

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON PUBLIC SAFETY

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HELD AT: Council Chambers - City Hall

B E F O R E:
VANESSA L. GIBSON
Chairperson

COUNCIL MEMBERS:
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JAMES VACCA
JULISSA FERRERAS-COPELAND
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A P P E A R A N C E S (CONTINUED)

James McNamara
Chief
New York City Police Department

Marisa Caggiano
Assistant Commissioner of Staff Services
New York Police Department

Mark Rampersant
Security Director
New York City Department of Education

Kim Wiley-Schwartz
Assistant Commissioner of Education and Outreach
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Martha Ayon
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Denise Ferrante
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Diana Howard
Community Liaison
Office of Manhattan Borough President Gale Brewer

Cristina Furlong
Co-founder
Make Queens Safer

Jeffrey Guyton
President
Community Education Council 30

[gavel]

CHAIRPERSON GIBSON: Good morning ladies and gentleman. Welcome to City Hall. I am Council Member Vanessa Gibson of the 16th district in the Bronx. And I am proud to chair the City Council's Committee on Public Safety. I welcome each and every one of you here this morning and thank all of my colleagues who are here and those who will be joining us throughout the morning. Today we are examining the NYPD's school crossing guards and hearing two bills on the agenda, Intro 983 relating to an advisory board on crossing guard deployment and Intro 992 relating to reporting on crossing guard deployment as well as an advisory board. I am proud to be the prime sponsor of Intro 983 and I want to thank and recognize my colleague, Council Member Brad Lander for co-sponsoring as well as introducing Intro 992. With the expansion of Vision Zero and Universal Pre-K in our great city we have an ever increasing need for school crossing guards. I believe that our school crossing guards are the life blood of public safety and I am truly glad that we are holding this very important hearing today so that we as a counsel and an administration

1
2 can continue to invest in school crossing guards
3 and recognize the value and significance that they
4 add to public safety. I am personally aware of a
5 long list of school crossing guards that have been
6 working for many years our seasoned school crossing
7 guards who have really worked to protect our city's
8 children, educators, as well as our parents and I
9 have a tremendous amount of respect for the work
10 they do each and every day. School crossing guards
11 play a vital role in our student's lives, their
12 education and safely directing them to and from
13 school on a daily basis in rain, snow, or shine.
14 Recognizing the integral role these crossing guards
15 play in our children's lives this city council
16 reached a successful agreement to raise the school
17 crossing guard head count in the recently passed FY
18 16 budget adding enough funding to employ 80
19 additional school crossing guards to continue to
20 keep our children safe. I know everyone in this
21 chambers today, our city agencies, this
22 administration, lawmakers, parents, community
23 residents, labor leaders, union members all value
24 our hardworking men and women. Every school needs
25 courage by school crossing guards, our elementary

1 and middle schools, our youngest stars and
2 scholars. I want today's hearing to truly be a
3 conversation between all of us to understand how we
4 can address recruitment, retention, and hiring
5 issues through increased collaboration among the
6 agencies and community stakeholders. I want to
7 understand how we can better streamline the process
8 to attract qualified candidates that can see this
9 job as a real career opportunity. To do so we must
10 improve their working conditions, increasing wages,
11 offering year round benefits and I'm also
12 interested in learning from the administration how
13 it determines the placement of our crossing guards
14 as well as filling any vacancies we have. We should
15 always have a surplus of school crossing guards and
16 not a deficit. In addition to learning about issues
17 relating to school crossing guards we will be
18 hearing two bills today related to crossing guard
19 deployment as well as an advisory board. I am proud
20 to sponsor the first bill Intro 983 which would
21 create an advisory board to advise the commissioner
22 on concerns and matters related to crossing guard
23 deployment. Through this advisory board the NYPD,
24 the Department of Education, and the Department of
25

2 Transportation will collaborate to perform an
3 assessment of the optimal head count and station
4 locations of all crossing guards and make specific
5 recommendations for changes and or enhancements. I
6 am very excited about this bill and believe it will
7 begin to address the many needs across our city.

8 The second bill Intro 992 sponsored by Council
9 Member Brad Lander will require a deployment map of
10 the station crossing guard locations to be posted
11 on the NYPD's website. I believe both of these
12 bills will improve the conditions of school
13 crossing guards and the communities they serve and
14 let me also say and thank the administration and in
15 particular the NYPD. Since we began having this
16 conversation in my tenure as Chair of public safety
17 they have been extremely open and engaging in
18 having conversations with us. If not for the
19 priority of this city council, we would not have
20 gained as much progress as we have and so I want to
21 ensure all of our school crossing guards and our
22 potential crossing guards that we are deeply
23 committed to prioritizing school crossing guards.

24 Every year when we have a budget we will make sure
25 the school crossing guards are always a part of the

1
2 conversation. As I travel in my school districts,
3 districts nine, eight and twelve in the Bronx I
4 always greet my school crossing guards, I'm happy
5 to see them and I know that they're in dangerous
6 conditions each and every day and they still put a
7 uniform on every morning and afternoon to serve our
8 children and so I respect the work they do. I value
9 the work they do and I want to make sure that this
10 administration always keeps school crossing guards
11 at the forefront of our many conversations ahead.
12 So I assure you today is not the last opportunity
13 in which we will be discussing school crossing
14 guards, I will be work... working very closely with
15 our speaker, Melissa Mark-Viverito, my colleagues,
16 our Chair of Transportation, Ydanis Rodriguez, our
17 Chair of Education, Danny Dromm to make sure that
18 we will have future conversations on school
19 crossing guards. So I also want to make sure that I
20 acknowledge the staff that really did all the work
21 to put today's hearing together. I want to
22 recognize and thank my legislative council... and
23 Beth Golub, my policy analyst Lori Wen [sp?] our
24 financial analyst Ellen Aang, the speakers...
25 community engagement and policy staff, and Theodore

2 Moore [sp?] my legislative staff and budget
3 director, Dana Wax [sp?] and Kaitlyn O'Hagan [sp?],
4 thank you all for the work you have done. I truly
5 appreciate it each and every day in making our
6 hearings happen. I also want to acknowledge the
7 presence of our minority leader, Council Member
8 Steve Matteo and Council Member Brad Lander and we
9 will be joined by other council members on this
10 committee throughout the morning and now I'd like
11 to turn this over for opening remarks my prime
12 sponsor of one of the bills on today's agenda,
13 Council Member Brad Lander.

14 COUNCIL MEMBER LANDER: Thank you so
15 much Madame Chair and thank you for convening this
16 hearing and all the work that you have been doing
17 to push this issue forward which is really
18 essential and... and strong in important leadership.
19 Nothing's more important to New Yorkers than the
20 safety of our children. Folks like me who have had
21 children that get to that age when they start to
22 walk to school by themselves, I think those are
23 some of the most anxious days of your time as
24 parenting these kids whose hands we've been able to
25 hold not that that's always enough at dangerous

1 intersections but still all through their lives and
2 when that day comes that you let go and they start
3 walking to school and home from school by
4 themselves we're holding our breath. We're lucky to
5 be in a city where they can walk to and from school
6 but that just comes with very real risks that we
7 unfortunately see on our streets far too regularly.
8 We've taken some broadly important steps as a city
9 toward Vision Zero and I'm... I'm proud this
10 council's worked with the administration to be part
11 of those goals and making sure our kids are safe
12 going to and from school's an essential part of
13 that and crossing guards are just a fundamental way
14 of keeping our kids safe. We are so deeply grateful
15 for the guards themselves who for very little pay
16 and a poor benefits package show up every day to
17 keep our kids safe and do a... a really great job of
18 doing it and it's incumbent on us to make sure we
19 have the right system in place for locating them
20 where they need to be, making sure we have new
21 guards when new schools come online, filling
22 vacancies and working together to keep all the
23 intersections covered. As the Chair rightly says
24 and in... in substantial part due to her leadership
25

1 we are making some progress in this direction and I
2 also want to thank the administration, the PD, DOE,
3 Department of Transportation, and City Hall for the
4 steps we've taken so far but we do have more work
5 to do and that's why today's hearing is... is really
6 important. I still think as a result of not yet
7 perfect coordination between NYPD, DOE, and DOT
8 we're not as out in front as we could be of where
9 the locations are that... that we need guards at to
10 cover where the intersections are dangerous and
11 where new schools are opening... or schools are
12 opening and the challenge of retention and filling
13 vacancies made more difficult by the fact that the
14 jobs don't pay a lot, don't have great benefits and
15 the system of filling them takes a while means when
16 you lose someone you go many months without having
17 someone at an intersection where they may really,
18 really need to be. This... I think Council Members
19 care about this because we hear from our
20 constituents regularly, there's nothing that will
21 get parent's to call faster than we... the crossing
22 guard is gone at the intersection where we relied
23 on them, how long is it going to take and they
24 think it's going to be next week that there's going
25

1
2 to be someone there, they don't know it's going to
3 be six months before there's a new guard at that
4 intersection. And just one example, you know last
5 year we opened in my district a wonderful new pre-k
6 program with three hundred new four year olds but
7 we hadn't planned to put a guard at that
8 intersection, it happens to be a very dangerous
9 intersection just the way it works out and it took
10 five months into the school year and a lot of work
11 including thank you some people in this room to get
12 a guard at that location and... and we have to make
13 sure that that's... that we improve the system
14 further. So while appreciating the work we've done
15 so far I'm glad to be here today for the oversight
16 hearing and I think these two bills make a lot of
17 sense. We've done good work together bringing
18 partners together but I think the advisory board in
19 the chair's bill makes a lot of sense and then my
20 bill to require a map... a deployment map so we could
21 see at any point in time where we have guards and
22 where we don't is a real common sense way of making
23 sure that we know where the guards are. I
24 appreciate that we go the first quarterly report
25 from the NYPD provided in the terms and conditions

1
2 of the budget. A list of where they are, but that
3 list is not easy to compare with each other. It's
4 not geocoded it doesn't enable the public to see
5 where the... where the guards are. So I hope we can
6 move forward with this legislation and make sure we
7 get the guards in the right locations, keep them
8 there, enable them to move quickly when... when we
9 need to fill a vacancy, and support the guards to
10 do the good and important work that they're doing.
11 Thank you very much Madame Chair.

12 CHAIRPERSON GIBSON: Thank you very much
13 Council Member Lander, and I truly want to thank
14 you... for being a partner in this process... when we
15 started conversations last year before the budget
16 was passed... your leadership and your commitment was
17 truly valuable and all of the members of the City
18 Council. As you know my colleague has mentioned we
19 hear from our constituents you know and New Yorkers
20 every day and we have to be able to respond and so
21 today's hearing is really an opportunity to talk
22 about next steps, collaborations, future
23 partnerships, and how we can collectively continue
24 to make sure the school crossing guards are a
25 priority and to obviously deal with a lot of the

1
2 intricate issues within working conditions and
3 these are guards that are in our streets regardless
4 of the weather and traffic, population growth,
5 school growth, universal Pre-K. We have children
6 younger and younger traveling to school by
7 themselves and so we want to be very mindful of
8 some of the changes that we must constantly address
9 and respond to. So I appreciate the opportunity to
10 talk to the administration and thank you for your
11 leadership and for the work you were doing.. the
12 fact that we keep calling, you keep answering is a
13 good thing and you know we will keep calling and
14 you'll keep answering because our children deserve
15 it and they deserve our commitment. So I thank you
16 for that. And also I want to recognize the presence
17 of my colleagues, Council Member Margaret Chin,
18 Council Member Chaim Deutsch, and Council Member
19 Rafael Espinal, thank you for being here this
20 morning and now we're going to begin with our first
21 panel. Who is already present and we have Deputy
22 Chief James McNamara for the NYPD, we have
23 Assistant Commissioner Marisa Caggiano also from
24 the NYPD, we have Mark Rampersant from the New York
25 Department of Education, and we have Kim Wiley-

1 Schwartz the Assistant Commissioner for Public
2 Safety at the New York City Department of
3 Transportation. Thank you all for being here this
4 morning and now I'm going to turn this over to my
5 Counsel to administer the oath of office. Thank you
6 again.
7

8 COUNSEL: Do you affirm to tell the
9 truth the whole truth and nothing but the truth in
10 your testimony before this committee and to respond
11 honestly to Council Member questions?

12 CHAIRPERSON GIBSON: Thank you. You may
13 begin. Chief are you opening? Thank you

14 CHIEF MCNAMARA: Okay I think this is
15 on. Alright. Good morning Chair Gibson and members
16 of the council, I'm Deputy Chief James McNamara of
17 Patrol Services Bureau of the New York City Police
18 Department. On behalf of Commissioner William J.
19 Bratton, I would like to thank you for this
20 opportunity to speak with you about the police
21 departments on the sides of school crossing guards.
22 Before discussing the legislation under
23 consideration today I would like to provide an
24 overview of the police department current
25 recruitment and employment of school crossing

1
2 guards. Ensuring the safe passage of children to
3 school each day is a duty that the police
4 department takes very seriously. The police
5 department is responsible for the assignment of
6 school crossing guards throughout the city of New
7 York. School crossing guards provide an essential
8 service in two key ways, they help pedestrians
9 cross busy intersections at school sights, and they
10 control vehicle and pedestrian traffic flow around
11 schools in the morning and at the close of each
12 school day. School crossing guards work part time,
13 with starting pay at 11.79 an hour and a typical
14 shift listing from 7:30 to 9:30 a.m. and 2:30 to
15 4:30 p.m. School crossing guards are limited to 25
16 hours per week and they are eligible for city
17 health insurance benefits if they work 20 or more
18 hours per week. Given their crucial role in
19 ensuring the safety of our school children there
20 has been intense focus by this administration as
21 well as by the council on recruiting candidates and
22 filling vacancies for this position. This focus is
23 exemplified by the allocation of 1.14 million in
24 funds in the fiscal year '16 budget to hire 80
25 additional crossing guards. Police department has

1
2 made great strides in using the hiring process for
3 the school crossing guards in order to ensure a
4 steady pool of candidates for this important
5 position. As NYDP employees all candidates are
6 subject to a background investigation prior to
7 employment, which includes medical and drug
8 screening. Recently the police department relieved
9 crossing guard candidates of nearly 175 dollars in
10 administrative fees by waving the fingerprint fee
11 for this position and by using a summary social
12 security report rather than the more detailed
13 report required for other titles. More over the
14 department has increased job hiring for this
15 position from quarter to monthly and candidates are
16 welcome to apply in person at their local precinct
17 or online. These efforts have been valuable in
18 expanding the pool of qualified candidates for this
19 position and we have seen an increase in our school
20 crossing guards head count this year. We hope to
21 experience even more positive results going forward
22 with these new measures in place. The decision to
23 deploy a school crossing guard to a location
24 requiring traffic control mediation is made by the
25 community officer of a precinct. First, precinct

2 commanders confer with the principals of the
3 schools that are located within the confines of
4 their command. These local collaborations will
5 afford school administrators the opportunity to
6 express concerns regarding traffic safety hazards
7 that exist in the immediate vicinity of their
8 school. Other factors that influence the deployment
9 of school crossing guards include, historical
10 vehicle collision data, commercial vehicle routes,
11 the express concern of local residents, and the
12 volume of pedestrians that travel through a
13 location. Precinct commanders deploy school
14 crossing guards to the locations that have been co-
15 determined with school administrators as showing
16 the highest potential for a safety hazard. It is
17 incumbent upon commanding officers to continually
18 monitor the locations within their commands that
19 warrant special attention. Deployment of school
20 crossing guards is directed principally at
21 elementary schools operated by the New York City
22 Department of Education. Privately operated
23 elementary schools are covered when... become
24 apparent. Public and private middle schools, high
25 schools, and other educational facilities receive

1 coverage in circumstances where substantial traffic
2 safety concern exist and an adequate number of
3 crossing guards are available. A precinct level
4 traffic safety strategy as it pertains to school
5 crossing locations, is a collaborative process that
6 involves the commanding officer, executive officer,
7 school team, which is comprised of a sergeant and
8 several officers, and community affairs officers.
9 The responsibility of monitoring school crossing
10 guards and ensuring that they are present at their
11 assigned posts is normally delegated to the school
12 team. This process involves unannounced inspections
13 of crossing guards while they are expected to be on
14 post. In addition, precinct community affairs
15 officers serve as integral actors in assisting a CO
16 with actively monitoring the shifting traffic
17 safety conditions in and around school zones.
18 Community affairs officers help facilitate
19 community meetings which serve as an effective
20 forum for precinct commanders to elicit citizen
21 concerns regarding traffic safety hazards specific
22 to school crossing locations. At these meetings
23 citizens are afforded the opportunity to consult
24 with precinct commanders on traffic safety issues
25

1 that affect school zones specifically or their
2 community in general. Turning to the legislation
3 under consideration today while the police
4 department has welcomed the opportunity to engage
5 in substantive discussions with the council
6 regarding school crossing guards, in appreciates
7 the efforts of the council to recruit candidates
8 for this position, we respectfully oppose the bills
9 that are being examined today. Intro 983 would
10 require the police department, Department of
11 Transportation, and Department of Education to
12 participate in the advisory board established to
13 advise the police commissioner concerning matters
14 related to the deployment of crossing guards
15 including assessing optimal head count and station
16 location of crossing guards. The bill would also
17 require that the boards submit biannual reports
18 with the first beginning in March of '16 related to
19 recommended deployment to the Mayor, the council
20 speaker, and the police commissioner. We believe
21 that the requirements of this bill will encroach on
22 the police depart... police commissioner's city
23 charter mandated responsibilities to manage
24 department personnel, deploy department resources,
25

1
2 and set criteria for evaluating such management and
3 deployment. Given the existing framework which
4 creates avenues of input from other agencies within
5 the administration, from school principals, as well
6 as from parents and community members. We believe
7 the goal of identifying locations in need of school
8 crossing guards is currently being accomplished for
9 this local collaborative model. Intro 992 would
10 require that the police department create a
11 deployment map of station crossing guards'
12 locations in New York City and that this map be
13 posted on the department's website. As you know
14 every precinct contends with unique traffic safety
15 concerns in and around school zones and therefore
16 traffic safety plans are individualized to each
17 precinct. Given the unique traffic safety
18 circumstances of each precinct, commanders are
19 given the latitude and deployment of personnel as
20 necessary. We believe that publicly posting a
21 deployment map of existing locations covered by
22 school crossing guards online would not account for
23 this latitude and would remove the unique
24 discretion each precinct commander has in deploying
25 resources where they are most needed. Further, a

1 deployment map would not demonstrate real time
2 deployment and could conceivably mislead the public
3 on station crossing guard locations. School
4 crossing guards provide a vital public safety
5 service each day in the city of New York and the
6 police department will continue to make significant
7 efforts to recruit candidates for this position. As
8 mentioned throughout the testimony the recruitment
9 and deployment of school crossing guards relies on
10 local precinct level collaborations between school
11 principals, parents, and residents. We are grateful
12 for the efforts by the council as well as other
13 elected officials to recruit candidates for this
14 position and look forward to further partnerships
15 with you because the individual knowledge and
16 insight each of you have into your districts is
17 valuable and appreciated. Thank you for the
18 opportunity to speak with you today and I am happy
19 to answer any questions you may have.

21 CHAIRPERSON GIBSON: Thank you very much
22 Chief. Anyone from the Department of Transportation
23 or Department of Education want to go on record and
24 make any remarks before we begin questions? Okay.
25 Didn't mean to put you on the spot but... Thank you

1
2 so much and I also want to acknowledge that we've
3 been joined by Council Member Rory Lancman, thank
4 you for being here today. So thank you very much
5 Chief, I mean I appreciate the testimony and
6 certainly recognize that this is just a beginning
7 step. The two pieces of legislation Intro 983 and
8 992 is really myself and Council Members Lander's
9 efforts to stimulate a conversation that we believe
10 will in the long term address a lot of the
11 challenges that we have been facing with school
12 crossing guards. So understand that our intention
13 behind legislation is always beyond the current
14 administration. It is to codify and make sure that
15 long term investments are always made and
16 collaborations are established even beyond what we
17 may be doing which is great because we are doing a
18 lot of collaborative work but even beyond that the
19 reason behind a lot of the legislative ideas is
20 really to make sure that we can invest in the long
21 term so that moving forward we always have
22 conversations about school crossing guards that
23 always include DOT, DOE, community stakeholders and
24 the NYPD. I also want to acknowledge the presence
25 of Council Member Helen Rosenthal, thank you for

1
2 being here as well. And so before I get to the
3 actual logistics of the bill I just wanted to talk
4 about some of the other items that you mentioned in
5 your testimony. So the recruitment practices that
6 the NYPD has right now for school crossing guards
7 if you are a member of the public and you want to
8 apply to become a school crossing guard you can go
9 to your local police precinct?

10 CHIEF MCNAMARA: Yes, Ma'am.

11 CHAIRPERSON GIBSON: Right?

12 CHIEF MCNAMARA: Yes, Ma'am.

13 CHAIRPERSON GIBSON: And you can also
14 apply online?

15 CHIEF MCNAMARA: That's correct.

16 CHAIRPERSON GIBSON: In addition, what
17 other recruitment efforts are we embarking on to
18 attract candidates from other areas if you don't
19 have online access, if you cannot get to your local
20 precinct, how can you apply to become a school
21 crossing guard?

22 CHIEF MCNAMARA: I think you do have to
23 eventually come in and fill out an application,
24 it's... that's the first process if you... either do it
25 online, there's a short form online which would be

1
2 routed to the police department and then you come
3 into the precinct or into headquarters and fill out
4 a questionnaire and that is the start, you do have
5 to come for an interview. There's a lot of word of
6 mouth, we have posters, we did a Twitter and
7 Facebook campaign in November so I... I... I do believe
8 and hopefully through your offices at the local
9 level through the schools, the PTA's, the
10 principals, and again word of mouth amongst school
11 crossing guards and family and other members
12 hopefully the word spreads. It's... it is a good part
13 time opportunity and it does provide medical
14 coverage which is very attractive to many.

15 CHAIRPERSON GIBSON: Right. So I've seen
16 the social media campaign, I... I help in that
17 regard, I've seen many of our local commands
18 tweeting out, the website, I've seen Facebook posts
19 and other forms of social media. What partnerships
20 have we started or are we having with the
21 Department of Education, with our school leadership
22 teams, parent coordinators, family advocates,
23 community education councils, some of the dedicated
24 parent advisory boards that we already have? Are we
25 reaching out to them, local community board

1 meetings, precinct council meetings, clergy
2 meetings? I mean there's a lot of things that I
3 know we can do and I just want to make sure that we
4 are doing them because we have to target a wider
5 range of... of candidates?
6

7 CHIEF MCNAMARA: As you know the issue
8 is more prevalent in some places than in others and
9 again... [cross-talk]

10 CHAIRPERSON GIBSON: Right... [cross-talk]

11 CHIEF MCNAMARA: Going to precinct
12 meetings and you can't even begin to describe the
13 number of meetings that a precinct commander or the
14 community affairs officers go to. These are all
15 subjects or topics of discussion that we currently
16 have 4,000 applicants for school crossing guards
17 and we have 77 vacancies so I... I mean we do have a
18 vast pool of applicants. Sometimes the applicants
19 don't match the exact vacancy which is one of the
20 issues in attracting school crossing guards because
21 they... it's a part time position, they like to work
22 local, either their local school or within walking
23 distance of their residence because then they can
24 go home between their breaks or they volunteer at
25 their local school or you know... but... so we are

1
2 making this a lot of collaboration out there. Again
3 this is a localized process. I've been in the
4 police department, I'm finishing my 35th year and
5 this has been the process for all 35 of those
6 years, it's at the... the local level with the local
7 precinct command or local community fairs people,
8 the local police officers interact with people from
9 the schools, school officers, principals, local
10 politicians. And it's not perfect but there are
11 very few systems that are perfect.

12 CHAIRPERSON GIBSON: 4,000 applicants
13 that have already applied that are waiting in
14 queue, right?

15 CHIEF MCNAMARA: Waiting in queue for...
16 [cross-talk]

17 CHAIRPERSON GIBSON: Okay... [cross-talk]

18 CHIEF MCNAMARA: ...interviews and... and...
19 The interview is the first step in the process.

20 CHAIRPERSON GIBSON: Okay, so many of
21 those applicants are currently going through the
22 process? So they're going through interview intake,
23 the background check, etcetera?

24 CHIEF MCNAMARA: Let me give you a... well
25 currently year to date, calendar year, we have had

1
2 1,560 people sent... the applications were sent by
3 patrol down to the Employment Management Division
4 for an interview.

5 CHAIRPERSON GIBSON: Okay.

6 CHIEF MCNAMARA: Of that number 902
7 showed up for the interview which they believe is
8 about 57.8 percent. So 42 percent of the people
9 didn't show off the bat so we lost some right
10 there. Passing the interview was 838. They were
11 referred to the medical division and applicant
12 processing. So again we have to... obviously we have
13 to do a thorough background check. These people
14 will be around children, have access to children,
15 so we are careful about who we hire and what their
16 background is. Currently I guess through November
17 candidates scheduled between medical and applicant
18 processing came to 634 so that brings it down to
19 about 40.6 percent.

20 CHAIRPERSON GIBSON: Okay...

21 CHIEF MCNAMARA: Of those 634 that were
22 scheduled 463 showed up so that brings it down to
23 29.7 percent of the original number and found
24 qualified at this point was 387 which is 24.8
25 percent.

2 CHAIRPERSON GIBSON: Okay. Now you
3 talked about some of the challenges that we face
4 with the recruitment itself so of the applicants
5 are you noticing a trend or a pattern, are they
6 coming from the same areas? Because I know many
7 applicants would want to work locally in their
8 precinct in which they live... [cross-talk]

9 CHIEF MCNAMARA: Uh-huh... [cross-talk]

10 CHAIRPERSON GIBSON: So based on the 77
11 vacancies that you described do you feel like we
12 have enough to cover those vacancies so that every
13 area is covered or do we have a large number in
14 like one concentrated area that's already covered?
15 Do you understand what I'm asking, okay?

16 CHIEF MCNAMARA: I think so. Let me take
17 a shot.

18 CHAIRPERSON GIBSON: Okay, give it a
19 shot.

20 CHIEF MCNAMARA: Currently there is 77
21 vacancies out of a authorized number 2,438, that's...
22 [cross-talk]

23 CHAIRPERSON GIBSON: Right... [cross-talk]

24 CHIEF MCNAMARA: ...3.1 percent, that is
25 an incredibly small vacancy rate. However, 5

1
2 commands in the city, I believe we... we've already
3 touched on that; the 5th, the 7th, the 19th, the 2-3,
4 and the 114 for various reasons have out... always
5 had difficulty and they've always had... seemed to
6 have had more vacancies than other places..

7 CHAIRPERSON GIBSON: Could you repeat
8 the commands again?

9 CHIEF MCNAMARA: The 5th precinct and
10 the... [cross-talk]

11 CHAIRPERSON GIBSON: Right... [cross-talk]

12 CHIEF MCNAMARA: ...7th precinct in lower
13 Manhattan. The 19th precinct on the... the upper east
14 side, the 2-3 precinct in east Harlem, the 114...
15 [cross-talk]

16 CHAIRPERSON GIBSON: 114... [cross-talk]

17 CHIEF MCNAMARA: ...which is I guess
18 Astoria and Long Island city I believe. So for
19 whatever reason they seem to have issues.
20 Traditionally, I guess affluent areas people don't
21 want the part time jobs and even sometimes in
22 places that there's a lot of poverty people on
23 public assistance. If you take this job you get
24 audited by the Social Services because now you're
25 still drawing benefits but you are not using the

1
2 medical. So financially it doesn't put you over the
3 threshold where they cut your benefits but it
4 causes a review which is... could become annoying and
5 just due to the... the fact that it is a part time
6 job it doesn't pay as much as other jobs, I think a
7 lot of people tend to stay away. But of the 77
8 vacancies in those five precincts I believe it's 22
9 right now... six, nine, 17, 20, and 22. There are 22
10 vacancies in those five commands.

11 CHAIRPERSON GIBSON: Okay, 22 out of the
12 77.

13 CHIEF MCNAMARA: That's correct.

14 CHAIRPERSON GIBSON: Now in... in these
15 particular commands that you describe as more
16 challenging to fill is there anything unique that
17 we are doing to target local leaders and others
18 that could be helpful in attracting potential
19 candidates so that we can fill those vacancies?

20 CHIEF MCNAMARA: Again, I think those
21 COs know that those... that those are issues and
22 they're aware of it because they deal... they deal
23 with the principals and the parents and the
24 community on a regular basis. We do confer with DOT
25 on a regular basis, obviously we all go to traffic

1
2 stat together and there's a constant conferral,
3 there's a traffic stat every week. So they are
4 aware of the vacancies. They're aware of the
5 issues. One of the... one of the problems I... I would
6 think too possibly with the posting online if some
7 position is vacant, say if somebody even calls in
8 sick for the day you're supposed to redeploy. So in
9 other words you would take one from a less busy
10 post and put on a... more of a major intersection
11 which can affect actually your attrition rate also.
12 So you can move people, you can only move them so
13 far because they don't want to go that far from
14 where they are. So it... it's... it's a balancing act
15 but they are constantly recruiting. One of the
16 things within the police department we also did...

17 [cross-talk]

18 CHAIRPERSON GIBSON: Mm-hmm.

19 CHIEF MCNAMARA: Oh I'm sorry.

20 CHAIRPERSON GIBSON: No, keep going...

21 [cross-talk]

22 CHIEF MCNAMARA: Oh okay... [cross-talk]

23 CHAIRPERSON GIBSON: Mm-hmm... [cross-

24 talk]

25

1
2 CHIEF MCNAMARA: We... we directed each of
3 the borough coordinators, we had a borough
4 coordinators meeting, there's a... an inspector I
5 believe pretty much deputy inspector with each
6 borough which coordinates in each patrol borough.
7 When we told them that we want them to focus on the
8 vacancies when they send in the applicants, the
9 anticipated vacancies, current vacancies... okay. The
10 same people that do the screening for school
11 crossing guards within the police department our
12 applicant processing division, our medical division
13 are also doing traffic enforcement agents, school
14 safety agents, you name it and it... it's the same
15 pool of people. So we are trying to more focus our
16 efforts on processing the applications from the
17 areas that we actually need them from. So we will
18 go over in the 114, we will go over the 19th and
19 the 2-3, send down... if we have five vacancies we
20 will send in 20 applications if we have them.
21 Commissioner Caggiano has become the point person
22 for us in patrol with personnel, she's the liaison.
23 And she has been great and she is promising to come
24 forward and let us know... Okay the 19th sent in ten
25 candidates, five of them disqualified medically for

2 whatever reason so maybe you should find some more.

3 So there will be more real time collaboration
4 between patrol and personnel that oversees... [cross-
5 talk]

6 CHAIRPERSON GIBSON: Okay... [cross-talk]

7 CHIEF MCNAMARA: ...the... the hiring
8 process.

9 CHAIRPERSON GIBSON: Okay, when you were
10 providing the numbers in terms of those that
11 applied compared to those that showed up for
12 interviews and a significant drop... was there follow
13 up in terms of understanding why people did not
14 show up? I imagine some others may have had another
15 job opportunity but do you follow up? Does the unit
16 follow up to see why individuals have not shown up?

17 CHIEF MCNAMARA: We... I guess we call... I
18 mean we offer them rides to the processing at this
19 point. Some people just are not interested anymore.
20 It... it's... again you're... you're talking 11 dollars
21 an hour and you're out in the cold, you're out in
22 the rain, it... it's... having stood at many parades
23 and many whatever it's a difference between walking
24 from one corner to the next and going into a store
25 than standing out there for a few hours. It's...

1
2 it's... it's not easy and it is a split shift so I do
3 realize that it's not for everyone but again we do
4 do our best to try to recruit and bring... bring as
5 many people in as possible.

6 CHAIRPERSON GIBSON: Mm-hmm. And so I
7 think that speaks to what we have all been talking
8 about in terms of understanding some of those
9 challenges and doing our best to find something
10 innovative to make the position much more
11 attractable and much more attractive. And you know...
12 and... and you know the working conditions, the
13 hourly pay, the weekly cap and some of the other
14 things you know obviously as always a topic of
15 conversation because we want to make sure that
16 people look at this as a career opportunity because
17 that's what it is.

18 CHIEF MCNAMARA: Well I do think that
19 it... it has worked out and that is part of our issue
20 is that now they get out and they're interacting
21 with people in schools and they see opportunities
22 within the school, they meet school safety agents.
23 We lose people to school safety, to traffic
24 enforcement. There are already directing traffic so
25 they would now be more open to taking a traffic

1 enforcement position or applying for it. So we do
2 lose people to full time opportunities. It's kind
3 of a gateway, it opens a door to other
4 opportunities within the school and within the
5 city. So it... it's... it's... again it's... you go from
6 wanting part time to full time. There are areas of
7 the city where that doesn't happen. We have... we do
8 have people saying some of the more suburban areas
9 like Staten Island possibly the spouse is a
10 business owner or a contractor and they don't have
11 medical coverage, they take it for the medical
12 coverage and they're very happy for those four or
13 five hours a day. They don't want a full time
14 position. In certain other places we don't have
15 that benefit so it... it's again there are various
16 reasons for taking this position, often times maybe
17 your own children are attending the local school or
18 it's... and there are also varying levels of
19 commitment to the position once they do take it and
20 that's where the issues come in.

22 CHAIRPERSON GIBSON: I appreciate the
23 waving of the fingerprint fee of 175. What other
24 fees must an applicant pay when they apply for a
25 crossing guard?

1
2 CHIEF MCNAMARA: I don't think there are
3 any at this point. We have offered even the current
4 training, it's a week's training in a police
5 academy.

6 CHAIRPERSON GIBSON: Right

7 CHIEF MCNAMARA: Which is located on
8 Queens now which is somewhat difficult to access by
9 public transportation. We will shuttle them from
10 the older police academy on 20th Street out to
11 Queens to get them to the training so its... you know
12 we're trying to do everything that we can to
13 streamline the process make it more of a downhill
14 process that you know that you just have to kind of
15 participate.

16 CHAIRPERSON GIBSON: Okay. The total
17 head count you talked about, the 2438, does that
18 include the budgeted additional of 80 is that
19 included in that number?

20 CHIEF MCNAMARA: Yes, it is. Yes, ma'am.
21 Yes.

22 CHAIRPERSON GIBSON: Yes? Okay. So we
23 have hired and now we have the 77 vacancies, right?

24 CHIEF MCNAMARA: We have 77 vacancies,
25 yes.

2 CHAIRPERSON GIBSON: Okay and can you
3 tell a little bit about the training the crossing
4 guards receive, the two weeks that you described?

5 CHIEF MCNAMARA: Sure. It's one week at
6 the police academy, give me one second. The
7 subjects covered which is lengthy, it's a fairly...
8 traffic control, civilian complaints, internal
9 affairs, they go through military time and the memo
10 books, personal safety, AIDs awareness, first aid,
11 drug awareness, little OSHA training, some child
12 behavior. They meet with a union representative. I...
13 they get some EEO training. They learn about CPR
14 curtesy professional... respect. And they learn some
15 of the rules and procedures and the rank structure
16 from within the police department.

17 CHAIRPERSON GIBSON: Okay. So let me
18 just ask just a couple more questions before I get
19 to my colleagues. I know that they all have...
20 specific questions about their districts as well.
21 [cross-talk] So the legislation that we proposed...
22 let me talk about mine first then Council Member
23 Lander will talk about his. The advisory board that
24 we would like to establish that would include NYPD,
25 DOE, and... and DOT. You outline some of your

1
2 concerns with it but I want to make sure you
3 understand that this committee or this working
4 group would be an advisory capacity. So the
5 recommendations that are made ultimately to the
6 police commissioner are just that, they're
7 recommendations. So I guess from my perspective I
8 don't feel like its impeding on the police
9 commissioner's role in terms of deployment and
10 overseeing resources. And so I just wanted to know
11 if could just elaborate a little bit on that
12 because PD is already working with DOT and DOE so
13 why is there such an issue with having an
14 established advisory board that would make
15 recommendations on school crossing guard
16 deployment.

17 CHIEF MCNAMARA: If this was more of a...
18 I guess this would be more centrally located type
19 of oversight... It's... it's kind of an added layer
20 because regardless of what is done at here, it's
21 still going to have to be a local collaboration
22 between a precinct commander, the schools, traffic,
23 parents, PTA, and again the local politicians.
24 Simply because that's where the... you know that's
25 where the... you know we... that's where it all

1 happens. Even with new schools, I mean obviously we
2 see it being built so it's kind of, we noted this,
3 okay so what's the scheduled date of completion?
4 You'd have to work with local DOE officials to try
5 to figure out, okay you're going to open up in
6 September of '16 we need to okay and this is... where
7 is your catch bin area. You'll look at the bus
8 stops, you'll look at the train stations. If it's
9 from outside the area, if it's local that... that's a
10 different matter altogether, traffic patterns,
11 Etcetera. So whatever happens up here, still going
12 to have to happen at the local level. SO it would
13 add a... another layer and I believe that the
14 opposition comes to just the oversight and to... And
15 I know the intentions are good and I would never
16 say that they weren't but obviously you know
17 advising someone to do A when they feel like doing
18 B it would create some sort of friction. And I... and
19 I don't know is that a... is it setting a precedent?
20 Are other city agencies under the same kind of
21 constraints?
22

23 CHAIRPERSON GIBSON: Right. And I... I
24 appreciate that. And I guess the reason is because
25 we have had many instances where schools open in

1
2 September and we know that they're opening in
3 September and we still don't have a school crossing
4 guard at station at that school. And some of the
5 challenges that we have faced over these last
6 conversations we've had... having an advisory board
7 would really be an effective tool, we believe, to
8 make sure that all the agencies are working
9 together. SO DOT has their plan on streetscaping,
10 street enhancements, Vision Zero, we have DOE with
11 new schools, co-located schools, UPK sights, early
12 learning childhood centers, I mean all of this
13 happening at the same time. And you know we ask
14 these questions because they're constantly
15 fluctuating so we have a city that's growing, we
16 have population demand, we have commercial activity
17 all across the city and so it's important for us to
18 understand and make sure that we are constantly
19 having these conversations about where school
20 crossing guards are being deployed. Now I
21 understand the concern from the administration that
22 this could potentially set a precedent for having
23 an advisory board for civilian staff or civilian
24 work force but I believe it's warranted... school
25 crossing guards have not received the type of

1
2 attention in quite a bit of time. And an advisory
3 board for us signifies a firm commitment beyond the
4 administration that school crossing guards are
5 always going to be at the forefront of
6 conversations. And so I think that was a lot of the
7 logic that we had behind this and... and just in... in
8 general... the theme with the police department and...
9 and public safety has always been you know the City
10 Council is encroaching on the police departments
11 authority and regulation and that it is not the
12 case at all. We are a partner in the... in the
13 conversation we will always be a partner. And so we
14 want to make sure we find balance. So if the police
15 department does not support an advisory board then
16 I need an alternative. I need to know what we are
17 going to do to make sure the DOT and DOE and our
18 stakeholders are a part of the conversation. So
19 absent of this legislation I need an alternative
20 that we're going to make sure that we keep talking
21 about school crossing guards and we address some of
22 the challenges that we're facing now. That was
23 long.

24 CHIEF MCNAMARA: No, no... no... I'm trying
25 to figure out exactly... I mean you're looking for a

1
2 procedure to take the place of this proposed
3 procedure? I... I'm kind... And I... and I'm not trying
4 to be funny I'm...

5 CHAIRPERSON GIBSON: Well, no... no... no...
6 no I... so answer... answer one question. Do we have
7 any other advisory board in the NYPD that focuses
8 on deployment of staff?

9 CHIEF MCNAMARA: The deployment of...

10 CHAIRPERSON GIBSON: Staff, work force,
11 civilian staff.

12 CHIEF MCNAMARA: It's, no... no its pretty
13 much internal obviously. Again even deployment of
14 personnel with new recruits coming out of the
15 academy, I'm sure there is input from the
16 politicians to the upper echelons of the police
17 department. I'm not privy to it but I'm sure that
18 has always been the case as far as which precinct
19 needs more... more resources, school crossing guards...
20 and... And again I... I... I... as far as how, what
21 procedure could ensure it... it's just at the local
22 level I think that's where the most leverage is.
23 And obviously you... you're in touch with the
24 precinct commanders. You know even, again if a
25 school crossing guard doesn't show up, the parents

1
2 are going to be the first ones call. They're the
3 ones that know where the school crossing guards are
4 supposed to be. So we do talk about it, we're
5 constantly talking about it, I mean I don't know
6 how I can guarantee you. It's... like I said it's not
7 a perfect system but it's been in place, I don't
8 know, 50 years. And again obviously any short falls
9 have been addressed and again it'll never be
10 perfect, it's not a perfect job. So I think that
11 under the circumstances a three percent vacancy
12 rate's pretty good.

13 CHAIRPERSON GIBSON: Right. No, and I
14 agree and I applaud you for having... such a low
15 vacancy rate. But right now in the city of New York
16 we have schools right now that have absolutely no
17 school crossing guard, zero.

18 CHIEF MCNAMARA: And depending on the
19 school, they may not warrant it. Now I... I know the
20 issue came up about Pre-K before. Generally Pre-K
21 is three-year-old and four year olds and they don't
22 come to school unescorted. School crossing guards
23 are for unescorted children. So I mean we generally
24 don't deploy at high schools and maybe we do at
25 some middle schools but it's generally for

1 elementary schools. So yes there are schools that
2 don't have school crossing guards but we would hope
3 that high school students have enough wherewithal
4 to cross the street on their own. And again three
5 and four year olds are going to come to school
6 escorted by a responsible I don't know parent,
7 guardian, older sibling, something to that effect.

8
9 CHAIRPERSON GIBSON: Right. I think
10 you're talking about UPK standalone buildings that
11 don't have a traditional elementary school. All...
12 some of the UPK sights that are in traditional
13 elementary school buildings are covered. UPK sights
14 that stand alone are not covered

15 CHIEF MCNAMARA: Okay, my mistake then...
16 [cross-talk]

17 CHAIRPERSON GIBSON: So... my question is
18 working with DOE, has DOE identified for the
19 department any schools that should get a school
20 crossing guard, that does not have one right now?

21 [background comments]

22 CHIEF MCNAMARA: Okay. I... I'm advised
23 that from the main office, no, but at the local
24 level, yes. And that has been a process for as long
25 as I remember. The principals and the precinct

1
2 commander collaborate either directly or through
3 the school sergeant and the... they do a study and
4 they look and see the traffic again the patterns
5 and then they will... if they agree, they will
6 recommend it. And it goes through... through their
7 borough and into control services bureau and we try
8 to allocate a spot.

9 CHAIRPERSON GIBSON: Okay. I'm going to
10 get to some of my... my colleagues and I will have...
11 have some other questions just shortly. I also want
12 to acknowledge the presence of a Council Member
13 Robert Cornegy and Council Member James Vacca.
14 Thank you colleagues for being here and now I'm
15 going to call on my colleague Council Member Brad
16 Lander.

17 COUNCIL MEMBER LANDER: Thank you Chair
18 Gibson. I just want to point everyone to some data
19 that the council got on September 30th, as result
20 to terms and conditions that the Chair and I pushed
21 for, that for the first time at least detail some
22 school crossing guard locations and vacancies by
23 precinct. So they're on the council website. And
24 you know Chief I... I appreciate your testimony and
25 the work that you guys have done to reduce the

1
2 vacancy rate... but I think from the ground we just...
3 we feel and urgency about this and even though it's
4 been done the same way for 50 years we do crime
5 fighting very differently than we did 50 years ago
6 with Compstat. We're doing Vision Zero very
7 differently than we did 50 years ago. And we think
8 some of those same techniques of using the data to
9 make sure we've got things covered and are
10 responding in real time that we've learned in
11 Compstat, that we learned in Vision Zero need to be
12 applied here. So a few... I want to mostly focus on
13 location but a couple of questions about vacancies
14 first. How long on average or by range does it take
15 us to fill a vacancy if a school crossing guard you
16 know gets up in the middle of the shift and says as
17 you say I got a better job, how long is it going to
18 be until we're going to see a new guard at that
19 location, on average or by range?

20 CHIEF MCNAMARA: I don't know that
21 there's an average, it depends on...

22 COUNCIL MEMBER LANDER: There is an
23 average, you might not know it, but there is an
24 average.

25

1
2 CHIEF MCNAMARA: I may not be aware of
3 it, but as far as... it depends on the applicant...
4 [cross-talk]

5 COUNCIL MEMBER LANDER: The department
6 doesn't track how long it takes to fill vacancies
7 for school crossing guards?

8 CHIEF MCNAMARA: I'm sure some take
9 longer than others because some show up and some
10 don't show up.

11 COUNCIL MEMBER LANDER: I'm sure we
12 track everyone, but we don't know, you don't have
13 that information how long it takes?

14 CHIEF MCNAMARA: I do not and... and can I
15 correct something just to go back? We have been
16 doing it basically the same for 50 years but we do
17 modify things. We're not a stagnant organization.
18 We look at things and we're always looking for...
19 [cross-talk]

20 COUNCIL MEMBER LANDER: Many things have
21 been dramatically... [cross-talk]

22 CHIEF MCNAMARA: And... [cross-talk]

23 COUNCIL MEMBER LANDER: ...changed and
24 improved but this... [cross-talk]

1 CHIEF MCNAMARA: ...great I'm not... [cross-
2 talk]

3 COUNCIL MEMBER LANDER: ...but this one
4 has not [cross-talk] been dramatically changed and
5 improved.
6

7 CHIEF MCNAMARA: Councilman I'm not
8 arguing with you... [cross-talk]

9 COUNCIL MEMBER LANDER: That's why we're
10 having... [cross-talk]

11 CHIEF MCNAMARA: I just want to clarify.
12 Some of the... things that I outlined working with
13 personnel, eliminating the fees, driving people to
14 their appointments if necessary, we are not a
15 stagnant organization and we do not rest... [cross-
16 talk]

17 COUNCIL MEMBER LANDER: And I appreciate
18 the... [cross-talk]

19 CHIEF MCNAMARA: ...review every... [cross-
20 talk]

21 COUNCIL MEMBER LANDER: ...improvements in
22 recruitment but in location I haven't seen any... any
23 changes yet. So in my experience it takes months,
24 not one month... I've... I've never seen it take less
25 than three and it can take as long as six or eight.

1
2 Is there any provision in the meantime for a
3 location that needs to be covered to be covered
4 without taking a crossing guard from a different
5 location that also needs one to cover that
6 intersection and make sure that during the months
7 it takes to fill a... a... a guard position that the
8 intersection is covered?

9 CHIEF MCNAMARA: We have identified 50
10 priority locations that aren't covered. We've been
11 using available resources; police officers, traffic
12 agents, whatever is available in the.. in the
13 interim.

14 COUNCIL MEMBER LANDER: Okay so that's
15 good and I appreciate that was just done a month or
16 two ago, right, that you have identified... [cross-
17 talk]

18 CHIEF MCNAMARA: Correct.

19 COUNCIL MEMBER LANDER: ...the 50 priority
20 locations that need crossing guards and even when
21 there's a vacancy, you assign some other traffic
22 agent or NYPD officer to cover them?

23 CHIEF MCNAMARA: Okay, correct.
24
25

2 COUNCIL MEMBER LANDER: Okay so that's
3 good. How are those 50 locations chosen? Was there
4 any reference to DOT's crash data?

5 CHIEF MCNAMARA: They were... they came
6 from the local level so I imagine it would be
7 obviously from the schools, through the precinct,
8 check the traffic, and then they identify the
9 locations and they came to us.

10 COUNCIL MEMBER LANDER: So I want to
11 focus on this... this issue of the... obviously we all
12 value the local commanding officers. I'm lucky to
13 have great precinct COs and I value that they are
14 responsive to me and to my community and we would
15 not want to lose the role of the commanding
16 officers but it... it doesn't make any sense to me to
17 not have a... a system that systemically works for
18 the Department of Education and the Department of
19 Transportation. So let me ask you a few questions.
20 If a new school is going to open, and therefore an
21 additional crossing guard is going to be needed, as
22 I understand the current system it still requires
23 the local precinct commanding officer...

24 CHIEF MCNAMARA: Mm-hmm.
25

1
2 COUNCIL MEMBER LANDER: ...to learn about
3 that and then ask 1PP for new capacity? That's the
4 system we currently have?

5 CHIEF MCNAMARA: He would put it on
6 paper... he or she would put on paper. And again, my
7 last... [cross-talk]

8 COUNCIL MEMBER LANDER: Does he... [cross-
9 talk]

10 CHIEF MCNAMARA: ...my last precinct was
11 the 33rd precinct. They built a new station house.
12 There were several schools adjacent to it, two or
13 three. And it was fairly obvious. Where... we are
14 aware of what's going on in our precincts, new
15 construction, oh a new school. [cross-talk]

16 COUNCIL MEMBER LANDER: Why would we...
17 [cross-talk]

18 CHIEF MCNAMARA: It's a grammar school.
19 [cross-talk]

20 COUNCIL MEMBER LANDER: Doesn't the
21 Department of Education and School Construction
22 Authority know where new schools are going to be
23 built next September? Why wouldn't we have a
24 systemic relationship with between SCA and DOE and
25

1 the NYPD? Why would we rely on the individual
2 commanding officer... [cross-talk]

3 CHIEF MCNAMARA: It's... [cross-talk]

4 COUNCIL MEMBER LANDER: ...to know where
5 new schools are opening... [cross-talk]

6 CHIEF MCNAMARA: This is... it... [cross-
7 talk]

8 COUNCIL MEMBER LANDER: And then have to
9 lobby... [cross-talk]

10 CHIEF MCNAMARA: ...council... [cross-talk]

11 COUNCIL MEMBER LANDER: ...1 Police Plaza
12 for additional capacity?

13 CHIEF MCNAMARA: It's not lobbying it's...
14 [cross-talk]

15 COUNCIL MEMBER LANDER: Well... [cross-
16 talk]

17 CHIEF MCNAMARA: ...identifying... [cross-
18 talk]

19 COUNCIL MEMBER LANDER: ...it is lobbying
20 because if he doesn't ask he's not going to get it.

21 CHIEF MCNAMARA: It's...

22 COUNCIL MEMBER LANDER: Wouldn't it be
23 easier to have DOE give you a list and authorize
24 new crossing guards?
25

1
2 CHIEF MCNAMARA: Kind of semantics. It's
3 basically you identify a new need and then you
4 submit the paperwork justifying it and then its
5 applied. And there's a two-way street between DOE
6 and the local precinct commander. Obviously...
7 [cross-talk]

8 COUNCIL MEMBER LANDER: Why would DOE...
9 [cross-talk]

10 CHIEF MCNAMARA: ...work with each other.

11 COUNCIL MEMBER LANDER: ...have a
12 relationship with the local precinct commander when
13 they build new schools citywide?

14 CHIEF MCNAMARA: The district officer or
15 the district office... and again we... [cross-talk]

16 COUNCIL MEMBER LANDER: No, they don't
17 build them by district, there is... School
18 Construction Authority builds all the new schools.
19 They don't have a local SCA commanding officer
20 who's got a nice relationship with the precinct
21 officer. They have a citywide list. No one would
22 think it was rational to rather than have the list
23 go from SCA to 1PP put them in the budget and
24 authorize the new locations but instead stay let's
25 hope that the new... the precinct... the precinct

1
2 commander sees the new school being built... [cross-
3 talk]

4 CHIEF MCNAMARA: Let's hope? [cross-
5 talk]

6 COUNCIL MEMBER LANDER: And then has to...
7 [cross-talk]

8 CHIEF MCNAMARA: Let's hope? [cross-
9 talk]

10 COUNCIL MEMBER LANDER: ...fill out his
11 own paperwork... [cross-talk]

12 CHIEF MCNAMARA: I would say shame..
13 [cross-talk]

14 COUNCIL MEMBER LANDER: And go to 1PP..

15 CHIEF MCNAMARA: ...on a precinct
16 commander if he doesn't know that there's a new
17 school going up in his... in his command. And what
18 we... basically all we're arguing about is whether
19 it's done from the bottom up or the top down.

20 COUNCIL MEMBER LANDER: No... no... [cross-
21 talk]

22 CHIEF MCNAMARA: And that's all we're
23 arguing... [cross-talk]

24 COUNCIL MEMBER LANDER: ...where the..
25 [cross-talk]

CHIEF MCNAMARA: ...bout... [cross-talk]

COUNCIL MEMBER LANDER: ...construction...

we... where the city is building the schools, we're building the new schools, we know we're going to need new crossing guards. How about this...

CHIEF MCNAMARA: Yeah, and... and that's... again basically saying the same thing I said if they... if it comes at the top level they're going to send it down to the precinct level to take a look at.

COUNCIL MEMBER LANDER: Nope the...

[cross-talk]

CHIEF MCNAMARA: Which is... and again shame... [cross-talk]

COUNCIL MEMBER LANDER: That... that...

[cross-talk]

CHIEF MCNAMARA: ...on a precinct... [cross-talk]

COUNCIL MEMBER LANDER: ...precinct...

[cross-talk]

CHIEF MCNAMARA: commander... [cross-talk]

COUNCIL MEMBER LANDER: ...commander already has the authorization to hire the crossing guard?

2 CHIEF MCNAMARA: He submits it, it goes
3 through channels and... [cross-talk]

4 COUNCIL MEMBER LANDER: So it has to go
5 back up? 1PP has to give them new capacity... unless
6 they are going to... because now all they have to do
7 is just take one from somewhere else... [cross-talk]

8 CHIEF MCNAMARA: Which... [cross-talk]

9 COUNCIL MEMBER LANDER: ...which is a bad
10 idea because that intersection also needs a
11 crossing guard so he needs new crossing... when a new
12 school opens will a precinct commander very likely
13 if it's... if it's an elementary school that's going
14 to be let's say the average new one we open is 800
15 students need an additional crossing guard?

16 CHIEF MCNAMARA: It'll probably need a
17 few of them.

18 COUNCIL MEMBER LANDER: And... [cross-
19 talk]

20 CHIEF MCNAMARA: Not just an additional.
21 He has to identify the intersections around the
22 school where there's going to be crossing. You look
23 at the traffic patterns. Is it a truck route? Is it
24 a commercial... [cross-talk]

2 COUNCIL MEMBER LANDER: And are you
3 aware... [cross-talk]

4 CHIEF MCNAMARA: ...area... [cross-talk]

5 COUNCIL MEMBER LANDER: ...of the fact
6 that the SCA and the DOT in advance of a school
7 opening are actually doing exactly that analysis
8 together based on a shared list.

9 CHIEF MCNAMARA: And we will talk with
10 them and we will find that out and we will... [cross-
11 talk]

12 COUNCIL MEMBER LANDER: So... so... [cross-
13 talk]

14 CHIEF MCNAMARA: ...submit a request..
15 [cross-talk]

16 COUNCIL MEMBER LANDER: ...I'd like to ask
17 them if... if they could get into the conversation
18 because... I mean I guess my questions are one, and I
19 think the chair asked this, is DOE aware of
20 locations either that exist or that are coming
21 online that don't have... that they believe need
22 crossing guards and don't have them. And similarly
23 DOT who has a citywide crash map and looks at
24 dangerous intersections and has a safe route to
25 schools program... I guess two questions; one, is

1
2 there any systemic way in which you're able to give
3 that information to the NYPD so that they could
4 allocate resources for crossing guards, and have
5 you looked to see if there are locations that you
6 believe that should have crossing guards that don't
7 have them today?

8 MARK RAMPERSANT: Have to turn it on
9 right? Good morning. So to answer your question,
10 yes, the Department of Education by way of the SCA
11 already has in place schools that are being built,
12 you know beyond the year. I think you... you hit the
13 nail on the head when you said the missing
14 component is in fact the NYPD and bringing them
15 into that fold so that we can do this in advance as
16 opposed to you know the school is going to open up
17 next week, where's the crossing guard? So there's
18 some... there's some work... some real work that needs
19 to be... [cross-talk]

20 CHIEF MCNAMARA: Next week...

21 MARK RAMPERSANT: ...done. After our last
22 meeting we've already begun conversations with the
23 SCA on how they can provide that information to the
24 NYPD in a timely fashion giving the precinct
25 commander enough time to make the respective

1
2 request to as you state hierarchy to have it
3 trickle back down to the local precinct level. As
4 it relates to the numbers of vacancies that number
5 is much smaller than we originally reported out.
6 The local level there has been a great working
7 relationship respectfully, a great working
8 relationship with the local precinct and the
9 respective schools and in those cases where that
10 relationship hasn't bared any fruit principals have
11 reached directly to my office at which time I've
12 reached out to the precinct and they've made the
13 adjustments.

14 COUNCIL MEMBER LANDER: Thank you.

15 MELISSA: So at the Department of
16 Transportation we run basically two sets of
17 numbers, right? We look at where general crashes
18 are and where our high crash areas and corridors
19 are but there's a separate set for children,
20 particularly teenage children. You know more than
21 50 percent of our injuries are to middle school
22 students, ages 11 to 14. So we do have those maps
23 and we keep careful track of those things. It's
24 important for my work as a person who deploys all
25 of the people to schools, we have to make choices

1
2 to our most dangerous locations and so of course I
3 do keep the... the numbers of the top 100 crash areas
4 for students before and after school.

5 COUNCIL MEMBER LANDER: So DOT has a top
6 100 intersections where there have been... with...
7 where you believe that are dangerous for kids after
8 school?

9 MELISSA: Correct, I mean we do analysis
10 all the way you know even per precinct how children
11 are being injured by precinct.

12 COUNCIL MEMBER LANDER: Do you know how
13 many of those 100 locations have crossing guards?

14 MELISSA: I don't actually, so... the one
15 thing that I don't think that we look at is exactly
16 how those two maps layer on top of each other but...
17 [cross-talk]

18 COUNCIL MEMBER LANDER: That would be
19 hard to do because we don't have the map of the
20 crossing guards so we'll talk about that in just a
21 minute but this... I mean... I think this goes to the
22 Chair's task force. I mean people all we're asking
23 for and I really appreciate the work that the local
24 precinct commanders do and they're doing a good job
25 but it's crazy not to compare the map that the DOT

1
2 has of the 100 most dangerous intersections for
3 young people and the map of where the crossing
4 guards are and figure out whether there's
5 intersection we should be covering and if we've
6 missed them because of precinct commander for
7 whatever reason didn't have the resources, had a
8 vacancy, let's look at the map and get it filled.
9 In this day and age that would be... wouldn't that be
10 a simple thing to do and why wouldn't it be a good
11 idea.

12 CHIEF MCNAMARA: Okay, we have no
13 problem comparing with the Department of
14 Transportation but we do an awful lot of work with
15 them, with traffic stat through Vision Zero and how
16 many initiatives at various locations and again
17 with the Department of Education. It's... that's... the
18 coordination I believe it's there it's just a
19 matter of posting it online and that's again as you
20 had mentioned some commands, 7-5 has 82 school
21 crossing guards allotted. So doing that in real
22 time would be kind of difficult. So... [cross-talk]

23 COUNCIL MEMBER LANDER: I'm sorry, I
24 couldn't hear you.

1
2 CHIEF MCNAMARA: We're talking about
3 posting these... the... the posts online who's there,
4 etcetera. Say a place like the 7-5 is 82 posts..
5 [cross-talk]

6 COUNCIL MEMBER LANDER: Okay... [cross-
7 talk]

8 CHIEF MCNAMARA: Kind of difficult to
9 keep track of. Again on a daily basis would we be
10 able to update the information in time?

11 COUNCIL MEMBER LANDER: Well the bill
12 would only require you to do it twice a year.

13 CHIEF MCNAMARA: What? Oh so I thought
14 it was supposed to be a real time...

15 COUNCIL MEMBER LANDER: I'd be delighted
16 to have it in real time but the... the... the... I wasn't
17 thinking... [cross-talk]

18 CHIEF MCNAMARA: ...not real time and it..
19 [cross-talk]

20 COUNCIL MEMBER LANDER: ...we would put
21 like geocoding on the... the people themselves. And
22 we... and you're... [cross-talk] And you're giving it
23 to us quarterly, I mean we... we got the 9-30 report,
24 it just wasn't geo-coded and so it's not easy to
25 map. And all we would need to do I think really is

1
2 take what you gave us geocode it. We're glad to put
3 up online that this was a snapshot in time on a
4 particular... [cross-talk]

5 CHIEF MCNAMARA: Okay... [cross-talk]

6 COUNCIL MEMBER LANDER: ...date. And then
7 we could cross reference it with the DOT map and
8 get to the question. And honestly if this is being
9 done and it's just a question of putting it online
10 it's a different issue but the goal is really
11 actually to compare... if you were... I'd rather you
12 were doing it privately and... and we didn't see it,
13 the... the fact that we have not been able to compare
14 the 100 dangerous intersections and the crossing
15 guard deployment we should be doing that and if we
16 have to ask and put it online and we do it we'll do
17 it but it... it seems to me it would be... it wouldn't
18 be that hard.

19 CHIEF MCNAMARA: Right and again I don't
20 know that it's not being done, maybe it's being
21 done again down here as opposed... [cross-talk]

22 COUNCIL MEMBER LANDER: Well I'm pretty
23 sure... [cross-talk] ...that... that given the panel we
24 have if it was being done you guys would know.

2 CHIEF MCNAMARA: Well not... this is a
3 large organization. So a lot's done at the precinct
4 level that I'm not intimately familiar with but
5 again I think the... the issue and I've been
6 corrected with putting it online is that it's not
7 going to be real time and you would not want to
8 create a safety hazard for someone thinking there
9 was a school crossing guard posted there that is
10 not or is not there even for that day.

11 COUNCIL MEMBER LANDER: Okay but didn't
12 you give us the data on September 30th in... on paper
13 that said as of September 30th this was the
14 locations, you did, you don't have to answer that
15 I... it's online in the budget that NYPD agreed as a
16 part of... as a term in condition with this council
17 to provide a list quarterly of where the crossing
18 guards were and so on September 30th or September
19 15th you did that... [cross-talk]

20 CHIEF MCNAMARA: Okay... [cross-talk]

21 COUNCIL MEMBER LANDER: They're all
22 listed. It's on the city council's website... [cross-
23 talk]

24 CHIEF MCNAMARA: Okay, it's a snapshot,
25 okay.

2 COUNCIL MEMBER LANDER: It says
3 September 30th, it's obviously a snapshot. And I
4 really am pretty sure that no parent in the morning
5 is waking up and thinking can I let Johnny walk to
6 school today I'll check the website and see whether
7 it was posted that there's a crossing guard. It's
8 not like a weather report. The goal is to make sure
9 the intersections are covered. So if your objection
10 is that it needs to be clear that it's a snapshot
11 in time and that it's not being updated every day
12 we could work with you on that, we'll figure out
13 how often you can update it, all we're really
14 looking for is a geocoded list, if you don't even
15 want to map it give us the geo-coded list we'll map
16 it and we'll compare it to the... to the DOT's list
17 so we can make sure the dangerous intersections are
18 covered.

19 CHIEF MCNAMARA: We'll work with you.

20 COUNCIL MEMBER LANDER: And I'll just...
21 and my final question because this just goes to...
22 it... so you said that the... that crossing guards are...
23 are getting 11.79 now, starting at 11.79?

24 CHIEF MCNAMARA: I believe it's... [cross-
25 talk]

2 COUNCIL MEMBER LANDER: That... [cross-
3 talk]

4 CHIEF MCNAMARA: ...11.79... [cross-talk]

5 COUNCIL MEMBER LANDER: ...in your
6 testimony... [cross-talk]

7 CHIEF MCNAMARA: ...yes.

8 COUNCIL MEMBER LANDER: Alright, because
9 I looked on the website that you have and I'm
10 thrilled there's an online portal. It still says
11 11.50 so I recommend updating the website to 11.50
12 but it was... I also will point out that I'm
13 confident when they actually apply they'll get the
14 11.79 so it's sort of like with what we need you to
15 do when you update the data. We're not going to
16 hold you to September 15th but we need to see it
17 often enough that we can know where they are,
18 compare it to the other data that we're getting,
19 and just make sure we're get... the whole goal here
20 is just to have the dangerous intersections covered
21 and keep our kids safe.

22 CHIEF MCNAMARA: Duly noted.

23 COUNCIL MEMBER LANDER: Thank you.

24 CHAIRPERSON GIBSON: Thank you very
25 much. Thank you Council Member Lander. He asked a

1
2 question about how long it takes to fill a vacancy,
3 I wanted to ask on a local level. What happens when
4 a school crossing guard calls in sick, how does
5 that work with getting the information to the
6 precinct and getting a replacement as quickly as
7 possible?

8 CHIEF MCNAMARA: They're supposed to
9 call in within two hours of their tour and
10 obviously the more time the better and then you can
11 make a decision as to whether this is an... you know
12 a very busy post, do we redeploy, do we have
13 available resources to cover the post in their
14 absence.

15 CHAIRPERSON GIBSON: Okay, so available
16 resources could be another crossing guard from
17 another location and it could also be a police
18 officer or... [cross-talk]

19 CHIEF MCNAMARA: It could... [cross-talk]

20 CHAIRPERSON GIBSON: ...traffic
21 enforcement agent?

22 CHIEF MCNAMARA: It could, yes Ma'am.

23 CHAIRPERSON GIBSON: Okay but that's all
24 dependent upon the local precincts available
25 resources?

1 CHIEF MCNAMARA: Correct.

2 CHAIRPERSON GIBSON: Okay, are there any
3 instances with some locations that we deem
4 extremely dangerous in our city where another like
5 neighboring precinct would also come in to help?
6 Does that happen?
7

8 CHIEF MCNAMARA: You know I can't say
9 yes or no because I really don't know.

10 CHAIRPERSON GIBSON: Okay... [cross-talk]

11 CHIEF MCNAMARA: Just on... on a note for
12 you even with the hiring and some of the precincts
13 that are hard to fill we have asked at the borough
14 level for them to call if you have applicants in a
15 neighboring precinct ask them if they... you know you
16 can kind of see where they live would they be
17 willing to walk three or four blocks to cover this
18 post just... I just wanted to add that because you
19 sparked a memory, I'm sorry... [cross-talk]

20 CHAIRPERSON GIBSON: Okay, does that
21 happen often?

22 CHIEF MCNAMARA: It's basically we only
23 started doing it recently you know is to try to get
24 people from other commands and I don't think we're
25 tracking it but I did ask them to reach out and

1
2 then send that application in again for places like
3 the 19th and the 2-3. If you have neighboring
4 commands and have an excess of applicants and the
5 post is somewhere near the border it might be
6 willing to... to take... [cross-talk]

7 CHAIRPERSON GIBSON: Okay... [cross-talk]

8 CHIEF MCNAMARA: ...that post also so...
9 it's just another effort, that's all.

10 CHAIRPERSON GIBSON: Okay, I just want
11 to ask a quick question about the 50 priority
12 locations that we identified that right now we're
13 using traffic enforcement agents in place of a
14 school crossing guard.

15 CHIEF MCNAMARA: Yes, Ma'am.

16 CHAIRPERSON GIBSON: Now the permanent
17 decision will be to replace that TEA with a school
18 crossing guard, right?

19 CHIEF MCNAMARA: Yes.

20 CHAIRPERSON GIBSON: With the 77
21 vacancies that we have and 50 identified locations
22 that are priority do you know if there's an overlap
23 of the applicants that are in queue with those 50
24 locations? So the... the reasoning behind my question
25

1
2 is how long do we expect those TEA's to cover those
3 50 locations.

4 CHIEF MCNAMARA: Well I believe we have
5 hired 13 people, the original 50 locations, 13
6 newly hired crossing guards... [cross-talk]

7 CHAIRPERSON GIBSON: Okay, are in those...
8 [cross-talk]

9 CHIEF MCNAMARA: And...

10 CHAIRPERSON GIBSON: ...areas... [cross-
11 talk]

12 CHIEF MCNAMARA: And... and we replaced
13 with another 13 area... 13 locations. So it's... it's
14 an ongoing process as we hire for those locations
15 we will move the traffic agents out of there and
16 hopefully... [cross-talk]

17 CHAIRPERSON GIBSON: Okay... [cross-talk]

18 CHIEF MCNAMARA: ...on to someplace else.

19 CHAIRPERSON GIBSON: So now we're down
20 to 37, right?

21 CHIEF MCNAMARA: No, we're still
22 covering 50, we picked 13 more...

23 CHAIRPERSON GIBSON: Right.

24 CHIEF MCNAMARA: ...intersections that we
25 thought needed coverage.

1
2 CHAIRPERSON GIBSON: And do you happen
3 to know the areas that the TEAs actually came from
4 to replace those school crossing guards that are
5 not there? Did we fill those vacancies too or do we
6 have areas that are not covered by a TEA now?

7 CHIEF MCNAMARA: Okay, it's... the traffic
8 agents generally are on overtime but it is traffic
9 agents and other resources.

10 CHAIRPERSON GIBSON: Okay, so not...
11 [cross-talk]

12 CHIEF MCNAMARA: So... [cross-talk]

13 CHAIRPERSON GIBSON: ...brand new but
14 existing resources and overtime?

15 CHIEF MCNAMARA: Yes, correct.

16 CHAIRPERSON GIBSON: Okay, okay. Well
17 no, I appreciate the effort and you know obviously
18 those 50 locations while I don't know exactly where
19 they are but if you have identified them as being
20 important then I certainly want to make sure we
21 fill those as quickly as possible because I don't
22 want TEAs to be there permanently.

23 CHIEF MCNAMARA: Okay, yes Ma'am.

24 CHAIRPERSON GIBSON: Okay, we all agree,
25 right?

CHIEF MCNAMARA: We agree.

CHAIRPERSON GIBSON: Okay.

CHIEF MCNAMARA: Absolutely.

CHAIRPERSON GIBSON: Great. Thank you.

Now we'll have Council Member Rosenthal followed by Council Member Lancman.

COUNCIL MEMBER ROSENTHAL: Thanks so much Chair Gibson and thank you for holding these hearings and Council Member Lander and Gibson thank you so much for both your bills. I'm signing onto them I think yesterday. They're great and I wish I had been the co-sponsor but it's really good. And... and the reason is because you know you'll hear it when you hear my line of questions why I'm in such support of these bills. First off can you... I... I've only a little bit heard you listed the top locations or zip codes where you're in need of crossing guards could you repeat that again?

CHIEF MCNAMARA: It's by precinct; the 5th and 7th precincts in lower Manhattan, the 19th and the 23rd precincts in upper Manhattan, and 114th precinct in Queens.

COUNCIL MEMBER ROSENTHAL: Yeah, that's what I thought I heard which was that I didn't hear

1
2 my precincts and that concerns me because my... I'm
3 in desperate need for multiple crossing guards
4 especially in the 2-0 and it... it... it... the... the
5 reason I'm concerned and... and the reason it links
6 so well to your legislation is because there is
7 that disconnect between what you're seeing as the
8 top worst which I... I'm sure are worse than the
9 precincts that I'm talking about. I'm sure there's
10 a real need, I'm not questioning that. But what I
11 liked about the legislation is that it would give
12 me an opportunity to bring to your attention that
13 even in the 2-0 or the 2-4 where we're short just
14 two or three it's as important because the... the...
15 despite the best efforts of my low... local precinct
16 commander of putting the crossing guards who are
17 available at the most dangerous locations the
18 locations that are less dangerous are still
19 dangerous. So specifically last year we... and we had
20 a meeting about this and you guys were terrific,
21 you... you said at that meeting you'd be willing to
22 add an additional crossing guard or two for the
23 20th precinct but those vacancies have never been
24 filled. So it's sort of a meaningless... I mean it's
25 a... I'm grateful for the gesture but it's only a

1
2 gesture. There was already an... a crash there where
3 a car hit a kid now was it... you know did... was it
4 critical or death, no he... he only broke his leg but
5 had there been... it was during the... just before
6 school started, it was exactly at the time when a
7 crossing guard at that location could have been a
8 really meaningful asset. So what's my question
9 there, I guess it... it... well it speaks to a
10 statement of my support of the legislation. And so
11 I would ask you to go back and... and just sort of
12 take that into consideration as you think about
13 this legislation. So... so given that I'm short like
14 five between my two precincts, 2-0 and 2-4 what
15 would you say is the biggest difficulty in
16 recruitment? Is it the 11.79 an hour which by the
17 way in my district we're all still talking about it
18 as 11.50 an hour so I was surprised to hear that
19 because the notice on my office door says come make
20 11.50 an hour. So please if you could help get that
21 word out we'll update our flyers about it for sure
22 not that 49 cents... or my math, 29 cents would make
23 all the difference but what do you think is the
24 biggest concern? Is it the... the dollar amount? Is
25 it the lack of full time? Is it the lack of health

1
2 benefits? Or is it all three? What of those things
3 do you recommend we deal with because we know that
4 in order to achieve Vision Zero, in order to have
5 the security and safety of our kids which yesterday
6 we just passed a bill adding 30 million dollars to
7 the budget to increase safety at our schools, what
8 would you recommend we do in order to get more
9 crossing guards to fill these vacancies because
10 every vacancy is meaningful?

11 CHIEF MCNAMARA: Okay.. [cross-talk]

12 COUNCIL MEMBER ROSENTHAL: I'm done now.

13 CHIEF MCNAMARA: Oh okay. But they do
14 have coverage just to correct that. What.. if you
15 work 20 hours and they work 20 or.. 20 to 25 hours
16 they get coverage so they have medical coverage for
17 them and their families so that's there. Absent
18 that it's all of the above, it.. you know; is it the
19 salary, yes. Is it the split shift, yes? Is it.. you
20 know people come up with other opportunities, they..
21 they.. you know so.. [cross-talk]

22 COUNCIL MEMBER ROSENTHAL: So let's
23 focus on those two for just one second. If it was
24 not a split shift, if people had the choice of
25 working one shift or the other or a split shift or

1
2 a full seven and a half or a eight-hour day could
3 you... could you envision the individual precincts
4 finding work, meaningful work, for them during the
5 time to make it a full day job. In other words,
6 could they come back to the precinct and be
7 community affairs officers or no?

8 CHIEF MCNAMARA: Somehow... [cross-talk]

9 COUNCIL MEMBER ROSENTHAL: You... or are
10 they... [cross-talk]

11 CHIEF MCNAMARA: Somehow I don't...
12 [cross-talk]

13 COUNCIL MEMBER ROSENTHAL: ...really only
14 trained to be crossing guards?

15 CHIEF MCNAMARA: Again it's... you... you
16 have the travel issue which is another point again
17 sometimes... again if it was full time that might
18 alleviate some concerns but finding something for
19 them to do outside of those hours of school
20 crossing again unless there's a... a lunch where they
21 let the kids out as opposed to a captive lunch I
22 don't think we have it at the precinct level. It's
23 a... you're talking... the 7-5 precinct has 82 school
24 crossing guards so having an army descend on you at
25 ten a.m. every morning after the school crossing is

1
2 over I don't know that there's much we could do for
3 the... [cross-talk]

4 COUNCIL MEMBER ROSENTHAL: You know
5 what's interesting about there being a task force
6 is that you could have people all in the room
7 together, DOT, DOE, and NYPD thinking about could
8 there be in some... one of those arenas another
9 meaningful use for those people. And here's... here's
10 why I'm pressing. it's because we have to fix both
11 those things. It's incumbent on the city in my
12 mind's eye to bring the salary up to a place where
13 people will take the job because we can't have the
14 vacancies. And if the other thing that's making it
15 difficult is that it's not full time we have to
16 find meaningful work for these people and make it a
17 full time job. It... it... we... if we can't have in one
18 hand a goal of Vision Zero and on another hand a
19 vacancy in the crossing guard position so if it...
20 what it takes in my mind's eye is addressing full-
21 on both of those issues why wouldn't we do that?

22 CHIEF MCNAMARA: I think that's above my
23 pay grade ma'am respectfully. If you... again if... if
24 the city council decides to make it a full time

1
2 position that's... but I... I... I... I don't know... [cross-
3 talk]

4 COUNCIL MEMBER ROSENTHAL: You wouldn't...
5 [cross-talk]

6 CHIEF MCNAMARA: You would have... [cross-
7 talk]

8 COUNCIL MEMBER ROSENTHAL: ...recommend
9 that... [cross-talk]

10 CHIEF MCNAMARA: ...that... [cross-talk]

11 COUNCIL MEMBER ROSENTHAL: Would you...
12 [cross-talk]

13 CHIEF MCNAMARA: I don't... [cross-talk]

14 COUNCIL MEMBER ROSENTHAL: ...recommend a
15 pay raise? Do you think that would help? If we
16 brought it up to 22 an hour would that help people
17 come in and take the job?

18 CHIEF MCNAMARA: Why not 30? Why not 40?
19 I... I... I don't know that's... you know again it's
20 always been a part time position negotiating the
21 labor contracts between union and the city, I don't
22 get involved in that. So it... you know for us...

23 [cross-talk]

24 COUNCIL MEMBER ROSENTHAL: Well you...
25 [cross-talk]

1 CHIEF MCNAMARA: ...within the police..
2
3 [cross-talk]

4 COUNCIL MEMBER ROSENTHAL: ...to the
5 extent... [cross-talk]

6 CHIEF MCNAMARA: ...department... [cross-
7 talk]

8 COUNCIL MEMBER ROSENTHAL: ...that you're
9 the guy managing the vacancies I... I would assume...
10 [cross-talk]

11 CHIEF MCNAMARA: ...which... [cross-talk]

12 COUNCIL MEMBER ROSENTHAL: You have an
13 opinion.

14 CHIEF MCNAMARA: We have a three percent
15 vacancy rate; I think full employment in the
16 country is four or five percent. I think we're
17 doing pretty good. But obviously there is always
18 room for improvement and... [cross-talk]

19 COUNCIL MEMBER ROSENTHAL: It's not
20 good... [cross-talk]

21 CHIEF MCNAMARA: ...the city council and...
22 [cross-talk]

23 COUNCIL MEMBER ROSENTHAL: ...enough for
24 the... my... you know thousand parents who go to the IS
25 44 building whose kids cross the street every day

1 without a crossing guard, right? I mean so... you
2 know I don't get it. I'm not understanding... [cross-
3 talk]
4

5 CHIEF MCNAMARA: I... I... [cross-talk]

6 COUNCIL MEMBER ROSENTHAL: Your answer.

7 CHIEF MCNAMARA: I'm not understanding
8 the question. I'm not arguing with you Ma'am. I'm...
9 I'm just trying to... if you have a specific question
10 about the procedures what we're doing if you decide
11 that you want to change the title and the position...
12 [cross-talk]

13 COUNCIL MEMBER ROSENTHAL: No... no, I'm
14 asking... [cross-talk]

15 CHIEF MCNAMARA: ...then it's... [cross-
16 talk]

17 COUNCIL MEMBER ROSENTHAL: ...for your
18 expertise to answer the question what would it take
19 to get 100 percent filled positions.

20 CHIEF MCNAMARA: As opposed to 96.9
21 percent?

22 COUNCIL MEMBER ROSENTHAL: Yes, sir...
23 [cross-talk]

24 CHIEF MCNAMARA: I don't know that
25 you'll ever get there. I don't know that you would

1
2 ever get there even if it was paying 20 or... Again
3 and this is theoretical, I don't know. I think a
4 three percent vacancy rate is pretty good, it's
5 never acceptable, we are trying, every intersection
6 is important. We are covering even within your
7 command I believe in the 20th precinct there are
8 three traffic enforcement agents on different
9 intersections. We are making every attempt to bring
10 it above 96.9 percent. I don't know what that will
11 take Ma'am.

12 COUNCIL MEMBER ROSENTHAL: Wow. Okay,
13 thank you so much Chairs and again please sign me
14 onto your legislation.

15 CHAIRPERSON GIBSON: Thank you Council
16 Member Rosenthal and next we'll have Council Member
17 Lancman followed by Council Member Chin.

18 COUNCIL MEMBER LAN
19 COUNCIL MEMBER AN: Good morning.

20 CHIEF MCNAMARA: Morning sir.

21 COUNCIL MEMBER LAN
22 COUNCIL MEMBER AN: So
23 first I want to ask you about this... the idea of...
24 of... the... the issues with recruitment. I understand
25 there are approximately about 23 hundred school

1 crossing guards citywide, is that... is that the
2 right number?
3

4 CHIEF MCNAMARA: 2438...

5 COUNCIL MEMBER LAN: COUNCIL MEMBER AN:
6 2438... [cross-talk]

7 CHIEF MCNAMARA: That is the authorized
8 number. We... [cross-talk]

9 COUNCIL MEMBER LAN: COUNCIL MEMBER AN:
10 That's the... [cross-talk]

11 CHIEF MCNAMARA: ...currently... [cross-
12 talk]

13 COUNCIL MEMBER LAN: COUNCIL MEMBER AN:
14 ...authorized... [cross-talk]

15 CHIEF MCNAMARA: ...have... [cross-talk]

16 COUNCIL MEMBER LAN: COUNCIL MEMBER AN:
17 ...number and you have uh... [cross-talk]

18 CHIEF MCNAMARA: ...2361 as of December
19 1st.

20 COUNCIL MEMBER LAN: COUNCIL MEMBER AN:
21 Okay, we had heard in prior testimony from the
22 department and... and we had heard it anecdotally
23 from others as well that there was a... a very... one
24 of the biggest problems was recruitment. So based
25 on the fact that you're now at three percent

1
2 vacancy rate, you had... I don't know 387 qualified
3 people for 77 positions can we say that the
4 recruitment problem has been solved in your view?
5 And the issue isn't a problem of recruitment
6 anymore so much as it is in so far as there are
7 issues you know whether or not enough money's been
8 allocated to fill all the spots that the council,
9 the public and maybe the PD itself would like to be
10 able to fill?

11 CHIEF MCNAMARA: I think the recruitment
12 issue is ongoing but we do seem to have a handle on
13 it at the moment. And possibly the other issues
14 about retention... you know the attrition rate and
15 retaining people that could be another issue.

16 COUNCIL MEMBER LAN: I want to ask you about the attrition rate
17 but... [cross-talk]

19 CHIEF MCNAMARA: Yes, Sir... [cross-talk]

20 COUNCIL MEMBER LAN: I want to ask you about the attrition rate
21 First has anyone done a study... has the PD done any
22 kind of study or analysis of what would be the
23 number of crossing guards that the PD would like to
24 have to be able to meet all the... the crossing guard
25 needs across the city? So for example Commissioner

1
2 Bratton came to the... to the council and said we
3 would like to have 13 hundred more police officers,
4 I've looked at the whole department, I've looked at
5 our public safety needs, terrorism, community
6 relations etcetera 13 hundred is the number, 13
7 hundred is what he got. Have... have... has anyone done
8 that for... for crossing guards? And what's that
9 number?

10 CHIEF MCNAMARA: Right. Again it was... we
11 put out a request for any new needs. Most of these
12 posts have been in place for several years. The
13 schools don't move. You know the grammar schools
14 have been in the same place since the 20's probably
15 so many of these posts don't move, they don't
16 change, we know that this is the... unless there's
17 some sort of major construction, there's new people
18 moving into new apartment buildings you know the...
19 the... the traffic patterns change, the posts are
20 somewhat static. A lot of it is identifying new
21 needs so as new needs are identified we ask for
22 additional positions.

23 COUNCIL MEMBER LAN
24 COUNCIL MEMBER AN:
25 Okay but do you understand that that is somewhat
circular because the PD is never committed to

1 providing school crossing guards at every school
2 and they're probably a lot of Council Members,
3 myself included who just as there is a school
4 safety officer at every public school we would like
5 to see an appropriate number of school crossing
6 guards at every school. And I get the sense that
7 whereas the commissioner took a look at the whole
8 police department and very thoroughly and... and... and
9 comprehensively examined the needs of the whole
10 police department and came to the council and said
11 in order to accomplish our mission fully we need 13
12 hundred new officers. I get the sense that the... the
13 department has never done that for school crossing
14 guards and instead is kind of locked into the way
15 that things have always been and then in response
16 to circumstances or maybe pressure from the council
17 you know we'll add a few crossing guards here or
18 there. Would it be possible to... for the police
19 department to come back to the council with some
20 data on... and some... some numbers on here's what it
21 would take to do a... a full out deployment of
22 crossing guards at all of our public schools; our
23 elementary schools, our middle schools, our high
24 schools and here's what it would cost? And then we
25

1
2 could make a judgement as a body as to whether or
3 not that's something we would want to... to fund.

4 CHIEF MCNAMARA: Oh we can look into it,
5 yeah.

6 COUNCIL MEMBER LAN
7 Okay by... by looking into meaning you can get me
8 that... that answer?

9 CHIEF MCNAMARA: Yeah.

10 [background comments]

11 CHIEF MCNAMARA: We'll... we can run it up
12 through the... through the... through the channels and
13 say... again it's posted, high schools, we'd have to
14 identify the number of high schools, middle
15 schools. And again... and... and obviously then it
16 becomes priorities.

17 COUNCIL MEMBER LAN
18 Right. No, and we've got to figure out what those
19 priorities are but we need to have some
20 foundational information and know how to assess
21 those priorities. Attrition, how... what... what's the...
22 the average length of time that a... a crossing guard
23 will stay on the job? If someone gets hired as a
24 school crossing guard are they on the job for on

1
2 average one year, 10 years, 20 years, what's the
3 turnover like I guess that's the word?

4 CHIEF MCNAMARA: We don't have that, we
5 do... we... we... we... we lose about 12 a month for
6 various reasons. I think we... through November we
7 have attritted [phonetic] 129 school crossing
8 guards and we've hired 216. So it... it's... you know
9 the various reasons; resigned, retired, terminated,
10 deceased, you know again and some of them go onto
11 full time... [cross-talk]

12 COUNCIL MEMBER LAN COUNCIL MEMBER AN:
13 That... [cross-talk]

14 CHIEF MCNAMARA: ...employment... [cross-
15 talk]

16 COUNCIL MEMBER LAN COUNCIL MEMBER AN:
17 ...seems to me like a very high turnover rate. I
18 wonder how that compares to the regular... if that's
19 the right term, the... the patrol force or... or any
20 other measurement of... of full time employment. It
21 seems like a high rate of... rate of turnover.

22 CHIEF MCNAMARA: I... I don't have the
23 attrition rate for the regular police department
24 but we are talking about a part time position where
25

2 people move on to other opportunities or just say
3 it's not worth it.

4 COUNCIL MEMBER LAN COUNCIL MEMBER AN:

5 Right and that does get to one of the other... one of
6 the Council's other concerns and I think Council
7 Member Rosenthal addressed it or touched on it
8 which is that you know because it's only a part
9 time job, because the pay is so... so low... you in the
10 past have had difficulty recruiting. You seemed to
11 have dealt with that issue in a productive way, but
12 I'm wondering if now the problem we really need to
13 focus on the issue of retaining and all this effort
14 that's going into recruiting is not creating just
15 some kind of revolving door that in the end really
16 isn't cost effective and also we're constantly
17 bringing new people onto the... onto the job. So I
18 would be interested in... in... in... in comparing the
19 turnover rate, the attrition rate, whatever would
20 be the appropriate term, between the school
21 crossing guards, the school safety officers, which
22 are full time positions and maybe most comparable
23 and... and the regular patrol force. And if you can
24 get that information for us that would also let us

1 know whether or not this agency that we're
2 overseeing has a retention and a turnover problem.

3 CHIEF MCNAMARA: Do you have that? Yes,
4 we can get that information.

5 COUNCIL MEMBER LAN
6 COUNCIL MEMBER AN:
7 Okay. Terrific. And then just getting to the... to
8 the two bills you know I'm surprised that the
9 department's objection to these bills on the
10 merits, but I have to say that we're now you know
11 you have... the department has a fantastic streak
12 going of not supporting a single bill that the
13 council has that relates to the police department.
14 And that's not on you, but you're the guy sitting
15 here so you've got to hear me say that. And it's
16 really unfortunate especially the issue of the
17 advisory board. I mean there are exists, at every
18 police precinct, an advisory board. It's called a
19 police community council and that involves members
20 of the public. This is an advisory board that
21 consists of three members of the same
22 administration. So I really cannot understand the
23 resistance to the council trying in this instance
24 to create a structure for better collaboration and
25 communication just within the same administration.

2 CHIEF MCNAMARA: Again... I... again we can
3 collaborate without a board so I mean it's kind of...
4 again you pick up that phone and talk to anybody.
5 It's always been that way.

6 COUNCIL MEMBER LANCOUNCIL MEMBERAN:

7 Well, I think that the reason that the sponsors put
8 in this legislation is because based on their
9 experience and our experience as council members,
10 and we all have terrific relationship with our
11 precinct commanders, but at the macro level based
12 on the hearings, and this now the first hearing by
13 a long shot on the issue of crossing guards, we
14 feel that there is... that phone is not being picked
15 up at the big picture level. And we would like to
16 see some kind of formal structure that is strictly
17 advisory, that includes only the members of the
18 Mayor's own administration, the school's
19 chancellor, the commissioner of the Department of
20 Transportation, the police commissioner, or their
21 designees and I can't understand why the department
22 can't support something as... as... as... unencroachful
23 [phonetic] it's not a real word, but I made it up,
24 as unencroachful as that. When it seems to survive
25 with you know public police community councils and

1
2 all the precincts that meet monthly and... and the
3 world has not come to an end. That's my statement
4 you're not required to answer it.

5 CHIEF MCNAMARA: Okay

6 COUNCIL MEMBER LAN: And
7 then lastly the same with... with... with the map you
8 know I don't understand... could you just explain to
9 me I think I read in your testimony where you were
10 concerned that... that putting a map online or making
11 a map available would somehow interfere with the
12 department's latitude in where to place crossing
13 guards? How do you feel... how do you feel that
14 having... making... making it known where crossing
15 guards are deployed would interfere with your
16 ability to deploy them and move them as you see
17 fit?

18 CHIEF MCNAMARA: I believe that the
19 concern is that it would become a safety hazard if
20 we moved big school crossing guard or eliminated
21 one position creating it elsewhere that it could
22 create a safety hazard that someone thought there
23 was one there. [cross-talk]

24
25

2 COUNCIL MEMBER LAN COUNCIL MEMBER AN:

3 Sorry I missed the last part, would create a safety
4 hazard how?

5 CHIEF MCNAMARA: If somebody thought
6 that there was going to be a school crossing guard
7 at a location and there was no school crossing
8 guard at that location, that's all.

9 COUNCIL MEMBER LAN COUNCIL MEMBER AN:

10 Alright... well I... you know measured against the
11 public's right to know where their resources are
12 being spent, the council's right to know, and... and
13 the utility of... of knowing you know how the police
14 is... department is deploying its resources against
15 that somebody might go online make some kind of
16 decision about where they're going to walk on a
17 given day and then get there, not see a crossing
18 guard, and still think well you know it was on the
19 map so I... I must be okay; I think is really really
20 a stretch. And I wish that you would take it back
21 to the powers that be or the chain of command or
22 whatever term you use and say that there are so
23 many opportunities to cooperate and collaborate
24 with the council and these two bills are pretty
25 much the... the... the easiest softballs over the plate

1
2 that you're ever going to have. And I'd love to see
3 if the department came back and said here's some
4 construction I... constructive ideas for how we can
5 get from here to there. But thank you very much for
6 your testimony today.

7 CHIEF MCNAMARA: Thank you.

8 CHAIRPERSON GIBSON: Thank you very much
9 Council Member Lancman and I truly agree obviously
10 that these are very soft bills that we believe are
11 in the right direction of where we should be as a
12 city. And so I again offer and put on the table
13 that we are always up to future conversation on
14 enhancements, but the bottom line is we do need to
15 make sure we have an advisory council. And I
16 appreciate the work we're doing offline with the
17 agencies involved, but making sure that we have
18 something in place... is... is... is definitely the way
19 that we want to go moving forward. I wanted to ask
20 a quick question before I get to Council Member
21 Chin. And you mention that every month we lose
22 about 12 crossing guards. Right, on average?

23 CHIEF MCNAMARA: It's... it's an average,
24 yeah.

2 CHAIRPERSON GIBSON: Do you happen to
3 know because I think the Council Member asked the
4 average length in the department as a school
5 crossing guard? We have a lot of seasoned school
6 crossing guards that have been on the job well over
7 10, 15, 20 years some probably at 30. So do you
8 happen to know what the average 12 we lose per
9 month, are they new hires or are they seasoned
10 veterans that are leaving? Do you know?

11 CHIEF MCNAMARA: I'm sorry I don't have
12 that information, no.

13 CHAIRPERSON GIBSON: So when a school
14 crossing guard puts in papers for retirement,
15 right? Usually it's put in 30 days before they
16 actually retire?

17 CHIEF MCNAMARA: I believe city law says
18 that they have to give 30 days' notice.

19 CHAIRPERSON GIBSON: Okay so they know
20 that they're leaving in a month?

21 CHIEF MCNAMARA: Correct.

22 CHAIRPERSON GIBSON: Okay. So...

23 CHIEF MCNAMARA: After retiring, yeah.

24 CHAIRPERSON GIBSON: Right. So within
25 the 12 we lose a month on average, we don't yet

1 know if the 12 we lose are through retirement or
2 through just resigning.

3
4 CHIEF MCNAMARA: Well, on average... of
5 the 129 that we have lost through January through
6 November 31 retired.

7 CHAIRPERSON GIBSON: Okay so of the 129,
8 31 have retired.

9 CHIEF MCNAMARA: Mm-hmm, seven were
10 terminated, for various reasons, two died, six were
11 hired full time for other positions, and 83 just
12 resigned.

13 CHAIRPERSON GIBSON: Okay. 83, Okay.
14 Okay let me call on Council Member Chin followed by
15 Council Member Cornegy.

16 COUNCIL MEMBER CHIN: Thank you Chair.
17 Thank you for holding this important hearing and I
18 also want to also thank you and Council Member
19 Lander for your leadership on this issue. I
20 represent... Chief I represent lower Manhattan so you
21 already mentioned two of my precinct; the 5th and
22 the 7th. But I also have the 1st precinct in my
23 district and the streets down here in lower
24 Manhattan are congested, they're busy and I have a
25 lot of schools down here. For example, one of the

1 school on Spruce Street, The Spruce Street School
2 PS397 is open for more than 5 years and we're still
3 waiting for a crossing guard there. Because of
4 incident... traffic incident that happen there... we
5 had two major crashes occur in the vicinity of the
6 school. In 2012 a UPS worker was killed when a SUV
7 jumped to the sidewalk where he stood way across
8 the street from the school. And then last April we
9 had a vehicle coming down the street and he struck
10 a woman a couple feet from the entrance of the
11 school, forcing parents, teachers, and staff to run
12 for their life. DOT had put in because of all the
13 incidents, had put in another traffic light in that
14 area but we're still waiting for crossing guard.
15 And I have a new school that just opened up... the
16 Peck Slip school just opened up in September, no
17 crossing guard. I mean it's a new school we know
18 that it was coming... We have no crossing guard and
19 half the parents and principal, and Community Board
20 1, local elected official, we all complain and... The
21 precinct assign traffic agent there while we're
22 waiting for crossing guards. But the traffic agent
23 is not there every day and the Peck Slip school is
24 right off the Brooklyn bridge.
25

2 CHIEF MCNAMARA: Mm-hmm.

3 COUNCIL MEMBER CHIN: So there a lot of
4 traffic you know coming through. And parents who
5 are bringing their kids, crossing with their kids
6 were telling us how dangerous it was. This is not
7 crossing by themselves, it's... they have adults. The
8 parents are crossing with them and they say cars
9 were just zooming. So, we just want you to feel the
10 sense of urgency. I mean we're talking about our
11 children going to school. We want to make sure they
12 get there safely. So the legislation asks about you
13 know the advisory board. It's like really for the
14 agency to come together and have some really
15 serious conversation. There's something is not
16 going right here with the bureaucracy. The precinct
17 captain... You know they tell us look we need help
18 with recruitment parents help with recruitment they
19 got tons of resume. Why we still waiting? Pay is
20 very bad and hours is not good. So we got to figure
21 a way to make it a more attractive position. I
22 think that... that's what the advisory board can help
23 with three major agencies that's involved in this
24 to really have a serious discussion. Can these
25 crossing guards become full time or can they be you

1
2 know traffic agents that they could assign to do
3 other responsibility during the day after they do
4 this crossing guard responsibility in the morning?
5 Or DOE can they be assign inside the school to
6 help? Or DOT, can they be you know traffic agents
7 in other part of... of the district where you need
8 people to direct traffic. So... so we're missing that
9 kind of discussion. It's been going on over and
10 over again. And I don't know somehow we have this
11 views of crossing guard are they're not important
12 or they're just people who are... so like
13 volunteering part time you know with this low pay.
14 They're standing there with a stop sign. No, I mean
15 they are... those are important positions. So that's
16 why we feel the frustration... been asking and
17 calling and asking and calling. Right now the
18 school started in September. This is December. We
19 still don't have a crossing guard.

20 CHIEF MCNAMARA: I believe he was
21 traffic agents at both those schools, at Peck and
22 Water and Spruce and... I can't think of... [cross-
23 talk]

24 COUNCIL MEMBER CHIN: But the traffic
25 agents there is not every day. So it was like okay.

2 CHIEF MCNAMARA: They should be. And if
3 they're not then I would reach out to the precinct
4 commander. But we are... I'm hoping that there are
5 people in a pipeline to be hired for those
6 locations. The positions were only authorized in...
7 July. So I'm hoping that there are people in the
8 pipeline. Again the first precinct is a more
9 affluent area also. So there could be some
10 difficulties but I'm hoping that there are some in
11 the pipeline. Well we just urge you to do it as
12 quickly as possible.

13 CHIEF MCNAMARA: Yes, Ma'am.

14 COUNCIL MEMBER CHIN: Because I think
15 there was a promise... okay by the end of the year.
16 We're... we're getting close to December 31st. I'm
17 not talking about the end of the school year. But
18 it... because I... I just wanted to impress upon you is
19 that elementary school not every parents accompany
20 their kids to school. So the older kids who are
21 older you know fourth grade fifth grade they might
22 be going there by themself.

23 CHIEF MCNAMARA: We understand that
24 Council... [cross-talk]

2 COUNCIL MEMBER CHIN: Yeah so we want to
3 make sure that crossing guards are available. But I
4 really urge you to look at our legislation and see
5 how between NYPD, DOE, and DOT come up with some
6 suggestions how to help create a better position.
7 Because I think the... the old days of the crossing
8 guards got to go. We got to find a new way of
9 creating better position. And this should be full
10 time position. It should be better pay. And I think
11 that that will alleviate some of the recruitment
12 problem and the retention problem because we have
13 other schools... like I have a school in Battery Park
14 City. The crossing guard is sick, that's it. No
15 substitute. So how could that be? Right? So I think
16 that... I really urge you to go back and really talk
17 between the three agency to really help us create a
18 better way of providing this important service to
19 our district. Thank you.

20 CHAIRPERSON GIBSON: Thank you Council
21 Member Chin. And let me thank you very much Council
22 Member. You and especially the community leaders
23 from District 1. We had a press conference about a
24 couple of weeks ago and we really talked about the
25 lower Manhattan area. And the council member just

1 highlighted one instance of having one of those 50
2 locations where the TEA is not there every day. And
3 in place of the crossing guard who should be and
4 would be there every day why do we have instances
5 where TEA assigned to a location is not at that
6 location every day?
7

8 CHIEF MCNAMARA: That would have to...
9 individual day I would have to get a phone call and
10 check and... [cross-talk]

11 CHAIRPERSON GIBSON: Okay.

12 CHIEF MCNAMARA: ...check. And that should
13 be on the precinct to call and ask why he's not... he
14 or she is not there.

15 CHAIRPERSON GIBSON: Okay. And they
16 should be?

17 CHIEF MCNAMARA: Mm-hmm.

18 CHAIRPERSON GIBSON: So there are... there
19 could be instances where the commanding officer
20 will pull that TEA to another location? Because
21 clearly... [cross-talk]

22 CHIEF MCNAMARA: No... no the... the... No, no
23 that shouldn't be an issue.

24 CHAIRPERSON GIBSON: Okay so... well what
25 I'm trying to ask is if the TEA is not there were

1
2 they pulled away by the CO or did they not show up
3 for work? I mean I know you obviously wouldn't know
4 but I'm just... [cross-talk]

5 CHIEF MCNAMARA: No.

6 CHAIRPERSON GIBSON: ...saying that if we
7 have 50 locations we have identified where we are
8 going to permanently put a school crossing guard
9 and we have TEAs that are there we expect them to
10 be there every day. So I want to make sure with
11 those 50 locations those COs know how important it
12 is to make sure those TEAs are there. I mean I... I
13 know they do but you know the council member just
14 described an instance where the TEA wasn't there
15 and they should have been.

16 CHIEF MCNAMARA: They... they are actually
17 under the Chief of Transportation. And Chief Chan
18 is very aware of how important this is. So it...
19 it's... it's there. They should be there. I can't say
20 on a specific day why one post is... [cross-talk]

21 CHAIRPERSON GIBSON: Right.

22 CHIEF MCNAMARA: ...not covered. But again
23 it should be call the precinct CO. He can get ahold
24 of whoever he needs to get ahold of whether it's
25 Inspector Pilecki in Transportation.

2 CHAIRPERSON GIBSON: Okay.

3 CHIEF MCNAMARA: That they kind of work
4 for and it... it's... that can all be sort... And... and
5 people do go sick and they could be shorthanded.
6 There could be a water main break somewhere. I
7 don't know exactly what happened, I'm only
8 speculating why... [cross-talk]

9 CHAIRPERSON GIBSON: Okay.

10 CHIEF MCNAMARA: ...they weren't there one
11 day when they should have been.

12 CHAIRPERSON GIBSON: Okay. And also we...
13 we will have a later panel and I know we have
14 representatives here from Local 372, the union of
15 DC37. They represent school crossing guards. And we
16 also have members of local community board one here
17 in Manhattan. And I really want to thank them
18 because you may not know but the 4,000 applicants
19 that you have, this local community board working
20 with many of the parents here in lower Manhattan
21 helped with potential candidates. So when that
22 4,000 pool you have many of the residents and
23 leaders of local Community Board 1 have come forth
24 to help. Because they know that this is a hard area

1
2 to attract and they have helped you with applicants
3 to become school crossing guards so...

4 CHIEF MCNAMARA: Alright thank you all.

5 CHAIRPERSON GIBSON: ...I want to make
6 sure you know that and put it on the record because
7 we are helping. And you know I want to make sure
8 that's clear. We know that you know there's a
9 collaboration here and it's not just the police
10 department, DOE, and DOT and SCA. But it's also the
11 community residents and parents that want to help.
12 And so I saw some of those applications. Some of
13 them came from my district in the Bronx. So I'm
14 very you know happy and pleased that community
15 residents are engaging in this process because they
16 too want to help to keep our children safe. So I
17 wanted to make sure you guys knew that they're
18 helping you.

19 CHIEF MCNAMARA: We...

20 CHAIRPERSON GIBSON: Okay?

21 CHIEF MCNAMARA: ...we know. Thank you
22 very much Ma'am.

23 CHAIRPERSON GIBSON: Okay. Next we'll
24 have Council Member Cornegy.
25

1
2 COUNCIL MEMBER CORNEGY: Good morning
3 Chief.

4 CHIEF MCNAMARA: Good morning Sir.

5 COUNCIL MEMBER CORNEGY: I want to first
6 thank the chairs and these sponsors of these two
7 bills. I'm a well-known father of six and who
8 has... who has a few children still left in the DOE
9 school system. And I would be remiss if I didn't
10 start my comments by saying that I want to really
11 thank the men and women who are crossing guards.
12 They... they perform their duties under very extreme
13 circumstances whether it be weather, sometimes
14 irate parents, sometimes parents rushing to get
15 their children to school and do not want to obey
16 the rules that are put forward. So really my job in
17 my household is delivery of children in the
18 morning. So I get to see kind of from a bird's eye
19 view what... what they're dealing with. But I wanted
20 to ask a couple of legit... logistical questions that
21 I wasn't sure about.

22 CHIEF MCNAMARA: Yes, Sir.

23 COUNCIL MEMBER CORNEGY: So in a
24 building that's K to eight on one corner there's a
25 school crossing guard where the entrance is for

1 kindergarten through third or fourth grade. The
2 other entrance which is older children doesn't have
3 a crossing guard. Is that part of the deployment
4 strategy? I thought I heard you mention earlier
5 that where there are older children there may not
6 be a crossing guard because there's a determination
7 that they should be able to cross themselves. Is...
8 and if that is true the only problem I have with
9 that is some of those children who are going to the
10 entrance for younger children still have to cross
11 that street to get there. So... so I've seen it in my
12 district which is Bedford-Stuyvesant in Crown
13 Heights where you know the... the one entrance is
14 well manned well taken care of and... but the
15 entrance doesn't have a crossing guard where... where
16 older children enter. Is it the... the deployment
17 strategy of the department? Is that the deployment
18 strategy of the department or should I be fighting
19 for another agent on that... that... the opposite
20 corner?

21
22 CHIEF MCNAMARA: Best way to find out is
23 talk to the local precinct commander. We aim at...
24 mostly at grammar schools. Again for the form...
25 aforementioned reasons that you know pre-k, three

1 four-year-old they're generally escorted by an
2 adult. High school students we would assume would
3 have the wherewithal to cross the street.
4 Intermediate schools we do have some posts
5 assigned. So without knowing the plan for that
6 precinct is there a post that's supposed to be
7 there, talk to your precinct CO. And if you think
8 there's a need there then by all means we'll take a
9 look at it.
10

11 COUNCIL MEMBER CORNEGY: No problem. And
12 I... I just have a question. There has been some talk
13 in my district about whether or not school crossing
14 guards are allowed in the school building. And I
15 just wanted to clear that up. Is that... is that true
16 or false?

17 CHIEF MCNAMARA: Well I believe that
18 would be DOE. I... I think the issue at one time was
19 that someone suggested having them check in at the
20 local school but that was kind of... because there's
21 no MOU similar to what there is with school safety
22 that was kind of pushed off. But I could be wrong.

23 COUNCIL MEMBER CORNEGY: So... so that was
24 brought to me as a potential deterrent for why
25 people don't want to do the job because they feel

1
2 estranged from the entire process that they're not
3 allowed on DOE grounds. And I don't know if that's
4 true or false. I'm... I'm just asking.

5 MARK RAMPERSANT: Yeah I don't know if
6 that's accurate. And... and when we say not allowed I
7 would respectfully if we can have clarity as it
8 relates to not allowed from the police department
9 not allowing them to access the school or principal
10 not being... [cross-talk]

11 COUNCIL MEMBER CORNEGY: Right the DOE
12 personnel not allowing...

13 MARK RAMPERSANT: Yeah not...

14 COUNCIL MEMBER CORNEGY: ...them to enter
15 the... [cross-talk]

16 MARK RAMPERSANT: There's nothing
17 official that says that anywhere that they're not
18 allowed in schools. One of the things that we do
19 encourage is that the school safety agent remain
20 focused on his her roles and responsibilities. So
21 if the crossing guard is there and is sort of
22 keeping the company of the SSA that can be a
23 distraction. But I don't know of anything that the
24 Department of Education put out or any principal
25 who has disallowed the crossing guard access to the

1 building. In many schools that I go to crossing
2 guards are either volunteering or they are in there
3 for the purposes of shelter. So there is nothing
4 official that says that they can't be in the
5 building.
6

7 COUNCIL MEMBER CORNEGY: Okay thank you.

8 MARK RAMPERSANT: Yeah.

9 COUNCIL MEMBER CORNEGY: Okay.

10 CHAIRPERSON GIBSON: So I just want to
11 call your attention, to make sure you're aware. But
12 the NYPD's administrative guide there's a section
13 called Duties and Responsibilities, Procedure
14 number 303-06 that took effect June 25th, 2010 that
15 says school crossing guards are only assigned to
16 intersections at school crossing, though in
17 addition school crossing guards are not permitted
18 to enter schools. So it's the administrative guide
19 in the NYPD that says that crossing guards are not
20 allowed to enter schools. So I just wanted to make
21 sure you are aware of... of that.

22 COUNCIL MEMBER CORNEGY: So... I'm sorry
23 Madam Chair since... since that was cleared up can I...
24 can I continue my line of...

25 CHAIRPERSON GIBSON: Sure, sure.

2 COUNCIL MEMBER CORNEGY: ...questioning
3 then? So that then becomes... so I... I often in these
4 hearings will... while the hearing is going on do a
5 social media experiment and reach out to my social
6 media and ask a question that they would have asked
7 if they were in the room. And that was actually the
8 question that I chose to ask on behalf of a
9 follower who actually works within the department
10 to some degree and... and mentioned in their post to
11 me that... that they feel like that... kind of a
12 strain... you know being estranged from the entire
13 environment is a deterrent to people actually
14 taking the job. So I just wanted to... to point that
15 out.

16 CHIEF MCNAMARA: And I appreciate...
17 actually and that is news to all of us here. So I'm
18 not sure what the basis of that was. And I am aware
19 that some of our school crossing guards volunteer
20 in the local schools. But... so the basis of that I
21 can't say.

22 COUNCIL MEMBER CORNEGY: So having said
23 that I would like to see if we could potential
24 review that to some degree to see what the... if
25 there was a safety issue or what the actual premise

1
2 for that being in... in the administrative code was
3 and see whether or not you know we're at a point
4 in... in the city's kind of positioning that we could
5 review that again.

6 CHIEF MCNAMARA: Absolutely.

7 COUNCIL MEMBER CORNEGY: Thank you.

8 CHIEF MCNAMARA: Absolutely.

9 COUNCIL MEMBER CORNEGY: Thank you.

10 CHAIRPERSON GIBSON: Chief I just wanted
11 to ask a question about the... in your testimony you
12 talked about the precinct level traffic safety
13 strategy that's set up. So every command has a
14 traffic safety strategy right? Based on the factors
15 demographics, population of that particular
16 command.

17 CHIEF MCNAMARA: Traffic patterns,
18 commercial routes, bridges, tunnels... sure yeah.

19 CHAIRPERSON GIBSON: Right. So it's
20 composed by... commanding officer, the executive
21 officer, right, the ExO, the school team of police
22 officers that are assigned to the schools in that
23 command, right, to the school team in that command,
24 and community affairs officers at the precinct
25 right? That's what your testimony... [cross-talk]

2 CHIEF MCNAMARA: And there's a Sergeant,
3 yes in the school safety... [cross-talk]

4 CHAIRPERSON GIBSON: Right.

5 CHIEF MCNAMARA: ...school team yeah.

6 CHAIRPERSON GIBSON: So in this traffic
7 group is there anyone that's not NYPD that's a part
8 of this?

9 CHIEF MCNAMARA: The traffic group or
10 the traffic plan is... is based upon I guess the
11 traffic stat... initiated.

12 CHAIRPERSON GIBSON: Okay. Right based
13 on data.

14 CHIEF MCNAMARA: And again it's... schools
15 would enter into it because of the... the children
16 and the routes and the location, sensitive
17 locations. But it's... that is more based on the
18 traffic patterns and accidents etcetera. So it... it
19 touches on the school issue but it's more traffic..
20 traffic centric or traffic focused.

21 CHAIRPERSON GIBSON: Okay. So is there
22 any representation from the school crossing guards
23 themselves? Are any school crossing guards a part
24 of it? Like if I work at the 2-3 am I a part of the
25 traffic safety strategy?

2 CHIEF MCNAMARA: No but generally it
3 would be people that supervise the school crossing
4 guards would be involved in the school's... in the...
5 in the traffic plan.

6 CHAIRPERSON GIBSON: Okay. So I guess
7 what I'm angling at is with a lot of the
8 conversation on traffic patterns, you know
9 pedestrian vehicular crashes and crash data the
10 supervisors that oversee the school crossing
11 guards, I want to make sure that there's input
12 given from school crossing guards. So even outside
13 of looking at data but just different occurrences
14 that school crossing guards witness themselves
15 that's not a part of data, is that information
16 translated to this working group?

17 CHIEF MCNAMARA: It should be
18 transmitted through the people that sign their
19 books and people that visit them on post, sure. If
20 you have concerns speak to the supervisor and then
21 it could be relayed to them. But again... [cross-
22 talk]

23 CHAIRPERSON GIBSON: Okay.

24 CHIEF MCNAMARA: ...if it's a... if it's a
25 something major, we're aware of it. And not me

1 specifically but within the precinct they do
2 monitor this fairly closely.

3
4 CHAIRPERSON GIBSON: Okay well I... and
5 also want to... [clears throat] ...ask as well I mean
6 data is great in terms of determining you know
7 decisions that we make in resources and head count.
8 But it's also real life experiences too.

9 CHIEF MCNAMARA: I agree.

10 CHAIRPERSON GIBSON: I live next to a
11 fire house and I live off an exit of a highway. And
12 there's a school across the street from me too. And
13 for the longest time we had an agent that had 30
14 years on the job and when she retired, put in her
15 paperwork she wasn't backfilled until about two
16 months later. And some of the traffic data wasn't
17 accounted because there were no accidents that
18 would be included. So what I said to my commanding
19 officer was you have truck traffic, people traffic,
20 fire truck traffic, and all kinds of traffic. And
21 before we wait for accidents to happen I wanted to
22 make sure that we could be preventative. And so
23 that's the reason why I ask the question because
24 the school crossing guards see the traffic every
25 day. And absent of having an accident I want to

1
2 make sure that if there were different instances
3 and occurrences that they see themselves that
4 information goes back to the command so that the CO
5 and this traffic group understand that this could
6 be an area of greater concern beyond what we
7 believe based on the data. Does that make sense?

8 CHIEF MCNAMARA: Yes, Ma'am.

9 CHAIRPERSON GIBSON: Okay.

10 CHIEF MCNAMARA: Absolutely.

11 CHAIRPERSON GIBSON: Okay. And do you
12 know with this traffic strategy group do they meet
13 and report to like precinct council? So I go to my
14 precinct councils every month. My commander officer
15 is usually there at my transit district as well.
16 But I don't always remember seeing my officers talk
17 about like school crossing guards and some of the..
18 the factors and other things. So is that something
19 that happens ongoing or on an as needed basis?

20 CHIEF MCNAMARA: The traffic focus is
21 ongoing.

22 CHAIRPERSON GIBSON: Okay.

23 CHIEF MCNAMARA: It... it's generally
24 spear... spearheaded by the executive officer in the
25 precinct. The Commanding... [cross-talk]

CHAIRPERSON GIBSON: Right.

CHIEF MCNAMARA: ...Officer is still oversight and he ends up in traffic... quite frequently but it's probably the executive officer. And if you want to hear about traffic patterns and problems and if you want to hear about school crossing guards just give your CO some advance notice.

CHAIRPERSON GIBSON: Okay.

CHIEF MCNAMARA: And they'll discuss it. Because normally people want to hear about crime. And then they have community events at the community council meetings. You know again if you want to talk about it just give them some advance notice and he'll probably have the ExO do a presentation on traffic patterns, where the problems are, accident prone locations, corridors. You know and all of this stuff is... it can get fairly deep. I mean if you want probably they could take up hours and... which it put everybody to sleep you know unfortunately. It's... it's... it can get tedious in how many summonses and etcetera at each location. So it is a very lengthy process.

2 CHAIRPERSON GIBSON: Okay. Just one
3 final question. I know many of the instances around
4 working conditions of crossing guards that we have
5 talked about annualizing the pay so that many
6 crossing guards not working during the summer that
7 go on unemployment and have to pay their
8 healthcare. The weekly cap of ours that we have a
9 lot of that as obviously contract negotiations that
10 the administration works in concert with the local
11 union. So I wanted to make sure that we are open to
12 conversations around that because moving forward as
13 we talk about making the position more attractive.
14 I'm proud that we have the new hourly rate. We can
15 always do better and I think we always should
16 strive to do better. So I just want to make sure
17 that we are open to having future conversations
18 around improving a lot of these working conditions
19 and making sure that we can identify ways. So even
20 for applicants that may live in one command and not
21 want to work in that command we can make it a
22 little bit more attractive for them to travel... some
23 incentives that we can talk about around making it
24 more feasible for them to get to a location that
25 could be hard to attract. Does that make sense?

2 CHIEF MCNAMARA: Makes perfect sense.

3 We're always open to conversations about improving
4 working conditions. Just to let you... note though we
5 do have summer employment for everybody that wanted
6 to work during the summer in different various
7 areas so that they wouldn't have to interrupt their
8 coverage or go on unemployment. But to improve the
9 working conditions we don't have any issues.

10 CHAIRPERSON GIBSON: Right. You know
11 I've heard that. And then I also know that there
12 are certain you know with the new school year and
13 you know with the new school year... and you know
14 this year we have two new Muslim holidays that we
15 have recognized in the school on the school
16 calendar. And so I mean there are a number of
17 holidays that school crossing guards do not work
18 because the school is closed and they are not paid.
19 And other employees of the city, of the department
20 are off work and they are paid. So that's just one
21 of a long list of working condition items that I
22 want to make sure is added to the list so that you
23 understand that it's things that we will be talking
24 about and obviously advocating strongly for.

25 CHIEF MCNAMARA: Yes, Ma'am.

2 CHAIRPERSON GIBSON: Okay?

3 CHIEF MCNAMARA: Thank you very much.

4 Council Member Lander.

5 COUNCIL MEMBER LANDER: Just building on
6 this line a little bit of thinking about things we
7 could do that will help fill out the job in a way
8 that... I mean obviously we want people also... You
9 know I think it would be better if we get these
10 toward... either part time where people want them but
11 toward more time at least where that's what someone
12 is looking for in order to stay doing the job. So I
13 want to think for a minute about other kinds of
14 tasks and this... well let me start with... the 25-hour
15 cap is per the contract. Is that right? You're not
16 allowed under the contract to retain people for
17 more than 25 hours a week.

18 CHIEF MCNAMARA: It's contractual...

19 [cross-talk]

20 COUNCIL MEMBER LANDER: Is there a... are
21 you aware... is there a reason for that that you're
22 aware of?

23 CHIEF MCNAMARA: I don't know Sir.

24 COUNCIL MEMBER LANDER: No, okay. So
25 because it... it does... I... I... I understand... [cross-

2 talk] why at some schools you would just have
3 people on the morning shift and the afternoon shift
4 and that might not add up to more than 25 hours.
5 But it's true also that at some schools the kids go
6 out for lunch. At some schools the kids are there
7 later into the afternoon for afterschool
8 activities. So there might be a school where you...
9 it made sense to have a crossing guard for a few
10 more hours a day and it would add up to more than
11 25 hours a week.

12 CHIEF MCNAMARA: That would... I guess...
13 I'm being advised that 25 hours is the part time
14 limit. So that'd just be the difference between...
15 contractually it's a difference between part time
16 and full time.

17 COUNCIL MEMBER LANDER: Okay. So I think
18 one thing Madam Chair that we could just explore is
19 there... I mean it makes sense to have some of these
20 be part time positions but it might make sense for
21 some of them to be full time positions. And then
22 people that were looking for full time employment
23 might be able to move into it. That would be at
24 schools again that presumably either had a lunch
25

2 time where the kids went out and/or after school
3 hours that required a crossing guard.

4 CHIEF MCNAMARA: That's possible.

5 COUNCIL MEMBER LANDER: Okay. And
6 obviously you know there might be things that they
7 can do in the school as well. Those would not be
8 crossing guard duties but you have school safety
9 agents in the school and DOE has a lot of other
10 needs in the school so you know there's... there's
11 lunch... there's lunch time work. Because anyway...
12 there's no... and I know there's a lot to do in the...
13 in the schools. My last question on this is... I
14 also... DOT you've got... you've got school crossing
15 guards and you've got then traffic agent you know
16 enforcement agents who you may... you like... you're
17 deploying at the 50 locations. But DOT also has
18 some personnel that cover intersections that... that
19 are like intersection... and don't... aren't the... when
20 I go out Murray and make a left on west in the
21 afternoon isn't that a DOT personnel at that...

22 KIM WILEY-SCHWARTZ: If it is I... I
23 honestly don't know about...

24 COUNCIL MEMBER LANDER: But aren't there
25 some DOT personnel who do intersection safety?

2 KIM WILEY-SCHWARTZ: I... I mean maybe
3 what you're thinking of is the... there are some
4 people who are managing pedestrians.

5 COUNCIL MEMBER LANDER: Okay, yes.

6 KIM WILEY-SCHWARTZ: So that... those
7 aren't DOT employees. Those are a third party
8 contract like around the World Trade Center for
9 example. Is that what you're thinking of?

10 COUNCIL MEMBER LANDER: Yeah... well yeah
11 so I think that's what... they have a vast... I'm
12 pretty sure.

13 KIM WILEY-SCHWARTZ: Yeah... they're...
14 they're third party. They're pedestrian management.
15 I think people like Sam Schwartz's group train and
16 provide those. So that's outside of our
17 jurisdiction.

18 COUNCIL MEMBER LANDER: You con... you
19 contract for pedestrian... [cross-talk]

20 KIM WILEY-SCHWARTZ: We could be the
21 people... [cross-talk]

22 COUNCIL MEMBER LANDER: ...safety work...
23 [cross-talk]

24 KIM WILEY-SCHWARTZ: ...contract I'm not
25 sure... [cross-talk]

2 COUNCIL MEMBER LANDER: ...at some...

3 [cross-talk]

4 KIM WILEY-SCHWARTZ: ...honestly I'm not
5 sure who does that. But we may have something to do
6 with it.

7 COUNCIL MEMBER LANDER: Okay.

8 KIM WILEY-SCHWARTZ: Sure.

9 COUNCIL MEMBER LANDER: I'm just trying
10 to... you know that's another thing I've seen where
11 people have... I don't know what folks are paid or
12 what their jobs are. I... this just all goes to this...
13 this challenge that we have that... and I think you
14 rightly stated it right at the beginning. You know
15 we had this job has been a certain kind of thing
16 for many years. And the fact that... part of the
17 retention challenge is that there are some people
18 who are glad to stay in that job for many years but
19 for some people they need to feed their families
20 and pay their rent and if they can get a better job
21 they're going to take it. And if we can think in
22 ways that still do good for the city, fill tasks we
23 need done we should look for opportunities. So one
24 thing that seems to me we should do is look again
25 at lifting the cap and making it possible for

2 people in the right circumstances to do this as
3 full time work and that would help us with
4 retention presumably in some cases.

5 CHIEF MCNAMARA: Okay, alright.

6 COUNCIL MEMBER LANDER: Thank you. Thank
7 you Madam Chair.

8 CHAIRPERSON GIBSON: Thank you so much.

9 So we have two more panels and before you leave I
10 just wanted to certainly thank you all for being
11 here; DOT, DOE, and the NYPD. We have had a lot of
12 progress. So I give you a lot of credit for
13 recognizing the importance of school crossing
14 guards. The fact that we have attempted and are
15 still working to make this a very attractive career
16 driven opportunity we are looking at our
17 challenging precincts and we're trying to find ways
18 I just really encourage you to not only look at
19 these two pieces of legislation in a way that can
20 work to your best ability. Getting you on board
21 would be great because our tracking record with the
22 department on legislation around public safety is
23 not good and I want it to be better. I think the
24 advisory board as well as the deployment max are...
25 are great tools that we can use. And we understand

1 that you know we have situations that fluctuate.
2 Times change. You know we certainly don't want to
3 anything to impede on the work you're doing but we
4 want to enhance the work that you're doing. And we
5 want to make sure that we have very stringent
6 collaborations in place within the same
7 administration. And so as we continue to talk... I
8 mean we have 77 positions that we will fill which I
9 think is great when you look at you know over 2,000
10 school crossing guards I am grateful because I know
11 we have made a lot of... lot of progress. But we
12 still have a lot of work to do. We still have some
13 challenges within the working conditions and the
14 climate in which we have school crossing guards.
15 I'm... I'm thankful that you know our school crossing
16 guards do this work every day and I certainly hope
17 they know that we're having conversations about
18 their best interest. And we also want to make sure
19 we hear from them. There were so many stakeholders
20 that want to help us and they want to be involved
21 in our communities and in our clergy councils and
22 precinct councils. And so I continue to encourage
23 you to do that. The Department of Ed... every year
24 we're opening brand new schools. We have schools
25

1
2 undergoing construction. So I have a lot of my
3 principals complaining about the scaffolding and
4 how it creates shadows and dangerous situations. I
5 mean these are things that our crossing guards deal
6 with each and every day. And so I want to make sure
7 they understand that we are having conversations
8 about their best interest and about the future. So
9 I thank you all and you know this is not the last
10 time we will speak. I really encourage you to take
11 a... a deeper look into the legislation and offer us
12 opportunities where you think we can make
13 alternative proposals because we want to make sure
14 that we can get you guys on board to a place where
15 there is common ground and agreement. So thank you
16 so much for being here and we look forward to
17 working with all of you. Thank you again.

18 CHIEF MCNAMARA: Thank you.

19 CHAIRPERSON GIBSON: And as you leave if
20 I could just ask a... a slight favor. It would be
21 very helpful if I could have someone remain behind
22 so that you can hear the very important testimony
23 from Local 372 from some of our school crossing
24 guards as well as our community residents. So we
25 want to make sure that you hear from the people

1
2 that we serve. So if you can designate someone to
3 stay behind I'd really appreciate that. Thank you
4 so much. Okay so we have two more panels. And the
5 first panel that we are calling to the front is
6 Martha Ayon from Local 372 DC 37, Denise Ferrante a
7 school crossing guard Local 372 of DC 37, and Diana
8 Howard from Manhattan Borough President Gale
9 Brewer's Office. Please come forward. Okay ladies I
10 have Martha, Denise, and Diana? Oh, okay Diane,
11 great, thank you so much ladies. Martha you can
12 start.

13 MARTHA AYON: Hi, good afternoon
14 everybody. I'm going to be speaking on behalf of
15 Denise due to NYPD's policy of their employee is
16 not allowed to criticize or offer opinions. So she
17 is allowed to speak about her personal experience
18 and things that she's gone through so you're
19 welcome to ask her questions but I'll be providing
20 her testimony. Good afternoon Public Safety
21 Committee Chair Vanessa Gibson, Council Member Brad
22 Lander, and the distinguished members of the
23 committee. I'm going to speak on behalf.. My name is
24 Denise Ferrante and I am the Chapter Chair of the
25 school crossing guards of Local 372. On behalf of

1
2 our President Shaun Dion Francois the first I would
3 like to thank you for the opportunity for providing
4 testimony support of Intros 983 and 992. I've been
5 a crossing guard for five years at the 123 precinct
6 which is located in Staten Island. I've experienced
7 pedestrians using their cars to try to remove me,
8 been cursed at, and disrespected all while trying
9 to cross children and parents every day. I have a
10 special relationship with my parents and children
11 because I am their first line of defense against
12 cars. Most parents in Staten Island cause major
13 traffic issues every day by double and triple
14 parking at bus stops crossing children at main
15 intersections without any supervision from NYPD,
16 crossing guards, or crossing children themselves
17 due to lack of crossing guards. As the chapter
18 chair I represent close to 25 hundred school
19 crossing guards who serve students and the public
20 across the five boroughs. School crossing guards
21 are the first line of defense against the dangerous
22 traffic patterns in the city for the city's 1.2
23 million children travelling to and from school.
24 These hardworking men and women making under 15
25 dollars an hour protect our children from the

1
2 city's most dangerous intersections. We cross all
3 children whether they're charter school, parochial,
4 or public school children and their parents every
5 day and are capped at only five hours. There is no
6 doubt that providing comprehensive safety measures
7 for all skiddy... New York City's children is the
8 first and most significant step in allowing for
9 educational success between NYPD, Department of
10 Education, and Department of Transportation. We
11 must work together to better determine where school
12 crossing guard placements are needed. There have
13 been instances of new schools opening without...
14 before traffic studies have ever been completed
15 resulting in school children left to fend for
16 themselves for several weeks or months before
17 school crossing guards deployed. Additionally,
18 there is... it's imperative that all parties were
19 made aware of the challenges facing school crossing
20 guards on a daily basis. This way dangerous
21 situations can be averted such as the city's
22 failure to temporarily fill posts on days when
23 school crossing guards call out sick. The NYPD
24 faces an ongoing vacancy challenge with school
25 crossing guards. We... we strongly urge the city to

1
2 establish a school crossing guard floaters program
3 for... in each precinct so that there's always
4 coverage for every school to protect the children.
5 In many instances the city is unaware of the
6 working conditions which make these job postings
7 very difficult to fill such as a 25-hour cap per
8 week, the 16 unpaid Department of Education
9 holidays, and the out of pocket healthcare costs in
10 the summer. Seamless education and coordinated..
11 coordination between the city's agencies can be
12 achieved through the establishment of a school
13 crossing guard advisory board as well as require
14 transparency reporting on progress. While Local 372
15 supports both bills being heard we urge the
16 committee to amend Intro 983 to open up the
17 conversation for the labor force to be considered.
18 If in search of optimum solutions interested
19 stakeholders must have a seat at the table. It is
20 our union's duty to work closely with our members.
21 And our team at Local 372 possess an unprecedented
22 understanding of the school crossing guards'
23 responsibilities, working conditions, as well as
24 stumbling blocks. Excluding the actual labor from
25 these conversations will provide a major setback in

1 making progress towards the safety of all New York
2 City children. Again I want to thank you for the
3 opportunity to... providing testimony in support of
4 Intro 930... 983 and 992. On behalf of Local 372
5 school crossing guards we want to especially thank
6 the bill's sponsors Council Member Gibson and
7 Lander for their hard work and understanding of
8 this very important issue.

10 CHAIRPERSON GIBSON: Okay. Thank you
11 very much. Thank you.

12 MARTHA AYON: You have any questions or...

13 CHAIRPERSON GIBSON: Well if... if she
14 wants to say anything for the record I'm going to
15 have the borough president's staff speak and then
16 we'll get to questions.

17 DIANA HOWARD: Thank you Chair Gibson.
18 Again my name is Dianna Howard. I work in the
19 Community Affairs Unit for the Borough President
20 and I am here to speak on her behalf in favor of
21 these two intros. Good morning. I'd like to thank
22 Chair Gibson and... and the other Council members on
23 the committee of public safety for allowing me to
24 speak today to extend my support for an advisory
25 board in a reporting system on crossing guard

1
2 deployment. I would like to stress the importance
3 of having crossing guards at New York City public
4 schools where student safety must be top priority.
5 Over the past year my office has received dozens of
6 complaints about the lack of crossing guards
7 available for duty especially during hectic morning
8 and dismissing hours of school day and especially
9 in busy neighborhoods like lower Manhattan for
10 example. With escalated pedestrian and car
11 congestion we are faced with daily dangerous
12 situations for students, parents, and staff.
13 Recently opened PS 334, I'm sorry 343 Peck Slip
14 School. and the nearby PS 397 Spruce Street School
15 have struggled to obtain one crossing guard at each
16 location even after a fatal incident in 2012 and
17 subsequently a hit and run in 2015 resulting in
18 serious injuries near PS 397 there have been no
19 measures taken to secure position in a clearly
20 hazardous environment. This is unacceptable. PS
21 276, the Battery Park City School, has pushed for
22 an additional crossing guard at a nearby
23 intersection on Route 9A, a road built to state
24 highway standards near the Battery tunnel. Despite
25 major safety concerns PS276 comes out empty handed

1 on the matter. Crossing guards are an essential
2 part of the school community. Previous accidents,
3 injuries, and fatalities unfortunately serve as
4 examples provoking the need for more initia... for
5 new initiatives that protect the wellbeing of
6 pedestrians, especially children in the place of
7 education. Solutions must extend past budgetary
8 limits referred to by the NYPD. And most
9 importantly the community must be part of the
10 process in determining when the need for more
11 crossing guards is. As you all know the borough
12 president is a big advocate for open and
13 transparent government. But over the past eight
14 months as we've tried to help constituents get more
15 information about crossing guard deployment it was
16 even hard for our staff to get the necessary
17 information about where crossing guards are
18 deployed and where openings are. A supporting
19 system for crossing guard deployments would be an
20 invaluable tool to parents, administrators, and
21 even local elected officials. I am pleased to be a
22 part of the city council's effort in creating ways
23 to promote safety for New York City students. I
24 fully believe that advisory board and a reporting
25

1
2 system will increase effect... efficiency and aide in
3 securing crossing guards more comprehensibly
4 throughout the borough. Thank you for your time.

5 CHAIRPERSON GIBSON: Thank you very
6 much. Thank you ladies. I appreciate your presence
7 here and your testimony. And Ms. Denise while I
8 know you're limited in what you could speak about
9 certainly just wanted to ask just a couple of
10 questions and this... this hearing... I mean these two
11 bills obviously is propelling a very important
12 conversation but it's also highlighting a lot of
13 the challenges that we know our crossing guards
14 face. So you are on the borough of Staten Island
15 which is very very unique. It's a very high car
16 driven borough.

17 DENISE FERRANTE: Absolutely.

18 CHAIRPERSON GIBSON: I've heard from
19 many... not just elected officials but the community
20 education council out there about their frustration
21 with parents driving double triple parking. And
22 making some of the very dangerous conditions. So I...
23 I just wanted to... to ask in your five years serving
24 there in the 1-2-3 how have you been able to use
25 you know your skillset and your training to not

1
2 only protect the children you serve but protect
3 yourself as an individual from being hit, from the
4 truck traffic... I mean jus the high volume of cars
5 that you have to deal with. And again other
6 boroughs have other challenges but I think Staten
7 Island is very unique because you have much more
8 cars that you're dealing with on an everyday basis?

9 DENISE FERRANTE: We have a lot more
10 than normal. [coughs] Excuse me. [coughs] I'm on
11 Bloomingdale Road and Woodrow Road. That's where my
12 post is. [coughs] Sorry. We have New York City
13 busses on that corner. We have trucks, tractor
14 trailers. I'm at a new school which is isn't
15 finished with construction yet. There's trucks
16 coming in and out all day long. With all the
17 traffic I'm waiting for something to happen to
18 myself because I'm there by myself. There's only
19 one crossing guard. I just want to go back to what
20 somebody had said earlier about we take care of
21 traffic. We're only allowed to stop traffic. We
22 cannot push and pull traffic you know like if...
23 [clears throat]

24 CHAIRPERSON GIBSON: I get what you're
25 saying.

2 DENISE FERRANTE: You know I can stop
3 it. I can't tell you know you stop and come on to
4 the next person. So we will get in trouble for
5 that.

6 CHAIRPERSON GIBSON: How big is your
7 school?

8 DENISE FERRANTE: It goes pre-k to
9 Fifth.

10 CHAIRPERSON GIBSON: Okay so a couple
11 hundred.

12 DENISE FERRANTE: Right now it's not all
13 the way filled.

14 CHAIRPERSON GIBSON: Oh that's right you
15 said that they're...

16 DENISE FERRANTE: The green school on...
17 the new one on Staten Island.

18 CHAIRPERSON GIBSON: Okay.

19 DENISE FERRANTE: Yeah 62. It's
20 hazardous all over because of all the vehicles we
21 have on Staten Island. I was at another school last
22 year. They... four way stop sign at the school.
23 Nobody paid attention to it. It was a roll through
24 stop sign. So we have to fix this problem you know
25 with the... all this mayhem with these cars. The...

1
2 we're getting disrespected, cursed at in
3 intersections.

4 CHAIRPERSON GIBSON: Okay.

5 DENISE FERRANTE: I'm trying to think
6 what else. I think that's... oh and beyond... the 16 on
7 paid holidays...

8 CHAIRPERSON GIBSON: Mm-hmm.

9 DENISE FERRANTE: That's a little
10 ridiculous. You know all the teachers, the
11 staffers... everybody else gets paid for them except
12 us. We have to do unemployment. We have to do
13 unemployment. Unemployment came down hard on us
14 this summer with workforce telling us we had to go
15 in and go through a workforce program. Meanwhile
16 we... we do as lack of work in the summer.

17 CHAIRPERSON GIBSON: Right.

18 DENISE FERRANTE: When we do
19 unemployment. And they wanted us to come in to try
20 to get other jobs. So they wanted us go through a
21 training program.

22 CHAIRPERSON GIBSON: Okay.

23 DENISE FERRANTE: Meanwhile we had a
24 start date.

2 CHAIRPERSON GIBSON: Is that HRA? Or no
3 sorry the Department of Labor.

4 DENISE FERRANTE: Yes.

5 CHAIRPERSON GIBSON: Okay I'll make a
6 note of that. So what would you say... so a couple
7 of... of things. With some of the dangerous
8 intersections and in particular the school that
9 you're working at where you talked about your role
10 just being able to stop traffic but you can't
11 direct traffic..

12 DENISE FERRANTE: Right because we're
13 not a traffic agent.

14 CHAIRPERSON GIBSON: Right. So with the
15 work that DOT does in terms of putting in all way
16 stop signs, speed bumps, etcetera, some of the
17 streetscaping to slow and direct traffic in a
18 certain way what would you suggest to us as a way
19 to help in situations like yourself where you need
20 the support to protect yourself and children but
21 you have all these cars that you're like surrounded
22 by.

23 DENISE FERRANTE: Certain schools need
24 more than one guard. My intersection is a very big
25 intersection. They just changed the sign yesterday

1 right on red. The school's been open since
2 September. I physically have to throw myself in
3 front of the cars that are making the right on the
4 red to stop them... because they're not stopping so
5 roll through red. They... the sign says stop. Nobody
6 stops. I'm trying to cross children. I got two
7 lanes of traffic one way, two lanes of traffic the
8 other way, two coming at me, two different lanes
9 going this way, one crossing guard? They need to
10 hire more. I know we have six vacancies in my
11 precinct. They close a spot to put us in another
12 spot where it's needed.

14 CHAIRPERSON GIBSON: Mm-hmm.

15 DENISE FERRANTE: So we need more help.
16 We need more guards. We need more... you know being
17 that... especially that now these new schools are
18 being opened they supposed to stay later. I can't
19 work more than five hours. I got to walk away. I
20 don't want to walk away. I don't want to leave the
21 school there to 4:30 and... and nobody be there. I
22 feel like it's my responsibility not... so somebody
23 don't get hurt. So... but I have to... and by law I
24 have to.

25 CHAIRPERSON GIBSON: By law, right.

2 DENISE FERRANTE: They got to stop
3 putting the cap on the five hours.

4 CHAIRPERSON GIBSON: What made you
5 decide to be a school crossing guard?

6 DENISE FERRANTE: I was a stay at home
7 mother and... [cross-talk]

8 CHAIRPERSON GIBSON: Okay.

9 DENISE FERRANTE: ...I took my son to
10 school every day and I met the crossing guards that
11 were at my son's school and they said are you
12 crazy, go put in an application. And I did and I
13 got the job.

14 CHAIRPERSON GIBSON: Did you apply at
15 the local precinct?

16 DENISE FERRANTE: Yes, I did.

17 CHAIRPERSON GIBSON: So what do you
18 think about some of the suggestions that we're
19 making on... [cross-talk]

20 DENISE FERRANTE: I think they...

21 CHAIRPERSON GIBSON: ...alternative
22 measures.

23 DENISE FERRANTE: I think they're
24 excellent. I think... [cross-talk]

25 CHAIRPERSON GIBSON: Okay.

2 DENISE FERRANTE: I'm glad you're
3 standing behind us. We have somebody other than my
4 local standing behind us. I'd like to be on the
5 committee. I'd like to work with you guys. I'd like
6 to have some input.

7 CHAIRPERSON GIBSON: Got ya. So you see
8 this and you know we always talk about career
9 driven opportunities so you will... you see this as a
10 career right? You have five years in.

11 DENISE FERRANTE: Mm-hmm.

12 CHAIRPERSON GIBSON: And you expect,
13 right, with god's grace to... [cross-talk]

14 DENISE FERRANTE: To...

15 CHAIRPERSON GIBSON: ...sustain you
16 through, right?

17 DENISE FERRANTE: Absolutely if I don't
18 get hit by a car.

19 CHAIRPERSON GIBSON: Don't say that.
20 Don't say that. We're really trying to improve a
21 lot of the working conditions. I mean I know I said
22 to our minority leader earlier Steve Matteo and I'm
23 going to work with the Staten Island delegation
24 around specific needs that Staten Island has. You
25 know overall you know obviously the working

1
2 conditions, the cap annualization... all of those are
3 our priorities for everyone. But I do know that
4 Staten Island is very unique because of the
5 increased number of cars. So I want to try to work
6 with my colleagues to see what we can do in
7 particular for Staten Island to address a lot of
8 those needs that you... you experience every day.

9 DENISE FERRANTE: Absolutely I would
10 love that. I would... [cross-talk]

11 CHAIRPERSON GIBSON: Okay.

12 DENISE FERRANTE: ...love that. You know
13 somebody else to help us along the way is more than
14 I can ask for.

15 CHAIRPERSON GIBSON: Okay. So when the
16 chief talked about like on a monthly basis we lose
17 about 12 crossing guards a month on average. Some
18 of the reasons which he outlined that didn't cover
19 the majority of the guards that leave in... in a
20 yearly basis. So what would you say are the reasons
21 why many guards may decide to leave?

22 DENISE FERRANTE: I don't think they're
23 leaving per say. In my precinct I know I have a
24 couple of girls out that were hurt on the job. And
25 they've had to take you know like time off. And

1
2 then they have up to a year to come back. They also
3 can take an extension after the first year. And
4 they extend that out another year because if you
5 might need one surgery or two surgeries you know
6 but we have... they have to hand in their ID. So does
7 that go down in his papers as he was saying his
8 crossing guards leaving because you have to hand in
9 your crossing guard ID so that would mean that
10 you're inactive.

11 CHAIRPERSON GIBSON: But it wouldn't be
12 inactive like on medical leave? It wouldn't have
13 like a designation to signify?

14 DENISE FERRANTE: I... no because after...
15 you only have a year to come back. The second year
16 you ask for an extension but I don't know if it
17 falls under still the medical. Because... [cross-
18 talk]

19 CHAIRPERSON GIBSON: Okay.

20 DENISE FERRANTE: ...we get short term
21 disability. So after so long the disability runs
22 out.

23 CHAIRPERSON GIBSON: Wow. And I mean I'm
24 sure many of your colleagues... these are instances
25 where they have had serious injuries being hit by a

1
2 vehicle where they've had to take extensive time
3 off.

4 DENISE FERRANTE: There's one that has a
5 shoulder injury. My other... another crossing guard
6 got... as she was leaving her post somebody hit her
7 from behind with a garbage truck. And you know she
8 got hurt. And... but she's back to work now... but I'm
9 just saying in general some of these you know he's
10 saying people leaving for other reasons you know I
11 don't think it's all you know 12 a month. We have
12 guards that are working in my precinct 35 years.

13 CHAIRPERSON GIBSON: Mm-hmm.

14 DENISE FERRANTE: You know? It's just
15 that there's new schools are opening. You need more
16 at one school than the other. And they pull you
17 from the less frequent routes that the kids take
18 and put you to a different spot and they close that
19 spot. So that's why we need... We have six more
20 guards we need.

21 CHAIRPERSON GIBSON: Right. How does it
22 work in instances where you have schools that have
23 more than one entrance and exit? I know some of my
24 schools have an entrance and an exit for the lower
25 grades and then we have a different for the upper

1
2 grades. And it could be around the corner. It could
3 be you know like behind the building. How does it
4 work in those instances? Like are you allowed to
5 move within your post or do you have to stay at
6 that corner?

7 DENISE FERRANTE: Nope I have to stay
8 exactly at my corner. I have four crosswalks, five
9 crosswalks because there's a little side block. I
10 have to do all five by myself. There's schools that
11 do have entrances in the front for the bigger kids
12 entrances in the back for the small kids. They do
13 have... some of them do have two guards on each
14 corner... you know guard and a guard in the back and
15 the front.

16 CHAIRPERSON GIBSON: Okay.

17 DENISE FERRANTE: Some of the schools
18 only have it in the front and not the back where
19 the you know younger children come out.

20 CHAIRPERSON GIBSON: Okay. And then I... I
21 think in an earlier conversation with the previous
22 panel we asked a question about when you are sick
23 the morning of you have a two-hour window to notify
24 your supervisor right?
25

2 DENISE FERRANTE: And nobody goes to
3 your corner. Not a... not in Staten Island anyway. We
4 don't have... if I see a traffic agent once a month
5 that's a lot for Staten Island. And when I call and
6 say... I call the precinct; I tell them... I tell them
7 I'm a priority post because I'm the only guard
8 there sometimes they send the cops, sometimes they
9 don't.

10 CHAIRPERSON GIBSON: Okay.

11 DENISE FERRANTE: So it all depends.

12 CHAIRPERSON GIBSON: Yeah it depends on
13 resources and how quickly they can get someone
14 there. But because... within the 1-2-3 I imagine that
15 there are some locations that are high... higher
16 priority than others. So what I would expect to
17 happen is... is you're at one of those designated
18 higher priorities so if you get sick one day and
19 call your... your commanding officer, your supervisor
20 they would automatically backfill because your site
21 is deemed priority.

22 DENISE FERRANTE: Sometimes.

23 CHAIRPERSON GIBSON: Sometimes, okay.
24 Okay. So I think that's the heart of what we're
25 trying to... [cross-talk]

DENISE FERRANTE: Right.

CHAIRPERSON GIBSON: ...deal with is that the sometimes... I mean we need a little bit more assurance than that. And you know having additional guards in place to make sure that there is an immediate backfill is helpful for... for many many different reasons. So I just want to make sure my colleagues if they have any questions... Council Member?

COUNCIL MEMBER LANDER: Thank you very much for being here and sharing your... well actually one thing on the summer because I know the... the NYPD represented that any... any... and this... we've kind of had this back and forth between the PD and the... and the Union before. They represent that any crossing guard who wants a summer position with the PD can get one in order to continue being paid you... and he said it... today but... but tell me... [cross-talk]

DENISE FERRANTE: I...

COUNCIL MEMBER LANDER: ...your experience.

DENISE FERRANTE: ...worked the last four summers that I've been a crossing guard. That's

1
2 what I choose to do. You can choose to work but not
3 every school has a program going on that you can
4 work.

5 COUNCIL MEMBER LANDER: Right so if you...
6 [cross-talk]

7 DENISE FERRANTE: So...

8 COUNCIL MEMBER LANDER: ...want to work
9 but your school is in... is in a school that has a
10 summer program...

11 DENISE FERRANTE: We get put on a list
12 and then they'll call us and let us know if we're
13 working or not. It's not you can work. You know
14 what are you supposed to do put eight kids... eight
15 crossing guards on one corner when it's like six
16 schools... you know five schools working? It can't
17 be... it can't...

18 COUNCIL MEMBER LANDER: So you know
19 people who have wanted to work the summer and have
20 not gotten...

21 DENISE FERRANTE: Well the last...

22 COUNCIL MEMBER LANDER: ...called?

23 DENISE FERRANTE: From... from my
24 experience the last four summers I've worked with
25 the same women every year. Most crossing guards

1 don't work in the summer. They don't want to work.
2
3 I... I do because it's easier to go to work than stay
4 home.

5 COUNCIL MEMBER LANDER: So let me ask
6 the union to kind of follow up on this. Because
7 we've heard from the PD that anyone that wants to
8 work in the summer they'll find a... a post for... now
9 I've wondered does that mean that they're offering
10 the Bronx if you're in Staten Island... you know how...
11 but we... I don't think we're entirely... Look I think
12 we're all for annualization and we should find a
13 way to make it a full time...

14 MARTHA AYON: It's... it's based on what
15 schools are open. Based on the summer for eating
16 program is also a very big factor. Because there
17 are... based on the need and how much free lunch and
18 free breakfast is... it's based on the... you know
19 based as the crossing guards work. But there's some
20 area... some of the affluent areas that you know
21 don't have any schools open. They're doing other
22 programming and you know the crossing guards are
23 kind of left. And also because of the low pay they
24 don't have transit checks. They don't get metro

1 cards. So they have to come out of pocket for... for
2 transit which is... is an issue so...

3
4 DENISE FERRANTE: I'm sorry. Before just
5 to clarify you's talking about the 11.50 and now
6 it's 11.79. That's because we got a raise in
7 September. That's why it's 11-7... 79.

8 COUNCIL MEMBER LANDER: Right. Totally
9 negotiated by the union it's the amount that the
10 contract provides that the percent increase so
11 it's... it's good... [cross-talk]

12 MARTHA AYON: But the top pay is 14.88.

13 DENISE FERRANTE: Right. We'd like 22
14 but...

15 COUNCIL MEMBER LANDER: Yeah.

16 DENISE FERRANTE: What she said.

17 COUNCIL MEMBER LANDER: Very good.

18 CHAIRPERSON GIBSON: So I... I think there
19 was another question that came from a colleague
20 about going into the school building and there
21 being a limited ability to do that. So I mean I
22 just have to ask when you're stationed at your post
23 for an hour or two in the morning on the afternoon
24 what happens when you need to use the restroom or
25 you're not feeling well?

2 DENISE FERRANTE: Any school I ever been
3 at was at we were allowed to use the restroom. We
4 were allowed in the building. Like if we came back
5 early, if it was icy or snowy out and you know
6 they'd say come sit inside. It depends on...

7 CHAIRPERSON GIBSON: The school.

8 DENISE FERRANTE: The school, the
9 principal, the crossing guard if she's abusing her
10 privileges in the school. That's... that's the way it
11 sometimes goes.

12 MARTHA AYON: I mean generally our
13 crossing guards have to find some kind of shelter
14 whether it be a Dunkin Donuts, they go to the mall.
15 Some are you know lucky enough to work and live in
16 the same vicinity. They'll go home and come back.
17 But mostly they're kind of in a sense roaming
18 around homeless for a few hours until their shift
19 starts because they have to stay in the vicinity.
20 But you know depending on the principal they're not
21 allowed in so they have to kind find a... get
22 creative as to how to keep warm or how to stay
23 inside.

24

25

2 CHAIRPERSON GIBSON: Wow. So I... I guess
3 you are one of the lucky ones because you have a
4 good relationship with your school.

5 DENISE FERRANTE: I also drive back and
6 forth to work so I have my car as a shelter if I
7 need.

8 CHAIRPERSON GIBSON: Oh wow.

9 MARTHA AYON: Yeah.

10 CHAIRPERSON GIBSON: Okay.

11 MARTHA AYON: I mean our members vary.
12 Our... our members are mostly women, women of color.
13 80 percent of our union is... is women. You know we
14 have a very high rate of you know some people that
15 are doing this for... as a side gig and some people
16 this is their primary employment. And we do have a
17 large amount of members that are in shelters, are
18 in NYCHA, are in Mitchell Lama who receive benefits
19 or have second jobs because of the low pay. We... but
20 we also have members that do it for the benefits,
21 for the pension, for the health insurance because
22 we are... our union is very fortunate that our part
23 time members have full time benefits. So it's a
24 different situation depending on the community... on
25 the school. Yeah.

2 CHAIRPERSON GIBSON: Mm-hmm. So I
3 mentioned it to the administration. But I do hope
4 that you know representing the school crossing
5 guards that when we have a lot of the conversations
6 around the union and you know specific terms that...
7 you know that's something that we obviously should
8 definitely speak about. I don't like to hear that a
9 school crossing guard has to sit in her car for a
10 couple of hours. Or you know maybe you have a
11 school that has a scaffolding and you can stand
12 under that. I mean I just think you know as a... if I
13 was a principal of a school I would be you know
14 very just accommodating to my school crossing guard
15 to make sure that they're accommodated in every way
16 possible. I just think it's just the right thing to
17 do. It's not always good that we have to like put
18 it in a contract just so that you do the right
19 thing. But you know definitely want to make sure
20 that there's a little bit more uniformity.

21 MARTHA AYON: The principal... the
22 precinct commander can take their suggestion. They
23 don't have to because... [cross-talk]

24 CHAIRPERSON GIBSON: Okay.

25

1
2 MARTHA AYON: ...they fall under NYPD. You
3 know we have some school crossing guards that are
4 harassed by their... by NYPD because they have... they...
5 they check them every hour. You know they'll direct
6 them and...

7 DENISE FERRANTE: If you're not on post
8 when you're supposed to be on post you could get a
9 command discipline.

10 MARTHA AYON: So it... it really depends
11 on the school crossing guard and the precinct. And
12 there's a lot of different factors. And every
13 precinct is not as good as... as others. So... and
14 these are women, women of color. This... or this is a
15 under 15 dollar an hour job.

16 CHAIRPERSON GIBSON: Mm-hmm.

17 MARTHA AYON: We want the respect and we
18 have put in testimony in support of having school
19 crossing guards being eight hours. Working with
20 school safety to do hall monitoring or working as
21 traffic agents during the middle of the day to kind
22 of fill that gap, that eight hour...

23 CHAIRPERSON GIBSON: Okay.

24 MARTHA AYON: ...gap.

25 CHAIRPERSON GIBSON: Okay.

2 MARTHA AYON: Or using the speed camera
3 revenue that are in front of the schools to pay for
4 more crossing guards. So we have figured.. try to
5 figure out other suggestions on how to get more
6 crossing guards and also the advertisement of it so
7 that it's a little more easier to access online and
8 talking to parent associations and working with
9 parent leaders so.. [cross-talk]

10 CHAIRPERSON GIBSON: Okay. And then with
11 them waiving the C and some of the other measures
12 transportation while you're in the two-week
13 training that they talked about.

14 DENISE FERRANTE: It's actually six days
15 of training. It's one day at up at 1-P-P to get
16 sworn in, five days in class. Where I did it was
17 the..

18 CHAIRPERSON GIBSON: Field.. [cross-talk]

19 DENISE FERRANTE: Yeah the old police..
20 police academy. I didn't get transportation back
21 forth or anywhere. I'd take the city bus in, take
22 the city bus home.

23 CHAIRPERSON GIBSON: Okay.
24
25

2 DENISE FERRANTE: I never heard of
3 transportation. They never offered that when I was
4 there.

5 CHAIRPERSON GIBSON: Okay. And you were
6 five years ago.

7 DENISE FERRANTE: Yes.

8 CHAIRPERSON GIBSON: Okay. I... I just
9 wanted to the staffer of Manhattan Borough
10 President Gale Brewer. And reason being is that
11 because I know that Gale has been like a... a huge
12 champion of school crossing guards. The Chief
13 McNamara identified several commands where they are
14 challenging issues and trying to attract school
15 crossing guards. And most of the commands he raised
16 were in Manhattan, in the borough. So I wanted to
17 find out if the borough president could help us
18 with any suggestions that we could offer to the
19 administration on how we can really attract school
20 crossing guards in those hard to get areas.

21 DIANA HOWARD: Yeah I definitely did
22 take down the four that in the borough; the fifth,
23 the seventh, the nineteenth, and the 23.

24 CHAIRPERSON GIBSON: Right.
25

2 DIANA HOWARD: As the community liaison
3 those are not in my districts but I certainly can
4 take that back to the office and have us provide
5 any type of suggestion that would be helpful.

6 CHAIRPERSON GIBSON: Okay thank you.
7 Council Members no questions.

8 COUNCIL MEMBER CHIN: I guess just... we
9 talked about earlier. So being a crossing guard for
10 five years do you... how would you see that as a full
11 time position? Like if you were able to... if this
12 could be a full time position... how do you see doing
13 it as a full time position?

14 DENISE FERRANTE: I think it would be
15 great. I think it would be great for all... all
16 crossing guards to make more money more hours.
17 Especially hopefully it'll annualized where we get
18 paid throughout the summer and not have to work if
19 we don't want to. If you do want to you can. But
20 you know I think it would be a great idea for more...

21 COUNCIL MEMBER CHIN: Well I guess in
22 terms of responsibility do you see like doing the
23 crossing guard duty in the morning and then what
24 can... the other hours... what... what do you see...
25 helping inside the school or doing... [cross-talk]

2 DENISE FERRANTE: Any... any of the above
3 that they said in the precincts and the schools. I
4 mean if you want to do... you know help out with
5 traffic. You know any of those ideas would be
6 great.

7 COUNCIL MEMBER CHIN: Mm-hmm. Great.
8 Okay thank you.

9 DENISE FERRANTE: Your welcome.

10 CHAIRPERSON GIBSON: Okay. Thank you so
11 much. We appreciate your presence and thank you for
12 the work you do. Please be safe out there and know
13 that we are working for your benefit so that you
14 can be protected and do the job that you are doing.
15 Thank you so much and thank you to the Manhattan
16 borough president's office for being here. And
17 thank you local 372, thank you. Our next and last
18 panel for the hour is Cristina Furlong from Make
19 Queens Safer, Rockell Vega, she left, okay, and
20 Jeffrey Guyton from Community Education Council
21 District 30 of Queens if they're still here. Oh is
22 she allowed to?

23 [background comments]

24 CHAIRPERSON GIBSON: Are you Christina
25 or Rockell? You're Christina okay. Okay you can

1
2 begin. Your mic is not on. Make sure there's a red
3 light. Perfect.

4 CRISTINA FURLONG: Let's see. So first
5 of all thank you Council Member Gibson for getting
6 the NYPD data on crossing guard locations. As a
7 grad school student, a parent, and a founder of
8 Make Queens safer I've spent about nine months
9 trying to get the crossing guard locations. When I
10 initially started I went to my precinct, the 115 in
11 Queens, and followed the police officers around as
12 they went and checked on crossing guards. And
13 finally after about four months he let me take a
14 picture of his list which was a piece of paper for
15 my first mapping project of this. So I understand
16 how difficult it was to get that data, that it's
17 not complete and needs to be for a lot of reasons.
18 I'm in support of the increased benefits and hours
19 for school crossing guards in my neighborhood in
20 Jackson Heights, Queens. I have two tragic examples
21 of where they were needed and that... and the fact
22 that our communities need to know about crossing
23 guard locations. It's a safety issue. Noshat Nahian
24 who was killed on Northern Boulevard was killed a
25 block away from the crossing guard. He wasn't... his

1 family wasn't aware that that was the route to go
2 to, that was what was safe. So when the NYPD talks
3 about... children are going with their parents who
4 should know that's not the case. We need to ensure
5 that they're safe. Miguel Torres was an 11-year-old
6 child going to a summer program and he was killed
7 on Northern Boulevard and there was not a crossing
8 guard there at the time. Let's see. In the map that
9 I'm showing you it represents the 665 school
10 crossing guards that are in the borough of Queens
11 representing over 400,000 students. Public school,
12 private school... private school I don't have
13 enrollment numbers. UPK which added 25,000 children
14 and their parents moving around Queens in the
15 morning and afternoon rush hours. The... I believe
16 that UPK schools need to be represented as well. I
17 believe that you should also go further in getting
18 the NYPD data on crossing guard locations that
19 should be used as a tool for school administrators,
20 PTA groups, families, that they can look at this
21 map which he says is not updated, you said is not
22 updated. But primarily you need to look at the
23 route to school. Everyone does. The PTA needs to
24 look at how our children are getting to school.
25

1
2 They're... in Queens they're crossing highways,
3 they're on truck routes. I'm sure it's the same
4 everywhere. And it... it should be a part of the PTA
5 meeting to... to look at those routes. I think you
6 should go fur... further also with the advisory
7 council because we need to have access to the log
8 books. These crossing guards have log books that
9 they have to write every incident down in daily.
10 And... because I was a grad student at... research. And
11 the precinct will come and check off the fact that
12 they were there and look at the incidents. But
13 depending... they can correct me, depending on the
14 precinct either they take that log book home with
15 them when they retire... one told me she had them
16 under her bed for 20 years. And you know did get
17 subpoenaed later in an incident and went back to
18 her book under her bead and said I was there,
19 here's the proof, they signed off on it. Their day...
20 their data in their log books also like... is data
21 that we need in a... in a civic tech society to... to
22 look at and to use. Because the incidents that
23 they're reporting where they're being harassed by
24 parents, nearly run over. That data's not coming
25 out to the city as a whole. It's very extremely

1
2 important to have it. Yeah... I live... my son goes to
3 school at PS89Q. I believe it is now officially the
4 largest school in New York City, the largest
5 elementary enrollment in New York City. There's
6 over 2,000 children in K through five. It is about
7 eight blocks away from PS19 which formerly held
8 that title as most crowded school in the city. And
9 right next to that another block away is PS307. So
10 within a ten block radius we have about 5,000
11 children, 1,000 at 307 and about 2,000 each at 19
12 and 89 who... and their parents and caregivers who
13 were picking them up. If you want to see dismissal
14 PS89... that whole corridor of Queens they're... there
15 is a major problem not just of traffic but of
16 traffic on the sidewalks. Yeah 5,000 students and
17 their parents are there at arrival and dismissal. I
18 think the advisory board that definitely needs to
19 happen from a parent's perspective and from an
20 advocate's perspective needs to address street
21 safety as an inclusion in the school safety plan
22 that New York City DOE has a school safety plan
23 that mainly talks about terrorism and weather
24 conditions. There's not a line in that thing that
25 talks about getting your children to and from

1 school safely. I believe that every school should
2 have a policy that's organized by the Department of
3 Education that goes down to the principals that
4 says you must report to the parents at the
5 beginning of the school year the respect for
6 crossing guards that pick up in dismissal, that
7 there's a zero tolerance policy for double parking.
8 I believe that that has to be part of the DOE
9 school safety plan. Let's see mandatory policy. I
10 believe that it's also very important to invest in
11 the technology to use the NYP data... NYPD data on
12 crossing guards and collisions and safe routes to
13 school so that it becomes a tool for parents. If
14 you're... if you see the map that I made I... we made
15 the dates between... as one school year, September to
16 June 2014 2015 there's over 665 schools and from
17 the morning rush 6:00 a.m. to 10:00 a.m. and 2:00
18 p.m. to 6:00 p.m. there were a total of 34,252
19 collisions during those school hours. So it's just
20 in any neighborhood in any borough and we've seen
21 it tragically too many times. We need to really
22 harness in what... what vehicles are doing. Also a
23 survey on school safety and the number one
24 complaints that parents have beyond that the
25

1 crossing guards aren't being respected and the
2 parents are causing the unsafe conditions
3 themselves another interesting and final
4 interesting thing to note is that one of the things
5 is discovered in my survey is that most schools, a
6 lot of schools... the school safety agents are out
7 there directing traffic though it's not part of
8 their job. And why do we have on one corner someone
9 making what they're making to 10.00 an hour...
10 longevity pay is after how many years? 15 years
11 they get their extra raise. At this corner you have
12 that person. And on the other corner you have a
13 person doing a union job with room for growth who's
14 not even assigned to be there. And they're... they're
15 getting like assaulted constantly. So the advisory
16 board must look at the role of the school safety
17 agent in a school and see if they can fill in. And
18 if being the same union that is inside and outside
19 of the school as the school aids and all we support
20 full time work as well.

22 CHAIRPERSON GIBSON: Thank you. Thank
23 you very much. Thank you. Jeffrey.

24 JEFFREY GUYTON: Thanks. I'm Jeffrey
25 Guyton. I have been on the CEC for District 30

1 which encompasses Northern Boulevard for 12 years.
2 I've been on the council since the beginning. And
3 one of my most important tasks that I took on in
4 the beginning was trying to add crossing guards.
5 And I found out that it was an intractable job,
6 very difficult. And I've worked with wonderful cops
7 and got very little headway. I strongly support the
8 map and the advisory council. I don't feel at this
9 present stage it goes far enough. But I am so
10 grateful that you're beginning this extremely
11 important process and that the conversation goes
12 forward. I have on my cell phone the 17 sites that
13 we felt from a canvas of our principals was
14 absolutely mandatory we get crossing guards. We
15 haven't added those. Six of those are schools with
16 zero crossing guards. Four of those are K through
17 six schools, one of them with construction, PS11.
18 So just our experience on the ground suggests if I
19 extrapolate our needs the... the back of the envelope
20 computation would be we need between 400 and as
21 many as 1,000 crossing guards to satisfy our
22 families and our principals. So that was a very
23 important question the council member asked. And I
24 think there was an answer to it. And I think that
25

1
2 the superintendents and the CECs must be part of
3 the conversation have a very easy access to our
4 principals and our PTAs and families and can
5 provide you real time information about what the
6 community and constituent needs what we feel they
7 are. The vetting... one of the things that I think
8 that makes it very discouraging from some of our
9 senior citizens is not only the low pay, not only
10 the split day, not only the lack of benefits but
11 the vetting process itself is interminably goes on
12 and on and on. And there are some very common sense
13 fixes to it. This may be now anecdotal. Maybe this
14 was fixed. But Lauren Summerville at Central who I
15 used to talk with all the time said that just
16 getting their health examinations they were always
17 in line behind the cadets and they used the same
18 health services. So just to get the health checkup
19 they had to wait for everybody going through the
20 new cadets... police cadets, perhaps rightfully so,
21 before. So they waited for six months. They're
22 elderly people. They sign up at the summer. Six
23 months later they're still waiting for their
24 security vetting because they haven't been able to
25 get in the docks it would make common sense to let

1
2 them use their own physician to just get checked
3 out and have that be a part of the vetting process
4 that gets narrowed down. So we're not suffering
5 attrition through the process of getting out onto
6 the street corner. I got a very brief statement
7 that I drew up. And I now just was sort of
8 responding to what I heard today but let me briefly
9 read this. You can save some children's lives
10 today. In District 30 Queens we lose a child to a
11 traffic accident about once a year. Often on or
12 near Northern Boulevard. I've come upon the scene
13 of a child killed in traffic. It changes your life.
14 I know you understand that. We don't have children
15 injured where there are crossing guards. They're
16 our heroes. Thank you. And the process for putting
17 them on dangerous corners has been broken for many
18 years, badly so. And you can fix that with common
19 sense. For many years I was the person designated
20 by our council to talk to the Community Affairs
21 officers at the 118th, the 114th, and the 115th
22 precincts. Good officers. Good people. Once I
23 earned their trust they all told me they know that
24 their job is made very hard by a broken system. A
25 byzantine bureaucratic mess that hamstringing them

1
2 from getting guards on the streets. And we're
3 usually about a dozen short by their own reckoning
4 and by ours we're 16 down this year, 17. I used to
5 talk to Walter Summerville at Central. He said the
6 same thing, that the process was very old. We found
7 out... I found out it's 50 years old and it doesn't
8 work. Here's a dirty secret. The way a guard often
9 gets added to a street corner is when a child gets
10 badly hurt or worse. Then one of my very good
11 hearted public servants makes some phone calls and
12 it gets done. We always appreciate that deeply but
13 it's not a system for our children. Common sense
14 must prevail and it must be made responsive to the
15 needs of our families. And must be made
16 accountable. Thank you for trying and good luck.
17 It's a very important job that you're doing and we
18 really appreciate it.

19 CHAIRPERSON GIBSON: Thank you both very
20 much. I appreciate it. And certainly I want to
21 thank you both because you know obviously the
22 conversations we're having is looking at the city
23 in... in a big large picture. But you know I know
24 that there are certain unique circumstances. And
25 especially in the borough of Queens our colleagues

1
2 in Queens, Jimmy Van Bramer and Danny Dromm and
3 Julissa have really been very aggressive... not just
4 about Vision Zero but about some of the traffic
5 patterns, northern boulevard, Queens Boulevard to
6 make sure that we can make you know the streets
7 safer for everyone but also school crossing guard.
8 So I thank you for being here today.

9 [cross-talk]

10 CHAIRPERSON GIBSON: Sure. Well she had
11 you... first.

12 CRISTINA FURLONG: The... the 2015 budget
13 for the New York... for the Police Department had a
14 Vision Zero allocation of 13 million dollars. And I
15 think... I don't know if all or part of that went to
16 the hiring of 147 traffic enforcement agents for
17 the other people that are part of this picture. You
18 can see them like pigeons clumped up. You know I
19 know it earns money for the city but the role of
20 the traffic enforcement agent at least during
21 school pick up and drop off times needs to be
22 considered as well.

23 JEFFREY GUYTON: I would have loved to
24 have briefly addressed the official from the DOT.
25 There are two issues. It's very very difficult for

1
2 us to get speed bumps. It takes about a year to get
3 one where it's very desperately needed. And I
4 understand that they have formula and that they
5 have heavy and wide streets and all that. But
6 crossing... crossing guards are assisted by those
7 speed bumps, the broad ones. And... and here's
8 another observation that would require a great deal
9 of public education. No child should have a
10 crosswalk sign that says walk while cars and trucks
11 can take a left or right turn on a green light. No
12 child should be at an intersection where a car or a
13 truck is permitted to be at the same time. It's
14 common sense. It would take a lot of public
15 persuasion and education but I think people are
16 ready to make that small adjustment for the safety
17 of our children.

18 CHAIRPERSON GIBSON: Thank you.

19 JEFFREY GUYTON: Thank you so much.

20 COUNCIL MEMBER LANDER: Thank you for
21 being out and for all your work... [cross-talk]

22 CHAIRPERSON GIBSON: Thank you very much
23 for being here today. Alright. I also want to
24 acknowledge that we were joined by Council Member
25 Ritchie Torres and oh... Okay and I also want to

1
2 acknowledge that for the record we received
3 testimony from Manhattan and Community Board 1. So
4 we received that for the record and the committee
5 has it. So as we close I certainly want to thank
6 the administration, the NYPD, Department of
7 Transportation, Department of Education, Mayor's
8 Office, Local 372, all the community advocates and
9 stakeholders that came today. Today was really an
10 opportunity not just to talk about two important
11 pieces of legislation but obviously to talk in a
12 very forward approach around school crossing
13 guards. What are we doing to retain... recruit, and
14 attract our school crossing guards? What are we
15 doing as an administration to improve the working
16 conditions, annualizing benefits, full time
17 employment, some of the challenges our crossing
18 guards deal with each and every day. The dangerous
19 conditions, the dangerous streets and roads that
20 they work in each and every day we want to make
21 better and we want to make a safe environment for
22 everyone for our crossing guards and for our
23 children. So I really want to thank everyone and
24 certainly want to pay particular attention to the
25 school crossing guards who came themselves. Often

1 times we have these very intimate conversations
2 that we don't have the actual voice of the people.
3 And that is not something that this council
4 supports. So having our school crossing guards to
5 talk about the issues each and every day is
6 extremely important to us. And so I want to thank
7 our speaker Melissa Mark Viverito. I want to thank
8 my counsel, the Sergeant at Arms. I want to thank
9 Council Member Brad Lander for being my partner in
10 this process. I want to thank Council Member
11 Margaret Chin not only for speaking up about her
12 district here in lower Manhattan for being a very
13 forceful voice in this conversation. And to all of
14 my colleagues thank you for being here. And all I
15 will say is to be continued. We will continue to
16 have these conversations. Your input is important
17 and thank you once again. This committee hearing on
18 the Committee of Public Safety is hereby adjourned.

19 [gavel]
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C E R T I F I C A T E

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



Date December 15, 2015