  
5 many of us in our respective roles. But I thank  
6 you for your advocacy, and for your time to come  
7 here and share with us what your thoughts are that  
8 can, in time, make this a better process. Thank  
9 you.

10 HARRIS BLOOM: Thanks.

11 CHAIRPERSON ARROYO: Okay, the next  
12 panel, in favor, I have Archie Gottesman  
13 [phonetic]--did I say that right? [background  
14 voices] Gottsman. Tiffany Lacey. All from  
15 Animal Haven. Jennifer Bristol and Kendra Mara  
16 [phonetic]. Welcome. I think you've gotten the  
17 gist of how this is working. Identify yourself  
18 for the record and make sure--

19 COUNCIL MEMBER MENDEZ: Madam  
20 Chair?

21 CHAIRPERSON ARROYO: Yes.

22 COUNCIL MEMBER MENDEZ: So, I have  
23 to leave, and I just want to ensure that the  
24 Committee gets me the rest of the testimony.

25 CHAIRPERSON ARROYO: Absolutely,

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yes.

COUNCIL MEMBER MENDEZ: That's admitted today. Thank you. And thank you for being an incredible chair.

CHAIRPERSON ARROYO: Thank you, thank you.

COUNCIL MEMBER MENDEZ: And thank you, Jessica, for introducing this bill.

CHAIRPERSON ARROYO: Okay. The, identify yourself for the record, and thank you, everyone, for observing the three minute clock. I really do appreciate that. You may begin when ready, in whatever order you choose.

TIFFANY LACEY: Okay, first of all, I'd just like to thank the Committee so much for allowing us to speak today. My name is Tiffany Lacey, and I'm the Executive Director of Animal Haven. We're a shelter in downtown Manhattan that finds homes for abandoned cats and dogs in the Tristate area. We are continually working to alleviate the problem of over, pet overpopulation in the City, and we take owner surrenders ,and we also pull from other groups, specifically Animal Care and Control. I'm here today to speak on

1  
2 behalf of the constituents, the staff and myself,  
3 in support of Intro 655. This bill, which was  
4 introduced by Councilwoman Lappin, will bring back  
5 much needed services that will save animals'  
6 lives. Animal Haven was very, very pleased that  
7 after intense lobbying by the ASPCA, the Mayor's  
8 Alliance for New York City's Animals, and Animal  
9 Care and Control, the City finally agreed to  
10 allocate more funds to help homeless animals. I  
11 personally couldn't believe the amount when I  
12 heard it, that in 2014, the increase would be 77  
13 percent in funding. This is very impressive in  
14 this economic time, and illustrates the efforts of  
15 the above mentioned organizations, Mayor  
16 Bloomberg, New York City Council Speaker Christine  
17 Quinn, and Council Member Jessica Lappin. And I  
18 thank all of you and your, for working to help the  
19 helpless creatures, the dogs and cats in our City.  
20 I'm going to move this away and stop reading it,  
21 and talk a little bit from my perspective sitting  
22 out hearing everyone talk. I'm very, very proud  
23 to be sitting here with a group of animal lovers,  
24 and we do it every day. It's our life, it's our  
25 job. It's, we're all in this room together, we're

1  
2 all here to help animals. We all, we have varying  
3 views on how to do it, but I can tell you from a  
4 group that works very closely with Animal Care and  
5 Control, it is broken, it needs to be fixed. But  
6 it needs to happen right now. And to mirror what  
7 Jane Hoffman said, it's urgent, and we are for  
8 Intro 655, because it's on the table. It's there.  
9 There are animals dying, there are needs that have  
10 to happen, there needs to be new staff, the  
11 facilities need to be open more, we need a  
12 different number besides 311 for people to call.  
13 And every day we go to work, we see the, the lack  
14 of response from Animal Care and Control filter  
15 down into our shelter, as well. So we go there  
16 and pull as many cats and dogs as we can. But  
17 we're just one shelter. And all the other groups  
18 that are part of the Mayor's Alliance are just one  
19 shelter, too. So we're trying as hard as we can,  
20 but we need additional funding and we need help.  
21 And this is just the kind of help that we're  
22 looking for. I also can say on a personal note,  
23 my dog that I've had for two years, was pulled  
24 from Animal Care and Control by Animal Haven. I  
25 love her to death, which I'm sure most of you love

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your animals. And it's a human story, too, it's not--

CHAIRPERSON ARROYO: But not to death, no. [laughter]

TIFFANY LACEY: To, just to hug. [laughs] But it's a human story, too, because [time bell] I got my animal from Animal Care and Control, and she touched my life. So thank you very much for letting me speak today.

[pause]

KENDRA MARA: Okay, hello everyone, my name is Kendra Mara, and I've been a director at Animal Haven for nearly four years now. As Tiffany was saying, each day we witness firsthand the desperate situation of homeless animals in New York City, and the struggles that are faced by an obviously strapped shelter system. I believe that homeless animals deserve more, and they deserve more and need more right now, not in a few years. In order to provide them with a better level of care and increase the number of cats and dogs being placed in permanent homes, Animal Care and Control needs financial and legislative support of the City and its residents. The components of

1  
2 Intro 655, I do believe will begin to make that  
3 happen immediately. With the increase of funding,  
4 Intro 655 will grant the current shelters in  
5 Manhattan, Brooklyn and Staten Island will have  
6 the resources to improve the care that the animals  
7 receive, and ensure that critical services, such  
8 as pickups for stray, injured and abandoned  
9 animals are available seven days a week. We do  
10 get calls at our shelter for a cat or dog that's  
11 been hit by a car or someone's seeing a dog  
12 walking around limping, they don't know what to  
13 do. And if those services are not available, for  
14 Animal Care and Control to pick them up, we, we  
15 can't offer them anything, and it is heartbreaking  
16 to not have an answer for people who call wanting  
17 to help an animal. Having run Animal Haven's  
18 volunteer program since 2008, I definitely,  
19 definitely second what Jane Hoffman said, having  
20 bodies in a shelter makes a world of difference.  
21 Without our volunteers, we would not be here. So,  
22 obviously, Animal Care and Control, having more  
23 staff members, having veterinarians, and  
24 veterinary technicians, that will be able to care  
25 for all the animals there, is going to drastically



1  
2 make a difference in the animals that need to be  
3 treated when they come in. And also keeping the  
4 animals that come in healthy, keeping them  
5 healthy, and keeping them on the adoption floors.  
6 Obviously, we'd love to see full service shelters  
7 in every borough, but like Tiffany said, this is  
8 on the table, and it's on the table now, and we're  
9 definitely in favor of it, because New York City  
10 needs this, and we need it right now. So, thank  
11 you for the tremendous efforts by ASPCA, Mayor's  
12 Alliance, Animal Care and Control, Mayor  
13 Bloomberg, Council Speaker Christine Quinn, and  
14 obviously, Council Member Lappin. We are so  
15 grateful that we've had the chance to speak to you  
16 today. Thank you.

17                   ARCHIE GOTTESMAN: Hi, my name's  
18 Archie Gottesman, and I am Chairman of the Board  
19 of Animal Haven, and have been so for the past  
20 five years. I'm here today on behalf of my Board  
21 of Directors, to voice our strong support for  
22 Intro 655. I want to be really crystal clear as  
23 to why we're supporting Intro 55, and you really  
24 need to understand first, understand Animal Haven.  
25 And then, what effect ACC has on groups like

1  
2 Animal Haven. As we've said ,we are a dog and cat  
3 adoption center. Okay, we're located on Center  
4 Street, we're in SoHo, we have a very, sort of  
5 edgy SoHo vibe, our marketing is kind of cool, our  
6 volunteers are all young, they're in their 20s.  
7 We're very, very popular, and we're very, very  
8 successful. We've more than tripled our adoption  
9 rate in the past three years, and we also have  
10 great customer service. So we're, we're doing  
11 well. And in some case, in a weird case, we're  
12 almost victims of our own success. So, you say,  
13 "Okay, well what does that have to do with the  
14 ACC? You guys are doing great down at Animal  
15 Haven." The thing is, in many ways, Animal Haven  
16 relies on the success of the ACC. Because we are  
17 a relatively small adoption center, we are always  
18 under pressure to keep our runs full. So, we're  
19 getting lots of dogs and cats in and we're getting  
20 them out. So, we don't have an intake center. So  
21 what we do is we go up to the ACC, to fill, to get  
22 dogs and cats that need homes. And we got as  
23 often as twice a week, to pull dogs and cats who  
24 will then go to Animal Haven and then get homes.  
25 And when the ACC's intake facilities are not

1  
2 operating as successfully as possible, the result  
3 is that they don't have enough adoptable animals  
4 for us to bring to Animal Haven. Okay, so it's  
5 cyclical. It's like if they're working, we're  
6 working, the dogs get homes. I mean, it's just  
7 very, very, very simple. So, if the ACC doesn't  
8 have a lot of adoptable dogs to pull, we need to  
9 go other places. We'll go to New Jersey, we'll go  
10 to other states. Which his crazy, because we're a  
11 New York organization, we want to save New York  
12 animals. And that can happen, the numbers are  
13 there, but the ACC needs to be really, really  
14 running well. So, and the only way to do it, just  
15 to echo, is that it needs to be done now, we  
16 cannot just put it off and wait and, and have  
17 things--the bill that is put on the table, the  
18 Intro really, really helps so much. We, there are  
19 people out there who want to adopt animals, they  
20 want to do the right thing, we can, with groups  
21 like Animal Haven, and all the other groups today,  
22 we can really, it works every single day. And  
23 thank you very, very much for, for having us.

24 JENNIFER BRISTOL: My name's  
25 Jennifer Bristol, and I've been at Animal Haven

1  
2 for over eight years. And as you may know, Animal  
3 Haven has been a founding member of the Mayor's  
4 Alliance for New York City Animals, and is also  
5 one of the New Hope partners. And for over eight  
6 years, I've been visiting Animal Care and Control,  
7 and over eight years I must say I've put blinders  
8 on now. I have a goal. We go to pull animals  
9 that are adoptable. We overlook some of the, the  
10 challenges they have and the staff there just love  
11 the animals, and they want nothing more than to  
12 save my animals. And when we come in to help  
13 them, they are so grateful. But there are times  
14 when we want to pull animals and get them out as  
15 soon as possible so they don't get sick. And they  
16 don't have transports available. Sometimes it's  
17 days. And if we don't have volunteers or staff to  
18 do it, they don't get to us, and by the time they  
19 get to us, they get really sick. We had a dog, a  
20 puppy recently who was healthy when it came in,  
21 but broke, with kennel cough, that turned into  
22 pneumonia. And he caught that at Animal Care and  
23 Control. And if that dog was able to get to us a  
24 little sooner, maybe his life would've been a  
25 little better and not cause that much distress for

1  
2 us, the puppy, and also a financial burden,  
3 because we had to take care of that vet bill.  
4 Just by walking through the shelter any day, you  
5 can see how much more help they need, bodies are  
6 important, just like Jane Hoffman said. Having  
7 extra people there cleaning kennels, making sure  
8 dogs are sitting in their waste, and that cats  
9 aren't sleeping in their litter boxes that are  
10 dirty. I totally support Intro 655, and I think  
11 that yes, in an ideal world, we would all like  
12 five shelters. And I think that's a possibility  
13 down the road, but as Jane Hoffman and everyone  
14 here has said, that's not happening right now.  
15 So, we need to help the people in the trenches  
16 right now. The people that, the dogs that get on  
17 the euthanasia list, every night, they can't wait  
18 for ten years, they need help now. They need to  
19 get out of that shelter, and they need to go to  
20 rescue groups, like New Hope Partners, and like  
21 adopters and foster homes. And I just think that,  
22 working together, I'm proud to work in animal  
23 welfare in New York City. I've seen so much  
24 improve since I've started. And I think it could  
25 only get better, and I think with the help of the

1  
2 City Council, and the ACC, and the ASPCA, and the  
3 Mayor's Alliance, we could really make a change,  
4 and I think we'll, it's much better for the  
5 animals of New York City and for actually the  
6 citizens, too, to find loving animals to bring in  
7 their home.

8 CHAIRPERSON ARROYO: Thank you.

9 Council Member Lapping?

10 COUNCIL MEMBER LAPPIN: Not a  
11 question, just a statement, I wanted to thank you.  
12 I've been to Animal Haven, as you know. And one  
13 of the women who works in my office is one of your  
14 volunteers. And you really do an excellent job,  
15 and it's a beautiful shelter. It's a very vibrant  
16 place. And I just wanted to congratulate you on  
17 all of your great work.

18 CHAIRPERSON ARROYO: Yeah, I think  
19 I wrote a note to myself as she's testifying, I  
20 was, you know, "Go, girl." [laughter] Thank you  
21 for your testimony and your input, is greatly  
22 appreciated and very needed, as I've said before.  
23 And thank you for taking the time on a Friday  
24 afternoon to be with us. [time bell] The next  
25 panel, I think, is against? Right?

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MALE VOICE: Against.

CHAIRPERSON ARROYO: Yes.

Alexander Walsh, Zelda Penzel, Sulik Rodriguez  
[phonetic], Margaret Moore, and Barbara Boyo--Huh?  
Luce? Bayoluce [phonetic]. [background voices]  
Okay, well, they may be--Alexander, Zelda, Sulik--  
Okay, come on up. Zulik. Zulik. Sule, Sule,  
okay. Okay, I have Alexander, yes. Zelda.

ZELDA PENZEL: I'm here.

CHAIRPERSON ARROYO: Here. Sule's  
here. Margaret? Moore? There she is. And  
Barbara? Barbara, yes. Yes, Margaret, okay.  
Who's wearing her tag on her back, I don't think  
she knows it. [laughs] Maybe in protest, I don't  
know. [laughs] It's not on your back, it's on  
your back. [laughs] Yeah. Thank you all for  
waiting, and for being here. [background voices]  
You done? Yeah? Okay, so, choose who's going to  
testify first, it's up to you. Identify yourself  
for the record, speak into the mic; if not, Nick  
will yell at you. We don't want him to yell, he  
gets cranky. We had lunch yet? No, yeah.  
[laughs] [background voices] Please, you may  
begin.

1  
2                   SULE RODRIGUEZ: Good afternoon,  
3 Counsel, my name is Sule Rodriguez [phonetic].  
4 And I've, I'm opposed to Bill 655, and this is the  
5 reason. The Quinn-Bloomberg Plan to Intro Bill  
6 655 is a holocaust of homeless animals, especially  
7 feral cats, no new shelters built for Queens and  
8 Bronx, and only \$1 million to plutocrat run Mayor  
9 and Speaker Plan. What else is new? This is what  
10 has been gunning for ever since Bloomberg became  
11 Mayor, to hire the best in the business to do the  
12 worst, for New York City homeless animals, to Dr.  
13 Farley Friedan [phonetic], the Parks Department  
14 Commissioner, who squats at being the ACC Board of  
15 Directors, Animal Alliance; Ed Sayers, the  
16 President of the ASPCA; and Steve Nixel [phonetic]  
17 of the New York Class. While everybody runs like  
18 rats in a maze, except for us, the voting public,  
19 senior citizens and taxpayers and animal rights  
20 voter, myself, an ex-Animal Care and Control  
21 volunteer from Manhattan, and a resident of  
22 Astoria, Queens for 45 years, never, never with  
23 the multitude of job opportunities or volunteering  
24 and growth for the borough of Queens, you cannot  
25 vote Intro Bill 655. If you haven't gotten any



1  
2 petitions, public feedback or data, right in  
3 Queens office, we do not need an animal shelter in  
4 Queens ... immediately, City Council found the  
5 money and the space for two sports arena, the  
6 Yankees and Mets. I can name and pictures to show  
7 all the Queens businesses that have closed and can  
8 be reopened to a new a profitable animal shelter.  
9 The new high school of Frank Sinatra, the Moving  
10 Image, money was found and allocated for this but  
11 for the animal shelter, why not bring business and  
12 opportunity and community involvement by building  
13 an animal shelter? This would alleviate the  
14 overcrowding in the Manhattan shelters I have  
15 seen. If any of the City Council were to read,  
16 for example, on Facebook or see network news  
17 reports or care for the homeless animals in ACC  
18 shelters, especially Manhattan, you will find  
19 rampant abuse, less competent workers, animal that  
20 are in small cages, urinating and defecating in  
21 small cages for days where they eat and sleep.  
22 Cats, dogs, rabbits, dying in their cages for lack  
23 of appropriate medical care, animals not being  
24 fed. The current existing Executive Director, Ms.  
25 Bank, hired the most incompetent and fired the

1  
2 most competent employee, Emily Tannin [phonetic],  
3 who really saved animal lives; and fired the best  
4 volunteer, Jeff Latzer [phonetic], who worked 20  
5 hours a week; and many other free volunteers, with  
6 Ms. Bank's usual style of business, as she'd done  
7 when she was working for another animal shelter in  
8 Maricopa, Arizona. And they are possibly suing as  
9 she had bankrupt the last animal shelter she  
10 managed. And so, Ms. Bank was hired to come to  
11 New York. So, the animals of New York will need  
12 more than a million if Ms. Bank and the Department  
13 of Health are still in charge of ACC. As a matter  
14 of fact, I told Ms. Jane Hoffman, why she didn't  
15 start a petition just like the Queens Library, and  
16 with that petition you would show the Mayor that  
17 funding is desperately needed for ACC. Well, I'm  
18 happy to tell you, my Queens Library got and  
19 restored their budget for \$25 million, they are  
20 not waiting three years for this bill 655. [time  
21 bell]

22 ZELDA PENZEL: My name is Zelda  
23 Penzel, thank you for hearing me. I'm co-founder  
24 of SOS, Save Our Shelter Animals. I'm here today  
25 to speak in opposition to Intro 655. This is a

1  
2 bad bill and a terrible deal for animals. It has  
3 already been stated that this will eliminate the  
4 law requiring shelters to be built in The Bronx  
5 and Queens. I do not understand why having money  
6 funded to the system, which is essential, and  
7 having shelters built in The Bronx and Queens, are  
8 mutually exclusive. And as Council Member Vallone  
9 pointed out, it's a form of extortion to try to  
10 trade off one for the other; one thing has  
11 absolutely nothing to do with the other. Those  
12 shelters are still desperately needed, and will be  
13 in the years to come. Since The Bronx and Queens,  
14 if you were to count them as cities, would rank  
15 among the six top most populated cities in the  
16 United States. Over \$10 million over three years  
17 barely will restore humane and essential services  
18 that were cut in New York, and will still be below  
19 the national per capita spending for cities, for  
20 animals in shelters. And there must be  
21 accountability, how will that money be spent?  
22 Nothing in the bill designates how the money will  
23 be allocated. Will it go for animals? More, just  
24 for improving their conditions? Will it improve  
25 the shelter air system? They all get sick and

1  
2 die, and are killed, because they get ill right  
3 now. Nothing in the bill addresses an outdated,  
4 mismanaged shelter system and structure, that  
5 kills almost 12,000 animals each year. Can you  
6 wrap your mind around 12,000 animals killed in our  
7 City shelters. They're talking about numbers  
8 coming down, and I think that's true, but so has  
9 intake been decreased. So there are smaller  
10 numbers. And as you know, the rescues have all  
11 stepped up to the plate because of networkers and  
12 people who are out there taking animals out of the  
13 shelters. Those are not adoptability numbers that  
14 you're hearing, they're the numbers that are taken  
15 out of the shelter. Section 17804 mandates  
16 sterilization. There is no proof that mandated  
17 sterilization works. Some strays are adopted by--  
18 I think, people have addressed that point.  
19 Mandatory spay/neuter is punitive, and the animals  
20 will be the victims again. Many organizations  
21 have come out against it, they have found that in  
22 Los Angeles, where they did put in mandatory  
23 spay/neuter, shelter killing and intake have  
24 dramatically increased after the passage of that  
25 bill. There are no kill shelters in Austin,

1  
2 Texas, Charlotte, Virginia, Reno, Nevada, Tompkins  
3 County, New York, and California, New Zealand  
4 [time bell], all around the country, that are  
5 doing it without money. They're dropping their  
6 kill numbers without huge influxes of money. It  
7 has to do with shelter management, policy and  
8 philosophy.

9 [pause]

10 FEMALE SPEAKER: Good afternoon,  
11 I'd like to thank you all for allowing me to sit  
12 here and voice my opposition to Intro Bill 655.  
13 While I do appreciate some of the things that the  
14 bill does, what really bothers me about this bill  
15 is that it refuses to open much needed, full  
16 service animal shelters in The Bronx and Queens.  
17 Back in the year 2000, a City law mandated that  
18 all five boroughs of New York City, each one was  
19 to have a full service animal shelter. Now, we  
20 are eleven years later and 2011, and still The  
21 Bronx and Queens do not have a full service animal  
22 shelter. This is wrong, it's a disservice to the  
23 people of The Bronx and Queens, and it's an  
24 injustice to those animals. We basically need  
25 these two new shelters to be opened. Because

1  
2 while I read the bill, it's interesting because it  
3 makes efforts to increase field operations, it  
4 basically ups it to seven days a week, twelve  
5 hours a day, to pick up stray, injured, abandoned,  
6 animals. Then, it also ups the hours for the  
7 animal intake receiving centers, also in Queens  
8 and The Bronx, to twelve hours a day, seven days a  
9 week. And so I'm reading the bill, I'm saying,  
10 "Okay, so shouldn't it logically follow then that  
11 two full service animal shelters would open up in  
12 the Queens and The Bronx?" But it does not. And  
13 in fact, the bill does just the reverse, it takes  
14 away the City's responsibility, legal  
15 responsibility, to build those two full service  
16 animal shelters in The Bronx and the Queens. And  
17 this is very important, because what it all really  
18 boils down to is, yes, we do need more staff and  
19 we need more money, but we need a lot more space  
20 for the animals. Because if we give the animals  
21 more space, then they'll be able to have more time  
22 to be adopted. And this is one of, this is the  
23 mission of the Mayor's Alliance, to one day see  
24 the New York City area free of euthanizing any  
25 nice, healthy cat or dog. But as long as we

1  
2 refuse to open two full service animal shelters in  
3 The Bronx and Queens, which are among the most  
4 heavily populated areas of our country, this will  
5 completely frustrate the mission of the Mayor's  
6 Alliance. And basically, what's going to happen  
7 is that even though they've increased the field  
8 operations and the animal intake centers in Queens  
9 and Bronx, they are going to then take those  
10 animals and ship them back to the three already  
11 overcrowded animal shelters: Manhattan, Staten  
12 Island and Brooklyn. And this is wrong, it will  
13 spell disaster for these animals, it will breed  
14 more chaos. Let's do things correctly, let's  
15 effectuate change in the right way. So, this is  
16 the gist of why I oppose this bill. I would be  
17 more than happy if this bill could be amended to  
18 include the building and establishment of two full  
19 service animal shelters in the Queens and Bronx.  
20 Thank you.

21 BARBARA PELUCCI: Hello, my name is  
22 Barbara Pelucci [phonetic]. I don't have an  
23 organization behind me. Can you hear? I'm an  
24 animal rescuer, and have been for over 30 years.  
25 I would like my testimony to include everything

1  
2 these three ladies before me said, because I agree  
3 with every one of them. As far as I can tell, no  
4 one's really had a realistic view of exactly what  
5 Animal Care and Control does. It is not set up to  
6 save animals, it's set up to kill 'em. That's its  
7 mission. And that's what it's been structured to  
8 do. And the only thing that's happening with this  
9 bill is that even more animals will end up being  
10 killed, because you're not going to have those two  
11 buildings in The Bronx and Queens. But you're  
12 going to have the animals, and expended hours, so  
13 more will be collected, and more will be going out  
14 the back door, as everyone has said, in black  
15 bags, dead. For no reason at all. You can rename  
16 Animal Care and Control the Auschwitz of New York  
17 City, because that's what it is. All right? I  
18 would challenge each and every one of you to go to  
19 Animal Care and Control locations yourselves, and  
20 see, unannounced, and see for yourself what goes  
21 on there. They don't really adopt much; what they  
22 get is animal, individual private animal  
23 organizations, rescue groups, taking from them as  
24 quickly as they can, those that are still healthy,  
25 before they get sick and have to be killed.



1  
2 That's the mission, let 'em get sick and let 'em  
3 get killed. All right? I don't see why you can't  
4 take some of the good parts of this bill and work  
5 on that. Eliminate this part that reverses the  
6 law to build the two shelters in Bronx and Queens.  
7 That's an easy thing to do, just eliminate it.  
8 You may not be able to afford to build it right  
9 now, but you have to think in terms of its  
10 consequences of not having it. All right? And as  
11 I said, that means thousands more are going to be  
12 collected and killed. All right? And that's all  
13 I'm going to say. If anyone here would like more  
14 of my time, you've got it. [background voices]

15 CHAIRPERSON ARROYO: No, no, we're  
16 not going to do that, we're not going to do that.

17 [background voices] [pause]

18 MARGARET MOORE: Hi, my name is  
19 Margaret Moore. I'm just an independent animal  
20 advocate. I adopted my dog from Animal Care and  
21 Control two-and-a-half years ago, she had four  
22 hours left. She was on the euth list for being,  
23 having kennel cough. Which is a treatable  
24 illness. And the reason I oppose this 655 as it  
25 is written is because they are killing for space.

1  
2 And it's just too heartbreaking, and they're going  
3 to, more animals are going to come in, is my fear  
4 that there's a huge community working very hard to  
5 get these animals out, and I'm losing sleep every  
6 night, and I'm, I just want to state that I'm  
7 echoing the representative Stringer's points of  
8 view, and I'm going to end it there. But I'm  
9 opposed. Thank you.

10 CHAIRPERSON ARROYO: Council Member  
11 Lappin. No? Thank you for your testimony, and  
12 for your work. I think the City's as great as it  
13 is because of people like you who take from your  
14 personal time to volunteer and do the work that  
15 but for the efforts that you put into it, would  
16 probably not get done, as well, as bad as you  
17 think it gets done, as well as it does get done,  
18 because of individuals like you. So thank you for  
19 taking the time to share your thoughts with us, we  
20 really do appreciate that. The next panel is,  
21 okay, John St. Giorgio [phonetic]; Donna Abadiccio  
22 [phonetic], oh, that's an O, okay; is that Lisa  
23 or [background voice]--Lise, Lize Cruz; Roxanne  
24 Delgado; and Al Bingham Hall, Binninghoff III.  
25 [background voice] Ah. That must be you.

1  
2 [laughs] [background voices] Okay, so, state  
3 your name for the record, speak into the mic.  
4 Feel free to use the one at the end of this table,  
5 as well, if that feels more comfortable for you.  
6 Begin when you're ready and choose the order  
7 amongst yourselves.

8 [background voices, pause]

9 JOHN ST. GIORGIO: Okay. All  
10 right, my name is John St. Giorgio, I'm a  
11 practicing veterinarian, at Complete Care  
12 Veterinary Center on Staten Island, and I'm  
13 speaking on behalf of the Veterinary Medical  
14 Association of New York City. We represent over  
15 250 practicing veterinarians and we feel that the  
16 passage of Intro 655 will benefit New York City in  
17 this way. Number one, reduce the number of people  
18 bitten by animals; two, increase the number of  
19 pets adopted by New Yorkers; three, increase the  
20 accountability of the shelter system; four,  
21 increase the health status of pets in the  
22 shelters, making them more adoptable; and five,  
23 provide a place of reference for lost animals in  
24 the City facilitating their return home. For  
25 these reasons, we support the passage of Intro

1  
2 655. That was the Veterinary Association. Now, I  
3 just have a couple of comments on my own. The,  
4 somebody referred to the bullet scenario before,  
5 it's like putting a Band-Aid on a bullet. As a  
6 veterinarian, it's more like putting a tourniquet  
7 on a wound, and stopping the bleeding. Somebody  
8 had mentioned that sterilization is, doesn't  
9 affect population control. That's incorrect.  
10 Sterilization does affect population control.  
11 It's great, and I think we should do something in  
12 the five boroughs, but if we can only do three  
13 now, and we could do two more in the future, that  
14 would be great, too. And one question I had, was  
15 the, if I got through a traffic light and I get a  
16 ticket, I expect to get a ticket because that's  
17 the consequence of my action, but if you, the City  
18 was mandated to build shelters in 2000 and it's  
19 ten years later, how come there's no repercussions  
20 for anybody? I mean, is that a valid question?  
21 Who is accountable?

22 CHAIRPERSON ARROYO: One I'm afraid  
23 I don't have the answer to.

24 JOHN ST. GIORGIO: Okay.

25 CHAIRPERSON ARROYO: But a very

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valid question, yes.

JOHN ST. GIORGIO: Thank you for your time.

Hi, my name is Donna Abbaticio [phonetic], I've been a volunteer at Animal Care and Control for about three years now, working with cats and kittens. I've certainly learned a lot today, about this whole issue, that I really was, you know, not as tuned into as some of the other people. My impression with the new Administration at ACC is that they're working hard with the very limited resources they have, to offer care to the abandoned animals at the shelter. But it clearly is way too few resources and way too many animals. And while I agree to a number of the points that have been brought up, basically I'm here to say that I support the extra influx of money to them. I see staff giving up their meal hours to feed kittens, bottle babies, and they work overtime to make sure that the animals are clean and fed. It's actually a very hard place to volunteer, because there are so many really nice animals. And you wish you could take a bunch home with you, you know, every time you're

1  
2 there. Unfortunately, I live in a New York  
3 studio, and my two is about it. Unfortunately,  
4 you can't, you can't automate a facility like  
5 this, a many businesses say, "Well, we'll automate  
6 and then we don't need many people." The animals  
7 really need the care and human contact and  
8 socialization, so that they are attractive to  
9 adopters when they come. AC&C's image can only be  
10 raised with the additional staff and programming  
11 support that the money will facilitate. You know,  
12 I think we all hear, I get endless emails from  
13 ASPCA and Human Society, I don't know how many  
14 people even hear of AC&C other than to just have  
15 this vague idea of what's a city shelter, city,  
16 you know, pound, kind of concept. The publicity  
17 they got from that kitten that was thrown out of  
18 the car not too long ago, they had like 140  
19 requests for adoption. And I think people are out  
20 there and interested and ready to be responsive if  
21 they learn more about what we have. Thank you.

22 LEZE CRUZ: Good afternoon, my name  
23 is Leze Cruz, and I'm a TNR certified individual.  
24 I have a small colony in Fort Green, and I've been  
25 trap, neuter and return since 2009. I have some

1  
2 reservations around Intro 655, pertaining mostly  
3 to TNR, and the language that will be around that.  
4 My biggest fear is that I've spent countless hours  
5 and a lot of money feeding these cats and  
6 providing as much care as I can for cats that  
7 would end up in a system that would be euthanized,  
8 potentially. They're all well fed and have  
9 shelter. And I'm worried that the ACC field  
10 services would come and - - these cats and not  
11 return them to their colony. These cats are  
12 tagged, or ear-tipped, and I'm really concerned  
13 that the AC&C field service team wouldn't be  
14 trained adequately to identify TNR cats, and that  
15 they do not necessarily belong to me, but I do  
16 care for them, and I spend a lot of time making  
17 sure that they're protected. I wouldn't want my  
18 disgruntled neighbor to call 311 to have my colony  
19 picked up field services, and later euthanized,  
20 because in fact they aren't socialized cats. But  
21 they are, they're--

22 COUNCIL MEMBER LAPPIN: Sure, sure,  
23 actually I don't, I was, I didn't want to  
24 interrupt you, but I just wanted to make sure, and  
25 set your mind at ease. The City will not be doing

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TNR.

LEZE CRUZ: No, that's correct, I did TNR. And I understand that.

COUNCIL MEMBER LAPPIN: Right, no, but under this bill, 'cause you said something earlier--

LEZE CRUZ: No, what I'm--

COUNCIL MEMBER LAPPIN: --that you were concerned that the City would be--

LEZE CRUZ: No, I'm concerned that the cats that I TNR'd--

COUNCIL MEMBER LAPPIN: Right.

LEZE CRUZ: --would be picked up by ACC field services.

COUNCIL MEMBER LAPPIN: That's a separate, I just wanted to be clear, 'cause you did--

LEZE CRUZ: Right.

COUNCIL MEMBER LAPPIN: --say something earlier on the record that made it sound like the City would be doing this. The City will not be doing it. The field service piece will be complaint driven. So--

LEZE CRUZ: Right, by a disgruntled



1  
2 neighbor who is unsatisfied that I have a colony  
3 of cats in my backyard, and that I wouldn't want  
4 them to disappear because somebody called 311, and  
5 now these cats who are spayed and neutered and are  
6 cared for, are picked up, and later euthanized.

7 COUNCIL MEMBER LAPPIN: Yeah, this  
8 is something, you're not the first person to raise  
9 this, and it's something that we have discussed  
10 with them. And we will, because that's not the  
11 intent. And that's something we will continue to  
12 discuss with them as they do their rulemaking.

13 LEZE CRUZ: That's great.

14 COUNCIL MEMBER LAPPIN: And would,  
15 you know, certainly as I think the Deputy  
16 Commissioner invited the public to participate, I  
17 hope you will reiterate that. Because we do think  
18 that's an important thing to make sure is  
19 addressed.

20 LEZE CRUZ: Fantastic. Oh, and  
21 secondly, I would just hope that some of the funds  
22 would be earmarked for more community education,  
23 because what I find when I'm walking around my  
24 neighborhood, people know that I'm feeding some  
25 feral cats, they don't know that TNR services are

1  
2 available to them, and how they can access more  
3 low cost or free spay and neuter. Thank you.

4 AL BENNINGHOFF: Hi, my name's Al  
5 Benninghoff. I'm actually here just as a resident  
6 of the community. I got a polite update from  
7 Councilwoman Lappin. And as a pet owner myself, I  
8 just wanted to come and speak on a couple of  
9 points. I'm supportive of the bill, and as a  
10 local kind of community person, I've spoke with a  
11 lot of residents on the block that I live on, and  
12 all seemed actually, because of our proximity to  
13 the dog park in Carl Shurz Park, it's a thriving  
14 community of pet owners. And everybody seemed  
15 very supportive of the measure. And I just wanted  
16 to address, air some of their concerns and some of  
17 the things they actually really liked in the bill.  
18 The online registration and the pickup services,  
19 obviously, and having the ability of the TNR,  
20 which is a proven method of reducing populations  
21 of cats. And I know somebody who brought it up  
22 earlier, saying that it wasn't necessarily, but I,  
23 so I did a quick search on the internet and found,  
24 first thing I found was the fact that San Diego  
25 had reduced their population of cats coming into

1  
2 the system by 50 percent over the course of five  
3 years. So it's obviously a proven method. That  
4 the, the reporting requirements for the, for ACC  
5 and for the Department of Health and Human  
6 Services, to report to the City Council, is a  
7 great improvement over what currently exists. The  
8 promotion and the community outreach to promote  
9 the spay/neuter program everybody's very  
10 supportive of. And of course the increase in  
11 funding. I think everybody's a bit concerned  
12 about their, the ending of 24/7 full service  
13 facilities in the boroughs of The Bronx and  
14 Queens, but having a facility there is better than  
15 none, which is what the case is currently. And I  
16 think we can all agree that a working system is  
17 better than, is better than one that, that isn't.  
18 And the increase in fees, but I think everybody's  
19 willing to take on an added cost if they know that  
20 the animals, that we can't volunteer and help care  
21 for are getting cared for. I wanted to thank  
22 Councilwoman Lappin for proposing legislation, and  
23 for the Committee for hearing it. And I wanted to  
24 also address the Daily News article which had been  
25 brought up by Councilman Vallone earlier. He had

1  
2 mentioned something about a dog that had been  
3 taken away. The dog's name was Casino, it was a  
4 pit bull. The dog had no ID and was, had  
5 respiratory issues, which was why it was put down  
6 within such a short period of time. I just felt  
7 it was important to know all of the facts about  
8 that issue, because I felt like he tried to use it  
9 as an example for, against the bill, and I feel  
10 like it was a perfect example in favor of the  
11 bill, because a dog would not have acquired  
12 respiratory issues, and with added space facility,  
13 and this trap and neuter program, I feel like the  
14 dog would've had better care. So, thank you.

15 ROXANNE DELGADO: Hi, Roxanne  
16 Delgado. I'm speaking as a long term resident of  
17 The Bronx, and my own experience. I've lived in  
18 several neighborhoods in The Bronx, including the  
19 South Bronx, Fordham Row section, Little Italy,  
20 and now Morris Park. Throughout The Bronx,  
21 regardless of race or color, there is very, there  
22 is lack of basic pet care and pet care education.  
23 Too many people in The Bronx buy pets on an  
24 impulse, and then dump them onto the streets. I  
25 have so many childhood memories of joining my mom

1  
2 on several trips to the ACC in Harlem, to bring in  
3 injured or sick strays. And it was quite obvious  
4 that these strays were once someone's pets, who  
5 were dumped onto the streets. Not too many people  
6 will take the time or effort to go down to Harlem  
7 with strays, that don't belong to them. I've seen  
8 dogs tied outside Fordham Plaza intake center, and  
9 have to take them myself at night to Harlem,  
10 because at night there's groups of kids who will  
11 abuse them or use them for fighting purposes. In  
12 The Bronx, there are too many pit bulls that are  
13 unneutered or have their nipples dragging on the  
14 floor from overbreeding. I think the lack of a  
15 shelter in The Bronx reinforces the apathy in The  
16 Bronx, and reinforces the dumping of pets onto the  
17 streets, and we need a new, we need a full shelter  
18 in The Bronx that provides low cost spaying and  
19 interacts with the community on basic pet care and  
20 to have some compassion for other beings. I thank  
21 you, Lappin, and the Speaker, for taking your time  
22 addressing this issue, and I support several parts  
23 of this bill, but I hope you don't release the  
24 City from its obligation for a shelter in The  
25 Bronx. And I thank you again. Thank you.

1  
2 CHAIRPERSON ARROYO: Thank you for  
3 taking the time, and for your testimony, and for  
4 waiting this long to provide us with your feedback  
5 and input, it's really appreciated, thank you.

6 COUNCIL MEMBER LAPPIN: [off mic]  
7 It's nice to know somebody reads my newsletter.  
8 [laughter]

9 CHAIRPERSON ARROYO: Our final  
10 panel, and again I, I remind anyone, can I have  
11 one of those, who is here to testify, if I don't  
12 call your name, it's because we haven't received  
13 one of these slips. So, make yourself known if I  
14 have not called your name. Jay Bullet [phonetic]  
15 and Lucille Defina [phonetic]. Last but not  
16 least. And thank you for your patience and for  
17 waiting. Anybody who I did not call who is  
18 waiting to testify? Going once, sold. Okay.  
19 Ladies, whenever you're ready.

20 [pause]

21 JAY BULLET: Jay Bullet, I'm 40  
22 years in the field, helping animals in Queens,  
23 with my own funds. As far as making America a no-  
24 kill country, I believe it's for the dreamers. In  
25 Holland, very progressive country, no animals born

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2 into a home is waiting, wanting for it. In the  
3 U.S.A., 40 years ago, we had birth control animal  
4 food on supermarket shelves, and we the people,  
5 not the bureaucratic system, was able to buy this  
6 birth control animal food and use it, 'cause many  
7 couldn't afford vets. And it was having great  
8 success until the veterinarian association and  
9 special interest had it taken off the shelves.  
10 So, it's a fact that there's money in killing.  
11 North Shore Animal - - it's on mega-millions of  
12 dollars, falsely advertises that they're the  
13 largest no-kill, when in fact they're the largest  
14 kill, and they contract out thousands of animals  
15 that they cannot profit from an adoption fee, to  
16 be killed. So, there is money here, there's a  
17 bureaucratic system in over its head. We the  
18 people should have a voice. The bill in its  
19 present state, which is strongly bureaucratic, I  
20 understand it has a part, money is a major factor,  
21 I haven't studied it that much, really. But it  
22 probably needs some strong looking over. Lastly,  
23 if you know your history, when the cats were all  
24 slaughtered in England, I believe in the 18th  
25 Century, the rats came, and following that, the

1  
2 plague. So, this trap, neuter, return has had  
3 great success in my area of Queens. Now, it seems  
4 when a program is working with success, they want  
5 to change it somehow. And I think those cats in  
6 Queens, under this program, keeping the rats away,  
7 and adding more to the vans and doing this  
8 financially. Warehousing animals in shelters full  
9 of viruses, how? We must close down the puppy  
10 mills, first. We must bring birth control animal  
11 food into the hands of the people. Third world  
12 countries are using this [time bell] we're  
13 America, with success.

14 LUCILLE DEFINA: [off mic] Hi  
15 [background voice] Hi, I came here today not  
16 knowing that I would speak, but I think it's  
17 important that I share with the people here,  
18 though it's hard to oppose a bill asking for money  
19 for animals, you know, and for me, I want them to  
20 have as much as possible, but I come from Long  
21 Island, in Nassau County, and I have witnessed  
22 that I am a part of an animal shelter that is one  
23 of the richest in the nation. And even with all  
24 that money, the mentality is what's the most  
25 important. And it's important to have a no-kill



1  
2 mentality. And that's what's going to save lives,  
3 and ultimately save money. So, thought it would  
4 be nice to pass this bill so that more money can  
5 go to the animals, the likelihood of it going to  
6 the animals is probably not going to happen. And  
7 I have to stress that being on Long Island, some  
8 of the most heart wrenching phone calls of animals  
9 that needed rescue over the years, came from the  
10 Queens and Bronx areas. And these people, some  
11 people didn't care, but others who did care, did  
12 not know where to go. They, and I didn't know  
13 where to tell them to go. But it seems that the  
14 community needs to outreach, not just to the  
15 rescue community, to keep pulling animals out of  
16 there, and bringing them to every other community,  
17 but to let their community know where the help is,  
18 humane education, and definitely open those  
19 shelters. People who just see an animal laying on  
20 the ground, are not going to get in the car and  
21 drive all the way into Manhattan. Or most of the  
22 time I hung up the phone in tears because the  
23 people left those animals in the street where they  
24 saw them, in the condition, because they didn't  
25 want to deal with having to jump in the car with

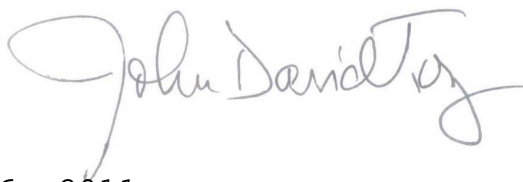
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2 an animal that they didn't know anything about,  
3 and have to travel so far. So, that is the  
4 biggest problem, sitting here, I'm, I hear all  
5 sorts of testimonies, and some of them are very  
6 impressive, from very important people. But  
7 sometimes, you can't see the simple thing. And  
8 the basics are what's most important. Outreach to  
9 community, you will get the people from your  
10 community into these shelters, they will do these  
11 services unpaid. They will spend the time and the  
12 hours, the rescue community cannot do anymore.  
13 They are coming into the City and they are pulling  
14 like crazy. To expect that to keep happening, I'm  
15 very active [time bell] in the rescue community,  
16 and their take on what's going on in the City  
17 shelters is horrible. You need to open those  
18 shelters.

19 CHAIRPERSON ARROYO: Thank you for  
20 your testimony, both of you, and certainly for  
21 waiting this long. With this, I conclude the  
22 hearing, going one last time if there's anyone who  
23 was waiting that I did not call. Okay. Hearing  
24 adjourned. [gavel]

C E R T I F I C A T E

I, JOHN DAVID TONG certify that the foregoing transcript is a true and accurate record of the proceedings. I further certify that I am not related to any of the parties to this action by blood or marriage, and that I am in no way interested in the outcome of this matter.

Signature

A handwritten signature in cursive script that reads "John David Tong". The signature is written in black ink and is positioned to the right of the printed word "Signature".

Date September 26, 2011