

CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON FINANCE JOINTLY WITH  
COMMITTEE ON FOR-HIRE VEHICLES  
COMMITTEE ON ENVIRONMENTAL PROTECTION

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May 10, 2018  
Start: 10:14 a.m.  
Recess: 2:37 p.m.

HELD AT: Council Chambers, City Hall

B E F O R E: DANIEL DROMM, Chairperson

RUBEN DIAZ, SR., Chairperson

COSTA CONSTANTINIDES, Chairperson

COUNCIL MEMBERS: Adrienne E. Adams  
Andrew Cohen  
Robert E. Cornegy, Jr.  
Laurie A. Cumbo  
Barry S. Grodenchik  
Steven Matteo  
Francisco P. Moya  
Keith Powers  
James G. Van Bramer  
Paul Vallone  
Joseph Borelli  
Ydanis Rodriguez  
Donovan Richards  
Carlos Menchaca  
Kalman Yeger

(CONTINUED)

COUNCIL MEMBERS: Rafael Espinal  
Stephen Levin  
Eric Ulrich

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

Meera Joshi, Commissioner and Chair of the New York  
City Taxi and Limousine Commission

Jennifer Tavis, Deputy Commissioner for Finance and  
Administration, New York City Taxi and Limousine  
Commission

Vincent Sapienza, Commissioner  
Department of Environmental Protection

Michael Deloach  
Deputy Commissioner  
Department of Environmental Protection

Joseph Murin  
Chief Financial Officer  
Department of Environmental Protection

Pam Alerdo  
Deputy Commissioner for Wastewater Treatment  
Department of Environmental Protection



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2 SARKE RALEY: Test, test, test. Today is  
3 Committees on Finance, For-Hire Vehicles and  
4 Environmental Protection. Today's date is May 10,  
5 2018. This is recorded by Sarke Raley [phonetic].

6 CHAIRPERSON DROMM: Okay [gavel]. Okay,  
7 good morning and welcome to the City Council's third  
8 day of hearings on the Mayor's executive budget for  
9 fiscal 2019. My name is Daniel Dromm and I Chair the  
10 Finance Committee. We are joined by the Committee on  
11 For-Hire Vehicles, chaired by my colleague, Council  
12 Member Ruben Diaz, Sr. We are joined today by  
13 Council Members Diaz, Council Member Vallone, Council  
14 Member Powers, Council Member Matteo, Council Member  
15 Adams, and Council Member Grodenchik. Today we'll  
16 hear from the Taxi and Limousine Commission and the  
17 Department of Environmental Protection. Before we  
18 begin, I'd like to thank the Finance Division staff  
19 for putting today's hearing together including the  
20 director, LaTonya McKinney, committee counsel,  
21 Rebecca Chasen, deputy directors, Regina Parata  
22 [phonetic] Ryan and Nathan Toth, unit head, Chima  
23 Obercheri [phonetic] and Kurelian [phonetic]  
24 Francisco, finance analyst, John Vacile [phonetic]  
25 and John Seltzer and the finance division

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administrative support unit, Nicole Anderson, Maria Pagan and Roberta Catarano [phonetic] who pull everything together. Thank you for all your efforts. I'd also like to remind everyone that the public will be invited to testify on the last day of budget hearings on May 24 beginning at approximately 4 p.m. in this room. For members of the public who wish to testify but cannot attend the hearing, you can email your testimony to the Finance Division at [financetestimony@council.nyc.gov](mailto:financetestimony@council.nyc.gov) and the staff will make it a part of the official record. Today's executive budget hearing starts with the Taxi and Limousine Commission. TLC's fiscal 2019 executive budget is \$52 million, 100% of which is city funds. This represents a 9% decrease in the agency's budget since the fiscal 2018 adopted budget. I'd like to commend the administration for heeding the Council's call to have the budget more accurately reflect the likelihood of receiving revenue from the sale of taxi medallions in the current plan. Until the executive plan was released, the budget showed anticipated revenue for fiscal '19 of \$107 million, a sum that was not realistic given that the city has no immediate plans to sell any taxi medallions. At

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today's hearing, I look forward to learning about the  
TLC's assessment of the E-Hail industry and the long  
term impact that it may have on the city's tax  
industry particularly since TLC is anticipating a  
decrease in Hail licenses for fiscal 2019. I also  
hope to hear testimony about the future of the green  
grants program which provides grants to green cabs  
which become wheelchair accessible. Before we begin,  
I'd like to remind my colleagues that the first round  
of questions for the agency will be limited to three  
minutes per Council Member and if Council Members  
have additional questions, we will have a second  
round of questions at two minutes per Council Member.  
I'll now turn the mike over to my co-chair, Council  
Member Diaz for his statement and then we will hear  
from the TLC Commissioner, Meera Joshi.

COUNCIL MEMBER DIAZ: Thank you, Mr.  
Chairman. Good morning and welcome to the joint  
hearing of the City Council Finance Committee and  
For-Hire Vehicle Committee on the fiscal year 2019  
executive budget. I'm Council Member Ruben Diaz, Sr.  
and I am the Chair of the For-Hire Vehicle Committee.  
Before we begin, I would like to thank the Chair of  
the Committee of Finance, my colleague, Council

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2 Member Dromm who by the way, Council Member, you have  
3 been doing a wonderful job sitting here every day  
4 listening to everybody, all the committees and  
5 controlling everything so congratulation. You will  
6 be, been doing a wonderful job.

7 CHAIRPERSON DROMM: Thank you very much.

8 COUNCIL MEMBER DIAZ: Today we will hear  
9 testimony from the Taxi and Limousine Commissioner,  
10 Ms. Merri Joshi on the TLC expense budget for fiscal  
11 year 2019. TLC budget, proposed a budget of \$52  
12 million for fiscal year 2019. This constitute a 9%  
13 decrease from fiscal year 2018 which was \$59.5  
14 million, \$57.5 million. The decrease is mainly  
15 associated with the lackluster participation in the  
16 five borough taxi initiative which is generally used  
17 to help owner offset the cost of retrofitting or  
18 making their vehicle wheelchair assessable. The  
19 Commission also reduced a headcount by 72 full-time  
20 positions when compared to last year above the  
21 budget. In the fiscal year 2019 preliminary budget  
22 TLC included anticipated revenue of \$107 million from  
23 taxi medallion sale. While the executive budget has  
24 since pushed the expected revenue from taxi medallion  
25 out beyond the five years financial plan, it still



anticipate collecting the revenue sometimes after  
2022. The Committees hope to hear from the  
Commission on how it anticipates generally the future  
revenue and what TLC outlook is for yellow medallion  
values. The Committee look forward to hearing from  
the Commission on its wheelchair accessibility plan  
for both medallion taxis and for-hire vehicle.  
Finally, when the TLC issued its first for-hire  
vehicle base license to Uber in 2011, a base company  
had dramatically increased in popularity. The  
Committees are interested in hearing from TLC outlook  
and forecast on the future for this thriving industry  
and its impact in the medallion taxis and the rest of  
the industry. Thank you, Mr. Chairman and back to  
you.

CHAIRPERSON DROMM: Thank you very much  
Chair and thank you for your very kind words. I  
appreciate it. Thank you. I'm gonna ask counsel to  
swear in our panel and then ask them to begin.

COUNSEL: Do you affirm that your  
testimony will be truthful to the best of your  
knowledge, information and belief?

PANEL: I do.

MEERA JOSHI: Good morning, Chair Dromm  
and Chair Diaz and members of the For-Hire and  
Finance Committees. I am Meera Joshi, Commissioner  
and Chair of the New York City Taxi and Limousine  
Commission. Thank you for inviting me to present the  
TLC's proposed executive budget for fiscal year 2019.  
With me today is Jennifer Tavis, our Deputy  
Commissioner for Finance and Administration. The  
TLC's proposed budget is \$52 million which will help  
the agency continue to regulate New York City's  
growing for hire industry in ways that protect  
passengers, drivers and ensure accessible for-hire  
transportation for all New Yorkers and maintain our  
enforcement efforts to protect customers and driver  
income. Today all TLC licenses are required by TLC  
regulations to provide equivalent service to  
passengers in wheelchairs but we have not yet  
achieved this goal. The most progress has been made  
in the yellow medallion sector where the city's goal  
is to have a 50% accessible yellow taxi fleet by  
2020. Similarly city's green taxis are under an  
accessibility mandate. Now more passengers in  
wheelchairs can hail an accessible taxi because more  
wheelchair accessible vehicles or waves are

circulating but there's still room for improvements.

TLC also operates an accessible dispatch program

which provides passengers the opportunity for a safe

reliable ride in an accessible yellow or green taxi

all at the metered fare. Although the accessible

dispatch program originally served only Manhattan, it

was recently expanded to include trips in all five

boroughs and we'd be happy to provide information and

materials about this expanded service to the members.

We have also been working with the MTA as its

expanded opportunities for green and yellow taxis to

participate in MTA's pilot to use taxis for on demand

service providing additional income streams for

drivers. Taxis are currently doing about 5,000

accessorized trips each week day and about 2,500

trips on Saturdays and Sundays and we're excited by

the possibilities offered by this participation for

passengers, owners, and drivers. We appreciate the

interest we've received from Council Members about

deepening our collaboration with the MTA and we

welcome your support. While we've made significant

strides for accessibility, we recognize there's more

to be done. The yellow and green taxi sectors are

significantly ahead of the for-hire sectors which

have not met the equivalent service mandate for years. The accessibility gap has become greater as the number of for-hire vehicles virtually all of which are not wheelchair accessible has increased by many tens of thousands. For this reason, the TLC recently passed rules that will require for-hire vehicles to dispatch a growing percentage of trips to wheelchair accessible vehicles. The rules will take effect July 1 and the administration is confident that they will greatly increase the number of wheelchair accessible vehicles in circulation. All New Yorkers should have a safe and reliable transportation within an equitable time frame. I'd also like to update you on the administration's efforts to address inequities in driver income. Although there are more trips in TLC licensed vehicles, the number of licensed drivers has outstripped demand. At the same time, driver's expenses are significant as many drivers lease or purchase vehicles so that they can drive for the app and are then burdened with the cost of vehicle payments in addition to all of the other costs involved in operating vehicles such as insurance and gas. The TLC has been collecting and reviewing data

to better understand the driver's expenses and income. The administration's goal is to establish a regulatory framework to protect driver's income and provide them with the right level of transparency so they know exactly what and how they are being paid and when they are underpaid. Turning now to our budget for fiscal year 2019, it totals \$52 million. This amount is comprised of \$38 million in personal services and \$14 million in other than personal services. This total is about \$8.9 million less than the preliminary budget I presented to you in March. The decrease is attributable to TLC's contribution to citywide savings including a hiring delay, a one-time reduction of 72 vacancies pending our joint efforts with the Department of City Wide Services to more effectively recruit new safety and admission and enforcement inspectors. Additionally this revised total budget represents a \$7 million increase in funding for our green grant program to reflect demand for these grants. Finally, our projected revenue budget for fiscal year 2019 is \$57.3 million. As we noted in our preliminary budget, the City has reviewed the continued presence of future medallion auctions in the budget. This executive budget

addresses the matter by removing the medallion revenue from our fiscal 2019 budget and delaying medallion sales beyond the five year financial plan. This change allows the city to continue to monitor the medallion market and does not foreclose any medallion auctions at a future date. We expect that licensing will continue to be our largest source of revenue. Beginning in January 2016 we began licensing drivers for up to three year term instead of a two year term and these three year licenses will come up on their first renewal during fiscal year 2019. Therefore, revenue from driver's license renewals will be down for the first half of fiscal year 2019. We'll monitor revenue during the year and work with OMB on any adjustments to that projection. In conclusion, this has been a time of increased attention on the for-hire industry, particularly on financial challenges faced by drivers in the taxi and for-hire sectors. We appreciate the Council's longstanding interest in examining policies to support drivers. We look forward to working with you on this and other topics as we continue our work to make sure that our over one million passengers a day enjoy safe and reliable transportation and to improve

conditions for our 180,000 licensed drivers. Thank  
you very much for the opportunity to testify and I am  
now able to answer your questions.

CHAIRPERSON DROMM: Thank you,  
Commissioner, and let me just start with taxi  
medallion sales. In fiscal '19, the anticipated  
revenue of \$107 million for the sale, we were  
anticipating \$107 million on the sale of medallions.  
I know that you mentioned that it's going to be  
pushed further out or beyond in the five year  
financial plan but it doesn't actually say what the  
expected revenue to be raised further on would be,  
just delaying the timing so what are the latest plans  
for the future of the medallion sales?

MEERA JOSHI: I think it's significant.  
There have been prior modifications to the medallion  
sales which sort of pushed one year or two years.  
The significance of pushing it beyond the five years  
is to really create the space for us to have a better  
understanding of where the medallion market will be  
in several years and that's important given the  
amount of change that's gone on. Even this year,  
prices have come down and medallion transactions have  
gone up in number. We're at a higher volume this

year at this point than we were last year at this point so there's a lot of fluidity and change and it's important I think for the city to have a better sense of that before putting medallions into the concrete budget that we focus on in the next five years.

CHAIRPERSON DROMM: So if you say that the medallion sales have gone up but the price has gone down.

MEERA JOSHI: The volume of sales transactions.

CHAIRPERSON DROMM: So are you carrying the \$107 million forward cause then you're not gonna hit that if the price has gone down.

MEERA JOSHI: The \$107 million as well as the other years where revenue had previously been allotted have all been pushed out beyond the five years and so are obviously gonna be subject to additional modification as OMB reviews circumstances but yes, the price, the prices have come down considerably and it's hard to say what exactly if we were to have a medallion sale this year, the right number to put in the budget would be.



2 CHAIRPERSON DROMM: So what type of  
3 changes in the taxi market have to happen to allow  
4 the city to sell additional medallions?

5 MEERA JOSHI: One of the biggest  
6 obstacles today in any medallion transaction is lack  
7 of a lending community. This is a market that  
8 depended heavily on leveraging. There would be very  
9 small down payments and very large loans and there  
10 was many lending institutions that were comfortable  
11 with that and gave out large loans. Some of those  
12 institutions have been taken over by regulators for  
13 unsound banking practices and others have on their  
14 own decided not to continue to lend in this market.  
15 Without an ability to borrow money, there's always  
16 gonna be a depression in price so the transactions we  
17 see now are primarily cash transactions of drivers  
18 but the primary mover here is not the dollar amount.  
19 It's really the trip volume and where the passengers  
20 are and there's been a switch in where passengers  
21 patronize. They patronize a lot of the app services  
22 and many of those are people that used to patronize  
23 taxi service so I think the key thing is monitoring  
24 trip volumes, a renewed interest in the lending  
25 market as well as the taxi business taking

opportunities that it has to sort of build the business strategy that's akin to what they see customers enjoying now so for instance, we just passed a pilot that will allow the taxi apps to give one of the benefits let's say Uber and Lyft customers have. They order a new Uber or Lyft car and they can see what the price is up front. They make a decision based on that price so now the apps that work in taxis and any other apps that want to come into that field can also provide that same customer service for passengers and because that's what people are relying on now to make decisions, we hope that this is an opportunity. We've also done a lot in terms of updating regulations to give yellow medallion owners more freedom in what vehicles they buy, not requiring them to have the partition, allowing them to run their vehicles for longer and lowering the transfer tax which was something that this Council did which was very much appreciated and does feed into the current volume of transactions we're seeing today so we'll continue to work with the industry and find ways that we can make operating that business easier for them and continue to give them opportunity so that they can provide customers with some of the

2 amenities that the apps are providing them that  
3 customers appear to like very much.

4 CHAIRPERSON DROMM: So what would be your  
5 assessment of the E-Hail industry now and what it  
6 would look like in the future?

7 MEERA JOSHI: It is certainly growing.  
8 We bring on 3,000 new drivers and 2,000 new cars  
9 every month and most of those cars and drivers are  
10 going to work for app companies. It is the, you  
11 know, the sort of broad assessment especially what  
12 I've read from people that have studied this is that  
13 there is gonna be more pull of passengers that are  
14 taking public transportation as shared rides become  
15 more common and as the price point keeps going down  
16 so I think you'll see a continued growth of that  
17 passenger base but also into areas that we haven't  
18 traditionally thought of as taxi customers because  
19 when the price point gets closer and closer to what  
20 it costs to take a subway, many people are gonna opt  
21 to take a shared ride in a private vehicle instead.

22 CHAIRPERSON DROMM: I have to tell you  
23 the first and only time I've ever taken an E-Hail  
24 ride, I opened the door to the car and there was  
25

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2 somebody else sitting in there and it was very  
3 shocking to me

4 [Laughter]

5 CHAIRPERSON DROMM: To see somebody, like  
6 what are you doing here.

7 MEERA JOSHI: Yeah, well New York City I  
8 think is slow to catch on to shared rides. It's  
9 something that can be done in the taxi industry as  
10 well as the E-Hail industry but we are seeing from  
11 our data that it is actually picking up and there are  
12 more people in New York City that are sharing rides  
13 and it's another place where we'd like to make sure  
14 the taxi has the opportunity to take advantage of  
15 that market as well.

16 CHAIRPERSON DROMM: So overall how do you  
17 see the yellow cab industry fairing?

18 MEERA JOSHI: The yellow cab industry to  
19 the extent it's a hail industry which it is primarily  
20 and has been for decades, has a very, a real solid  
21 core in Manhattan. Because of the density it is  
22 often easier to get a yellow cab than it is to order  
23 something on your phone. I do sometimes see people  
24 ordering on their phone as they watch yellow cabs go  
25 by and I wonder but it really is easier and then

there's going to be the, the, what we'll have to see is how the yellow cab industry is also able to take advantage of other opportunities like partnerships with the MTA and other partnerships that provide additional streams of income as well as additional service outside of Manhattan probably through the apps because that is the easier way to get service outside of Manhattan so I see Manhattan remaining the core business of the yellow medallion industry but I do see the yellow medallion industry branching out to take advantage of some of the other income streams.

CHAIRPERSON DROMM: Okay, good. Let's talk a little bit about the wheelchair accessibility that you mentioned in your testimony. To date how much funding assistance has the Commission provided?

MEERA JOSHI: In terms of grants?

CHAIRPERSON DROMM: Yeah, there's 20% of street hail licenses are wheelchair accessible.

MEERA JOSHI: Sure, so let me give you the broad outline of the program and I'm gonna defer to my Deputy Commissioner for the exact figures. There's yellow cab grants that we give out which add up to about \$30,000. They're given \$15,000 when they hack up the car to defray the cost of purchase and

then about \$4,000 every year to cover the maintenance. We launched last year this same program for the green taxis. They're given \$30,000, \$1,500 when they hack up the car and then \$4,000 for four years to cover maintenance and other costs. In total I'm gonna defer to my Deputy Commissioner to give you the totals of how much has been given out at each category to date.

JENNIFER TAVIS: So originally

CHAIRPERSON DROMM: Just turn on that mike and if you could just identify yourself also. Appreciate it.

JENNIFER TAVIS: Jennifer Tavis, Deputy Commissioner of Finance and Administration, Taxi and Limousine Commission. We were initially awarded \$54 million to make grants to support these efforts. 1,266 grants have been awarded since 2013, \$18.7 million are represented by those grants. We have as you saw in the budget received cuts of \$7 million in this current fiscal year and \$7 million in fiscal year '19 and we anticipate that we will still have sufficient funds to cover the grants and the level of interest that we are seeing.

CHAIRPERSON DROMM: So you, you called that a cut, it's "a savings" in terms of the \$7 million because of a lack of interest in the program. Am I right?

JENNIFER TAVIS: Yes, that's accurate. OMB is looking at what we are actually spending compared to what we were allocated during the fiscal year. They have seen the demands for these grants reduce and they have removed funding accordingly.

CHAIRPERSON DROMM: So what do you anticipate will happen moving forward to 20 to 22.

MEERA JOSHI: I think one important change in the coming years versus last year is we passed at the end of December a package that requires the for-hire industry to provide wheelchair accessible service and they can use green taxis to provide that service so for those bases that are gonna fulfill their mandate and are looking for ways to do that that comes with some built in funding, the green taxis are the best option and it, although our funding was cut, we still have about \$2.4 million I believe. Is that right, \$2.9 million?

JENNIFER TAVIS: It's uh, yeah it's about, let me look at that.

2 MEERA JOSHI: To cover green grant  
3 requests and obviously if it looks like we have more  
4 requests than we have funding, we'll go back to work  
5 with OMB to make sure we have the money but we are  
6 very hopeful that people that need to meet this new  
7 mandate will take advantage of the opportunity  
8 because for the individual drivers and owners, it's a  
9 great small business model. They can get dispatchers  
10 from the base. They can provide service for  
11 wheelchair passengers but they also can pick up  
12 Hail's on the street which lets them independently  
13 run their, you know, have a little more control over  
14 their income.

15 CHAIRPERSON DROMM: Okay, thank you. I  
16 just want to say that we've been joined by Council  
17 Member Constantinides, Council Member Cornegy,  
18 Council Member Moya and we have questions from, we're  
19 gonna go to Chair Diaz and then we do have questions  
20 after that.

21 COUNCIL MEMBER DIAZ: Thank you,  
22 Mr. Chairman. Commissioner, how you doing today?

23 MEERA JOSHI: Very good, how are you?

24 COUNCIL MEMBER DIAZ: I'm okay, I'm okay.  
25 I want to talk about legacy, you know legacies. When



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you came to be the Commissioner, the taxi, the yellow  
industry, the medallion like that you was worth \$1.5  
million. Now it's all to \$200,000. The industry is  
going down. People are killing themselves. Is that  
the legacy you want to leave when you leave?

MEERA JOSHI: Well, you're in this with  
me too now.

COUNCIL MEMBER DIAZ: Huh?

MEERA JOSHI: You're in this with me too,  
now.

COUNCIL MEMBER DIAZ: No, I just can't  
get it like that. My legacy I'm planning to leave  
to, to, to leave a legacy.

MEERA JOSHI: I think your legacy is what  
all these people wearing yellow hats are waving it  
for.

COUNCIL MEMBER DIAZ: Yes, my question to  
you is it was \$1.5 million. Now it's \$200,000.  
People are killing themselves.

[crosstalk]

MEERA JOSHI: When I was interviewed by  
this Council at my hearing before I was appointed, I  
talked about things that I thought were important to  
accomplish. One of them was accessibility, the other

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2 one was working in, on the illegal commuter van  
3 industry, another one was making sure that the agency  
4 had enough data and another one was Vision Zero and  
5 another one was driver income and I think we've done  
6 incredible work in all of those and I can go through  
7 each one of them if you'd like me to. Accessibility,  
8 I think I gave a very good summary in my testimony.  
9 On commuter vans, just yesterday was introduced yet  
10 another bill that will help us on commuter van  
11 enforcement. We have also started a forfeiture  
12 program last year and as a result have seized and  
13 forfeited over 40 illegal commuter vans and worked  
14 very closely with the commuter van industry to get  
15 there.

16 COUNCIL MEMBER DIAZ: And what about the  
17 yellow families, people that have

18 MEERA JOSHI: Let me finish. You asked  
19 about my legacy so I'm going through it.

20 COUNCIL MEMBER DIAZ: Yeah, the yellow.

21 MEERA JOSHI: And we talked about driver  
22 income which is something we're working on and Vision  
23 Zero which we've done incredible work on enforcement  
24 and limiting driver hours.

25 COUNCIL MEMBER DIAZ: I am

2 MEERA JOSHI: What I've said from the  
3 beginning and I said at my hearing and I've said  
4 every year since then is the city has a vested  
5 interest in making sure there's publicly available,  
6 accessibly service and that is promoting that  
7 industry that provides it which is the yellow taxi  
8 industry and so we've taken incredible steps to help  
9 promote that that service continue. We don't peg a  
10 value to the medallion, what medallions are bought  
11 and sold at. We look at the service. We want to  
12 make sure the service is available. Independently  
13 banks and buyers and sellers are free to look at data  
14 to make their own decisions about what the price is  
15 and the price did go up very high, not all due to  
16 pure market forces. There were several individuals  
17 who self-admittedly bought and sold and bought and  
18 sold to increase the value of the medallion so they  
19 could therefore increase the amount of a loan they  
20 could take out afterwards so that's a certain amount  
21 of inflation that has no relation to the value of the  
22 asset underlying it. Today we see almost a negative  
23 correction. There's no lending around so all of the  
24 transactions are gonna be without financing and all  
25 cash, which is certainly gonna depress the value of

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2 it so the value of the medallion is something that  
3 definitely the financial world is key to. What that  
4 translates to the city is, is there service out  
5 there? Are people able to get service? Are people  
6 who use wheelchairs able to hail accessible taxis and  
7 that's happening today a lot more than it was  
8 happening four years ago.

9 COUNCIL MEMBER DIAZ: I just want to be  
10 sure that when you leave, you leave behind a good  
11 legacy.

12 MEERA JOSHI: I sleep well at night,  
13 thank you.

14 COUNCIL MEMBER DIAZ: I don't, believe me  
15 I don't. When I see people killing themselves, I  
16 cannot sleep well. I got, I can't even sleep but  
17 thank you, praise God that you are sleeping well  
18 while people are killing themselves. No more  
19 questions.

20 CHAIRPERSON DROMM: Okay, thank you  
21 Chair. We're now going to move to questions from  
22 members. Council Member Adams, followed by Council  
23 Member Constantinides and then Moya.

24 COUNCIL MEMBER ADAMS: Good morning,  
25 Commissioner. I just have a couple of questions for

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2 you regarding illegal street hails. How many of the  
3 commissioned staff are currently dedicated to  
4 combatting illegal street hails?

5 MEERA JOSHI: We have an enforcement  
6 staff that's in the field every day. We have  
7 definitely vacancies there but it's comprised about  
8 150 officers. They are split among all five boroughs  
9 24/7 so as you can see, it's not a hell of a lot of  
10 coverage but they try to be as strategic as possible  
11 to make sure that they are providing equivalent  
12 enforcement throughout the city and also responsive  
13 to complaints about particular hot spots.

14 COUNCIL MEMBER ADAMS: Do you see or do  
15 you anticipate hiring additional enforcement agents?

16 MEERA JOSHI: We do, we have vacancies  
17 that we can fill even with the 72 heads that we've  
18 lost and we're actively working with DCAS to make  
19 sure that those vacancies are filled.

20 COUNCIL MEMBER ADAMS: Okay, I'm just  
21 gonna relate a little bit to you about my area  
22 specifically. I know that my colleague, Council  
23 Member Miller has also expressed our concern in  
24 southeast Queens for the enormous saturation of cars,  
25 specifically Dollar vans, illegal van, illegal cars,

black cars that pretty much have taken over our corridors, specifically the Jamaica core, downtown Jamaica core. I'm just curious to know how enforcement has been beefed up in the area. I'm a daily commuter and for me it's still very, very intense. I need to know and understand the regulation behind these black cars with out of state license plates that pretty much run the roads and pedestrian safety is an extreme issue in downtown Jamaica. Those of us that drive and walk, it's very, very dangerous situations so I would really, really appreciate your feedback on that situation.

MEERA JOSHI: Sure, and especially with the out of states, we've seen a lot more Texas and PA state license plates.

COUNCIL MEMBER ADAMS: New Jersey is also extremely popular.

MEERA JOSHI: We do what we can with our resources and we also partner with MTA Port Authority, NYPD and now the sheriff's office to try to use their law enforcement resources in combination with ours. In southeast Queens in particular, we've done a few of what we call surge operations where we'll deploy all most all of our staff to those

problem areas to really set a tone. Unfortunately people come back and we will continue to do those surge operations but they need to know that we're aware of it and we are working actively on it. We've done the forfeiture program which we've seized many dozens of commuter vans. Those, instead of paying a bond and getting that van back which is what used to happen, there's no bond. We retain that van and then we sell it at a civil auction months later. In addition, we have seen a proliferation of larger 20 seat plus buses that are operating illegally which we don't have the jurisdiction to stop but through Council Member Jumaane Williams and I believe Daneek Miller and a few other Council Members, a bill was introduced yesterday that will give us that jurisdiction and we're anxious to be able to do that enforcement work because it's extremely frustrating for our officers to see those very dangerous vehicles holding lots of passengers go by without any consequences.

COUNCIL MEMBER ADAMS: I agree with you a thousand

MEERA JOSHI: But we would also like to, I can put you in touch with our Deputy Commissioner

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2 because if you have particular areas in your  
3 community that you need attention, we would like to  
4 be responsive to that and send our officers there.

5 COUNCIL MEMBER ADAMS: I appreciate that  
6 very much. Mr. Chair, if you would allow me just one  
7 quick follow up. How often are those surge  
8 operations performed in downtown Jamaica  
9 specifically?

10 MEERA JOSHI: I wish there was a regular  
11 schedule but given our resources there isn't. We did  
12 several a few months ago but I'll certainly make sure  
13 that you have contact with our Deputy Commissioner  
14 who plans them so that you have an idea of how  
15 frequently we're there.

16 COUNCIL MEMBER ADAMS: Okay, thank you  
17 very much. I will come back for the next round in  
18 behalf of our colleague, Barry Grodenchik. Thank  
19 you.

20 CHAIRPERSON DROMM: Thank you, Council  
21 Member Constantinides.

22 COUNCIL MEMBER CONSTANTINIDES: Thank you  
23 Chair Dromm and Chair Diaz. Commissioner, it's good  
24 to see you again. You know my deep concern about  
25 leveling the playing field and making sure that as we



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2 see Uber add over was it 80,000 cars now to city  
3 streets?

4 MEERA JOSHI: There are, we license over  
5 130,000 cars today.

6 COUNCIL MEMBER CONSTANTINIDES: So, yeah,  
7 we're talking about numbers, when it comes to  
8 congestion, to traffic, public safety, these are  
9 deeply concerning numbers to me and I know we share  
10 that goal and I look forward to working with the  
11 Chair to get something done and I want to echo my  
12 colleague, Adrienne Adams, when she talks about  
13 enforcement. I see you have a hiring delay in place  
14 here. Is that also for enforcement agents?

15 MEERA JOSHI: The hiring delay is that we  
16 were delayed in hiring and yes, it is enforcement  
17 agents. A lot of it has to do with we call from a  
18 civil list and when the list is expired, we have to  
19 work with DCAS to find alternate ways. There's  
20 other, other issues regarding enforcement that have  
21 to do with compensation that make it difficult for us  
22 to recruit and retain officers. They begin at a  
23 starting salary of about \$38,000 and they end up at a  
24 salary that's closer to \$47,000 with all of the like  
25 add-ons but that's a much lower ending point that,

for example, NYPD, DOC, Sanitation, and they have a difficult job. They're doing car stops all day which is some of the most dangerous law enforcement work there is and so we do lose a lot of officers when they hit that two, three, four year mark because they go over to other agencies so

COUNCIL MEMBER CONSTANTINIDES: It sounds like you need more money to increase salaries to make sure we retain staff, make sure we have enforcements

MEERA JOSHI: We can't, well, we can't increase salaries without contract negotiation that allows for that but that's ongoing now between OLR and the unions and we're hopeful that there will be room there for our officers to get a higher cap out salary so they can be more, more aptly compensated for the level of work that they are doing.

COUNCIL MEMBER CONSTANTINIDES: And we definitely need, yeah, when it comes to illegal street hails, we need more enforcement. We need more agents on the street. We need to make sure that we're doing all of those things. Very quickly, because I'm running out of time, I don't see anything in here for the taxi Smartcard. I know that's something we've talked about in the past. Is that

program coming back? I know the seniors in my district are very interested.

MEERA JOSHI: So well, the Smartcard itself, that mechanism they ran into a problem with the banks and they can't issue those cards anymore as credits against taxi fares but the city's Department of Aging has received a grant to provide some funds for transportation for seniors and we're working with them on how they want to spend that and encouraging them to allow seniors to use taxis but we can fill you in on that too.

COUNCIL MEMBER CONSTANTINIDES: If I could have one more question, Chair. Thank you. As Chair of the Environmental Protection Committee, I'm glad that we're spending less money by instituting electric vehicles. I'm very excited about that. I am a little concerned though that we're spending more money on heat, light and power.

MEERA JOSHI: Yeah, we're not always the landlord.

COUNCIL MEMBER CONSTANTINIDES: How, you're not the landlord?

MEERA JOSHI: No, not always. I mean some, one of our facilities where the rental is a

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2 rental, actually two. The only facility where we  
3 are, the landlord is our Woodside Facility.

4 COUNCIL MEMBER CONSTANTINIDES: And were  
5 you looking at opportunities for 80 x 50  
6 implementation versus

7 [crosstalk]

8 MEERA JOSHI: We are certainly for our  
9 Woodside Facility because construction needs to be  
10 happening there. Half of the building needs to come  
11 down and be rebuilt and it is part of the zero  
12 emissions plan for what that final building will be.

13 COUNCIL MEMBER CONSTANTINIDES: So solar  
14 power, geothermal something there's consideration  
15 there.

16 MEERA JOSHI: All of that, yes. It's a  
17 very ambitious but achievable plan.

18 COUNCIL MEMBER CONSTANTINIDES: Great  
19 because I mean when I see us spending \$33,000 more on  
20 heat, light and power, that concerns me but we're  
21 definitely trying to get to a 80 x 50 goal. All  
22 right, thank you, Commissioner.

23 MEERA JOSHI: You're welcome.

24 COUNCIL MEMBER CONSTANTINIDES: Thank you  
25 Chairs.

2 CHAIRPERSON DROMM: Thank you, Council  
3 Member Francisco Moya.

4 COUNCIL MEMBER MOYA: Thank you,  
5 Chairman, and thank you, Commissioner, for your time.  
6 I just have one quick question and I brought this up  
7 at the last hearing. It's a big concern of mine as  
8 I'm seeing that we're approaching this bubble here  
9 but do we have a mechanism to regulate the leases for  
10 the E-Hails like we do for the yellow cabs? I just  
11 feel that there is a bubble approaching with these  
12 subprime leases, this bait and switch that's going on  
13 right now and I feel that a lot of these drivers that  
14 have gotten themselves in this are not going to be  
15 able to afford to pay for these vehicles or when  
16 their leases are up, get into another vehicle as well  
17 and I just wanted to know if there was any mechanisms  
18 in place, are you thinking about this at all?

19 MEERA JOSHI: It is a problem and I've  
20 seen some pretty horrendous leases where people end  
21 up at the end of the lease paying \$80,000 for a  
22 \$25,000 car and worse than that, that money is  
23 deducted from their pay so if they want to skip a  
24 payment and pay something else, like a hospital bill  
25 or whatever, they don't have that choice because it's

1 automatically deducted from when they're paid by the  
2 company for the services so there's a couple of  
3 different fronts we've been looking at that. We have  
4 definitely referred, you know, really egregious  
5 examples that have come to us to consumer protection,  
6 agencies that handle consumer protection enforcement  
7 and we on our own are working on a set of  
8 transparency rules much like we do in the taxi world  
9 where the driver is told up front what the costs are,  
10 what they would look at the end of the lease period  
11 because it's important to understand what the bottom  
12 line is at the end of three years and in the taxi  
13 world we've gone further where we've capped the  
14 amount that the driver can be charged. There we have  
15 the advantage of being able to license the person who  
16 is charging them, the agent. We don't have that same  
17 authority over the car dealerships so we have to  
18 really try to see how well we can make our  
19 transparency rules do a lot of that work but if you  
20 have examples and you have particular instances, we  
21 would love to hear about them because the more we get  
22 those examples, the more they inform the kind of  
23 transparency rules that need to be in place so  
24 drivers know how much it costs to get involved. We  
25

also did produce, and I don't have them with me today but I can share them with you, two flyers that say because of a concern that drivers don't know how much it costs to get into the business, a flyer that says how much, you know, you want to drive a yellow taxi, this is what it costs, you want to drive a SHV, this is what it's gonna cost, putting it all on one page so they can see up front that there's gonna be commercial insurance, a car lease, fingerprinting, DMV checks, criminal background checks, our applications and, you know, and a lot of times people don't think about that. They get an incentive offer, they take the incentive and they forget or they don't realize that there's a tremendous of other expenses that are involved in being in this business.

COUNCIL MEMBER MOYA: Great, I won't take up too much of your time but I just would like to follow up with you on a couple of these things that you just mentioned right now and thank you so much.

MEERA JOSHI: You're welcome.

COUNCIL MEMBER MOYA: Thank you, Chair.

CHAIRPERSON DROMM: Thank you, Council Member Cornegy.

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2 COUNCIL MEMBER CORNEGY: Thank you,  
3 Chairs. Good morning Commissioner. As the Chair of  
4 the New York City Task Force on MWBE's, I just had a  
5 question as it relates to MWBE's. If you could  
6 provide me and the Committee with the MWBE  
7 percentages for TLC contracts for fiscal year 2017  
8 and the projections for 2018 and 2019.

9 MEERA JOSHI: Yes, I'm gonna defer to my  
10 Deputy Commissioner of Finance Administration who  
11 will provide you with that information. Just give us  
12 one moment.

13 COUNCIL MEMBER CORNEGY: Sure, thank you.  
14 Well, actually I'm not in charge of the clock so

15 MEERA JOSHI: They'll charge you for this  
16 moment.

17 COUNCIL MEMBER CORNEGY: Yeah, please  
18 don't let this count, don't let it count against my  
19 time please, Chair.

20 [crosstalk]

21 MEERA JOSHI: Do you have it?

22 JENNIFER TAVIS: Oops, that's dangerous.  
23 Thank you, so our MWBE utilization rate for FY17 was  
24 24% of total procurements.

25



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2 COUNCIL MEMBER CORNEGY: And if you had  
3 the projections for '18 and '19, that would be great.

4 JENNIFER TAVIS: I do not currently have  
5 the projections for '18 and '19 but we're happy to  
6 follow up.

7 COUNCIL MEMBER CORNEGY: What is the  
8 dollar amount associated with that, with 2017's  
9 allocation?

10 JENNIFER TAVIS: That was \$696,000 in  
11 MWBE procurements out of a total of \$2,862,000.

12 COUNCIL MEMBER CORNEGY: So I will be  
13 requesting that I follow up from my committee's  
14 perspective with you and the city has a very  
15 ambitious MWBE goal and we want to make sure that we  
16 can be helpful in arriving at that goal so I'd like  
17 to follow up with you for the projections for '18 and  
18 '19 as well.

19 JENNIFER TAVIS: Okay, actually I just,  
20 the projection for FY2018 is 34.6% which is above the  
21 30% goal in Local Law 1.

22 MEERA JOSHI: So that's our actual. I  
23 think our projection under Local Law was, our goal  
24 was to hit 30% and we're at 34.6% now so we're above  
25

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2 where we were last year. Obviously more to go but  
3 we're headed in the right direction.

4 COUNCIL MEMBER CORNEGY: Definitely, but  
5 I'd just like to follow up on a breakdown of what,  
6 what those contracts actually look like.

7 MEERA JOSHI: Sure, absolutely.

8 COUNCIL MEMBER CORNEGY: And where my  
9 Committee can be helpful and if you're having any  
10 areas that could be bolstered in terms of that. I'd  
11 love to be able to be helpful.

12 MEERA JOSHI: Yes, I mean a lot of our  
13 procurements are smaller than other agencies but it's  
14 no, no, you know, it's still a procurement with a  
15 city agency. It's worth something and we really  
16 would appreciate the help to make sure we're  
17 recruiting and getting that information out to the  
18 right audiences.

19 COUNCIL MEMBER CORNEGY: Thank you.

20 CHAIRPERSON DROMM: Thank you, Council  
21 Member Rodriguez.

22 COUNCIL MEMBER RODRIGUEZ: Thank you for  
23 your leadership and thank you know to the Chairman of  
24 these Committee now. We know that this is not a  
25 black and white, a agency. This is very tough

because as we would like to enforce against illegal street hail in a particular area, there's always another group who will be negative impact. If we increase penalty for illegal street hail because of the green who like to see increase of penalty in the Washington heights or the Bronx, then we have the liberty to say you've been too tough with us. If we do the same thing in that midtown area, then it's important for the yellow but then the Uber and the other, they will say nah, you know, we should have more flexibility so we know that it's a situation that is not so easy to resolve and I know that it requires leadership. When the penalty will increase for illegal street hail going up to \$10,000 only for illegal street hail in the midtown area and JFK's, how can you describe the numbers of TKW in going, giving, going so far as \$10,0000 for illegal street hail in the midtown area and JFK and LaGuardia?

MEERA JOSHI: I can get you those exact numbers. What I can tell you today, as a follow up I can get you the exact numbers because the \$10,000 doesn't apply to every illegal street hail. It applies to only those that are done in a TLC licensed vehicle so it's a subset of our illegal street hail

1 numbers but overall in the central business district  
2 that's about 70% of our enforcement as opposed to the  
3 rest of Manhattan where that's about 30% so there are  
4 definitely more, you know, enforcement is done in the  
5 midtown area and in the CBD area but I'm happy to  
6 follow up with you on the exact number of tickets  
7 that are issued pursuant to that section which  
8 carries a penalty of \$10,000 and often if people  
9 choose not to go to a hearing, they will pay a much  
10 smaller amount in a settlement. It's still a  
11 substantial amount. It is not \$10,000 though.

13 COUNCIL MEMBER RODRIGUEZ: Yeah, what  
14 would it take to give a period of grace or amnesty  
15 for drivers who owe thousand of dollars in fine and,  
16 as you know, this is something that I've been  
17 bringing to your attention not just now that I don't  
18 chair this Committee but I've been also having this  
19 discussion with you before when I used to chair  
20 [Inaudible]. Like what does it take for us to work  
21 with you TLC, identify numbers of drivers that they  
22 owe thousand of dollars that probably if we give a  
23 amnesty for them not to pay that money [Inaudible]  
24 cause they're not related to public safety?

2 MEERA JOSHI: It's hard to answer that  
3 question without knowing what that universe is  
4 because most of our tickets and certainly most of our  
5 tickets that carry heavy fines are for public safety  
6 or illegal activity so they're not ones that we would  
7 be prepared to give amnesty on. For many of the  
8 smaller violations like equipment, non-safety  
9 equipment violations, we've started issuing warnings.  
10 We've also started to issue notice of violations so  
11 it's not a summons unless you fail to get it fixed so  
12 it would be, it would take some understanding of what  
13 that category is. We have payment plans for people  
14 that have outstanding of monies that's owed to us and  
15 we have recently made them more generous but for  
16 people that have thousands of dollars and we can  
17 definitely assess to understand what that universe  
18 is, we would need to understand how many of them are  
19 actually for non-safety violations because if that  
20 group is really not non-safety violations, then an  
21 amnesty for that group wouldn't really have much  
22 effect to the people that are currently owing us  
23 money.

24 CHAIRPERSON DROMM: Thank you. We have  
25 questions from Council Member Grodenchik.

COUNCIL MEMBER GRODENCHIK: Thank you,  
Mr. Chairman. Thank you, Commissioner. I have a lot  
of taxi drivers that live in my community. I know  
many people do and one of the things I think is most  
promising and you touched on it in your testimony is  
allowing yellow cabs and green cabs to pick up  
Access-A-Ride and I just hope you could just expand  
on that a little and tell us how that's going.

MEERA JOSHI: Sure, so as I said in the  
beginning in response to sort of where is the  
industry going, I think it's very important that we  
make sure there's opportunities for the yellow taxi  
industry to get streams of income beyond the  
traditional hail market as that hail market isn't as  
broad as it used to be a few years ago and one of  
those opportunities is working with the MTA so after  
years of working with the MTA we finally got to a  
point where they agreed to send Access-A-Ride trips  
to green and yellow taxis. That does a tremendous  
amount for the passenger. They're in a mainstream  
vehicle instead of a white bus and they've gone one  
step further and introduced on demand service so the  
passenger no longer has to wait three hours for the  
trip and book 24 hours in advance and that's going

very well. We had a meeting with several members of  
the disabled community and one of them called Access-  
A-Ride and said I have to hurry up downstairs.

They're gonna come in five minutes and we were all  
pretty shocked but this was the new on demand taxi

service. For those trips that are done in an

accessible yellow or green taxi, the MTA and the

vendor have agreed to give the driver I believe it's

a \$10 bonus so that it's an extra incentive to take

out an accessible taxi and I, there's, this is

rapidly growing because when I looked at, the numbers

now are 5,000 trips a day on a weekday and 2,500 on

weekends. A few months ago, that was 3,000 trips a

day so I think that the MTA and the taxi industry are

seeing a lot of opportunity here. Customer

satisfaction because there's also, there's a pilot

they're looking at to see what customer satisfaction

and fulfillment rates are and they are very high so

that's also a good plus for Access-A-Ride. There's a

cost savings. I think an Access-A-Ride trip costs in

the neighborhoods of upwards of \$70 some dollars and

a taxi trip when you include in the administrative

work that you need with the dispatcher costs about

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2 \$35 so that's a savings to the city and for the  
3 state.

4 COUNCIL MEMBER GRODENCHIK: It's a rare  
5 win, win, win for everybody.

6 MEERA JOSHI: Yes.

7 COUNCIL MEMBER GRODENCHIK: It's a win  
8 for the consumer. It's a win for the taxi driver and  
9 it's a win for the taxpayer because we're saving  
10 money and I hope that we'll be able to expand this  
11 program and use, you know, 5,000 is a lot of trips.  
12 In New York 5,000 isn't much of anything but it's a  
13 lot.

14 MEERA JOSHI: Yes, now there's a lot of  
15 room for growth and this is an industry that  
16 certainly needs these opportunities for income  
17 enhancement so we're, we're hopeful that the MTA will  
18 continue and grow.

19 COUNCIL MEMBER GRODENCHIK: Thank you and  
20 if there's anything I can do to help that, please,  
21 I'm not on

22 MEERA JOSHI: Keep saying your voice,  
23 your public support for it. That will be always  
24 helpful.

25



2 COUNCIL MEMBER GRODENCHIK: I will. You  
3 hear me here Councilman. I'm looking at Chair Diaz.  
4 Thank you very much both of you. Thank you,  
5 Commissioner.

6 MEERA JOSHI: Thank you.

7 CHAIRPERSON DROMM: Very good, I just  
8 have some follow-up questions now on the yellow  
9 taxicab app. Do you have any details on how many  
10 riders currently use the app to hail yellow cabs?

11 MEERA JOSHI: There are two apps right  
12 now. One is called Curb and one is called Arrow and  
13 I will follow up with you on what the daily ridership  
14 is. It is not tremendous. What most passengers are  
15 finding more convenient about the app is that they  
16 can pay for their trip once they get in the cab so  
17 once they get in the cab, they put in a code and  
18 they're done. Their tip is default set and they  
19 don't have to worry about pulling out a credit card  
20 at the end of the trip or paying in cash so the  
21 higher volume of usage comes in the payment. What  
22 we'll have to see is now that we've given them the  
23 ability to give up front pricing and a little more  
24 price security that whether those hail rates go up in  
25 the yellow taxi app world and I want to mention the

app is also the way that the MTA is using them so the app is a vehicle that connects the taxi to the Access-A-Ride passenger.

CHAIRPERSON DROMM: How much did it cost to develop that app?

MEERA JOSHI: I don't know because they're done by private industries. We set the specifications. There are certain consumer protections that we want to make sure are there. There's certain privacy and security measures but then it's an open market. Anyone can come in. So far we've had two. We've got some interest from other companies and I think the more the merrier.

CHAIRPERSON DROMM: So the app is different in every circumstance to hail a yellow cab, I mean to, to use an app to get a cab?

MEERA JOSHI: There are two companies that are operating. One is called Curb and one is called Arrow. If you download either of those apps, you can hail a yellow or a green taxicab and then once you've hailed it, your credit card is on file with the app just like Ubers or Lyfts and so once you get in the car, it's already synced up and your card's gonna be charged and then you leave after your

trip. You don't have to exchange anything but you have a second feature with these apps. You can also just pay in a car that you've actually hailed yourself.

CHAIRPERSON DROMM: Did you ever hear of Taxi2Go?

MEERA JOSHI: Taxi2Go?

CHAIRPERSON DROMM: 2-Go.

MEERA JOSHI: I'm not familiar with that but I'm not, that doesn't mean that my policy staff hasn't been working with them but I'll certainly check for you.

CHAIRPERSON DROMM: Okay and do all yellow cab drivers have access to both apps?

MEERA JOSHI: Yes, they can work with either one and, and, the apps have access to the entire fleet of yellow cabs and green cabs.

CHAIRPERSON DROMM: Okay, so let me just go to carpooling. Can you describe that program for me and how that works?

MEERA JOSHI: In yellow or in

CHAIRPERSON DROMM: Yellow, yellow.

MEERA JOSHI: Okay, in yellow, it's always been allowed if both passengers agree to it or

really the first passenger but with the apps you can do a lot of that on-line which is how programs like Via or UberPool or Lyft Line work so for example, Curb, one of the apps, is working with Via so that if you request through the app they say okay, you'll get a discount if we match you with somebody else. It's still in its very early stages. The car sharing is difficult to get off the ground in New York but it is getting much more acceptable so I'm hoping that again the recent pilot that we allowed for more freedom with the apps will also allow them to do car sharing in ways they haven't been able to. One of the aspects of car sharing that we've seen from the data is it's going on in the boroughs, other than like Via which only operates on that model, but those that don't, that operate in both worlds there car sharing actual shared rides happen more in the boroughs than they do in central Manhattan so it may be that the greens who are in the boroughs can get more of that or if there's yellows that are in the boroughs, which is not as common, that they would be able to do more of the car sharing work. I do think it's gaining in popularity and it would be smart for any of the app

2 developers that are in this space to figure out how  
3 they can take advantage of that.

4 CHAIRPERSON DROMM: Do you know the  
5 numbers for the yellow taxis? How many are  
6 participating in the program?

7 MEERA JOSHI: In the

8 CHAIRPERSON DROMM: For the yellow cabs  
9 in the partnership to pick up passengers.

10 MEERA JOSHI: Any, any yellow cab that is  
11 using I believe it is Curb that is the, any yellow  
12 cab, so it's really up to the driver so any driver  
13 that is using Curb to pick up trips will also pick up  
14 these shared trips as well. They're just not a lot  
15 in number because they're functioning in Manhattan  
16 and it's really not the prime territory. Most people  
17 don't want to share a cab in Manhattan. They want to  
18 get where they want to get quickly.

19 CHAIRPERSON DROMM: Do you know, would  
20 you know those numbers? Do they share those numbers  
21 with you?

22 MEERA JOSHI: I can check. I believe  
23 they do so I can get them for you, certainly.

24 CHAIRPERSON DROMM: That would be  
25 interesting to see as well.

MEERA JOSHI: Yeah, because we require people to tell us every time there's an actual shared ride so presumably we'll have those numbers as well.

CHAIRPERSON DROMM: Okay, just want to talk a little bit about licensing facility wait times. The average wait time at the Long Island City Licensing facility decreased 48% to 12 minutes during the first four months of fiscal 2018 when compared to the same period in fiscal 2017. How was TLC able to reduce the wait time by 48%?

MEERA JOSHI: You're talking about people when they get their actual physical license, right?

CHAIRPERSON DROMM: Um-huh.

MEERA JOSHI: A tremendous amount of work has been done to bring the process on-line. Drivers are mobile. They do a lot of things on their phones. We wanted to make sure that they were able to upload documents, check on the status of their application and submit other pieces of information that are necessary to complete an application from their phone and over the last year, we've gotten all of that integrated into our licensing system and it's been incredible. Not only are the wait times down but it's more customer satisfaction. It is a lot easier

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2 for people to upload their DMV abstract than to make  
3 a trip to wait in line to come and give it to us at  
4 our licensing facility. We also have opened up just  
5 as an aside but it also has to do with customer  
6 service, a DMV facility within our licensing so that  
7 the medallion taxi owners who used to have to go to  
8 two or three spots in order to get their plates can  
9 just come to FALCHI [phonetic] and we'll issue the  
10 plates for them right there and then.

11 CHAIRPERSON DROMM: I actually heard of  
12 that, okay, so let me also talk a little bit about  
13 inspection times. I think in 2017 the average time  
14 was 48 minutes and then in 2017 it went up to 58  
15 minutes. Can you explain why it's taking longer?

16 MEERA JOSHI: A lot more cars. It really  
17 is due to the fact that we have a lot more cars. We  
18 have a certain number of lanes and we also have the  
19 same number of staff so we haven't had a real  
20 increase in the number of inspectors that are  
21 available to do this work.

22 CHAIRPERSON DROMM: Okay, that's it for  
23 me. Chair, Chair Diaz.

24 COUNCIL MEMBER DIAZ: Mr. Chairman, as I  
25 said this morning. Today I came in peace so I don't

gonna ask no more question. I just want to  
congratulate and express my appreciation to the, to  
central staff, the staff of the Committee and my  
counsel, Christopher Lean [phonetic] and all of the  
members that have been working with me. I'm happy,  
Mr. Chairman, because just today in the *Village Voice*  
there came an article where the, our Speaker, the  
Honorable Corey Johnson, has expressed his support to  
regulate Uber and he has shown that this City Council  
and the Committee on For-Hire Vehicle has his support  
and the support of the members and I'm happy. I'm  
happy to hear that our Speaker go publicly taking  
about the ills that has been done to yellow and to  
the industry and his willingness to correct those  
ills so thank you Mr. Chairman and I'm happy. Thank  
you.

CHAIRPERSON DROMM: Okay, thank you very  
much and I want to thank the panel for coming in.  
We're not going to adjourn this meeting because we're  
gonna continue a little bit later on with the second  
hearing with the EPA but for now I just want to say  
thank you for coming in and we look forward to  
continuing to work with you.



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2 MEERA JOSHI: Thank you and we'll follow  
3 up with the items that several Council Members have  
4 asked us to follow up with so thank you.

5 CHAIRPERSON DROMM: Okay, thank you very  
6 much.

7 [pause]

8 CHAIRPERSON DROMM: [gavel] Okay, we will  
9 now resume the City Council's hearing on the Mayor's  
10 Executive Budget for fiscal 2019. The Finance  
11 Committee is joined by the Committee on Environmental  
12 Protection chaired by Council Member Costa  
13 Costantinides and we have been joined by Council  
14 Member Adams, Council Member Grodenchik, Council  
15 Member Richards, and Council Member Cohen and we just  
16 heard from the Taxi and Limousine Commission and now  
17 we'll hear from the Commissioner of the Department of  
18 Environmental Protection, Vincent Sapienza. In the  
19 interest of time, I will keep my remarks brief.

20 DEP's fiscal 2019 executive budget totals \$1.39  
21 billion, a decrease of approximately \$27 million over  
22 the fiscal 2018 adopted budget. I look forward to  
23 hearing more about the department's water rate  
24 setting process and how the DEP balances  
25 affordability while keeping pace with long term

2 capital construction demands and expenses related to  
3 water and sewer operations. Furthermore, I was glad  
4 to see funding in the executive plan to hire 19 staff  
5 for a rapid noise response unit. Great, in a city  
6 where noise pollution is all around us all the time,  
7 it's hard to address immediately. It's important for  
8 the DEP to have the necessary resources to do,  
9 respond quicker. Last, I look forward to discussing  
10 agency efforts to engage and educate our youth  
11 through internship programs. Funding was included in  
12 the current plan for an upstate program. I am hoping  
13 to hear today that DEP offers such programs locally  
14 with our schools. Children are our future  
15 environmental stewards and protectors of the earth  
16 and we need to invest in them to support that growth.  
17 Before we hear testimony, I will open the mike now to  
18 my Co-Chair, Council Member Constantinides.

19 COUNCIL MEMBER CONSTANTINIDES: Thank  
20 you, Chair Dromm. I'm very happy to chair this  
21 committee hearing with you today to hear from the  
22 Department of Environmental Protection.  
23 Commissioner, it's good to see you and definitely  
24 looking forward to hearing about several important  
25 topics and issues including why certain Council

priorities were not included in the DEP's executive plan, your efforts to bolster renewable energy projects across the agencies vast building portfolio and update on general agency procedures so Commissioner, I'm looking forward to hearing your testimony. Thank you, Chair Dromm.

CHAIRPERSON DROMM: Okay, all right, so now we have been joined with this panel, Vincent Sapienza, Michael Deloch and Joseph Murin. Okay, thank you. All right, I'm gonna ask counsel to swear you in.

COUNSEL: Do you affirm that your testimony will be truthful to the best of your knowledge, information and belief?

CHAIRPERSON DROMM: Okay, you can start.

VINCENT SAPIENZA: So good afternoon, Chair Constantinides, Chair Dromm and members. I am Vincent Sapienza, Commissioner of the New York City Department of Environmental Protection and at the table with me is our Chief Financial Officer, Joe Murin, and Deputy Commissioner, Michael Deloach and we have our senior DEP leadership her on the front row with us. To start off Chair Constantinides, we look forward to continuing to work with you on our

shared priorities of sustainability, resiliency,  
environmental justice and continuing to improve the  
environment for all New Yorkers. Chair Dromm,  
congratulations on your new role as Finance Chair and  
to Council Members Adams, Powers and Moya. For  
Council Member Moya, we have a couple thousand of  
your constituents at our main building in Lefrak City  
so we look forward to continuing to highlight the  
great work that our agency does and being responsive  
to your questions as I think we have been in the  
past. Thank you for the opportunity to testify today  
and I look forward to answering your questions. Just  
as background, DEP has the overall responsibility for  
the city's water supply and sewer system, including  
providing drinking water for all New Yorkers,  
managing storm water and collecting and treating  
wastewater. In addition, DEP regulates air quality,  
hazardous wastes and critical quality of life issues  
including noise. All of our water related  
expenditures both operational and capital are funded  
with the money collected from over 834,000 property  
owners who pay a water bill. I will start by  
providing an update on this year's water rate setting  
process. As background, the New York City Water

Board is an independent body whose fiduciary mandate under State law is to set rates that will satisfy system revenue requirements for operations and maintenance expenses, for service and debt obligations and for achieving fiscally prudent year end cash reserves. The Board and DEP are assisted by an independent rate consultant in analyzing the fiscal needs of the system and developing water rate scenarios. On April 27, DEP proposed to the Water Board a 2.36% rate increase for fiscal year 2019. We have been able to contain rate increases over the past few years primarily due to Mayor de Blasio's historic decision to eliminate the annual rental payment from the water system to the City treasury. DEP's balance sheet has also remained steady in recent years due to favorable market conditions, including low borrowing costs and robust local employment, enabling most homeowners to pay their water bills on time. Given future uncertainties, DEP continues to make operational improvements and quantitatively assess capital needs to keep rates affordable going forward. This year's rate proposal includes the extension of several affordability programs expected to benefit as 65,000 low income

senior and disabled property owners. It would also provide a \$250 credit to 40,000 affordable apartment units. In addition, the rate proposal recommends freezing the minimum charge at \$1.27 per day for the fifth consecutive year for those who use fewer than 95 gallons per day. As a result, about a quarter of all single family homeowners, many of whom are seniors, will see no rate increase at all. The Water Board will hold public hearings in every borough starting with Brooklyn on May 21 to hear directly from the public and your staffs have been given the full schedule and postings have appeared in both the *Daily News* and the *New York Post* so now we'll talk about the FY19 executive four year capital plan so for DEP the plan is \$12.1 billion dollars for fiscal '19 through '22 as was presented by Mayor de Blasio on April 26. This funding supports critical investments in the city's drinking water supply system, the sewer network and waste water treatment plants. It also provides funding for a number of initiatives to promote the overall health of New York City's environment. New York City's water supply system provides one billion gallons of safe drinking water daily to more than nine million people. This

includes residents of New York City, millions of  
tourists and commuters who visit the City throughout  
the year and approximately one million people living  
in the counties of Westchester, Putnam, Orange and  
Ulster. In all, the system provides nearly half of  
the population of New York State with drinking water.  
Over the next four years, DEP will invest \$2.7  
billion to protect the quality of our reservoirs and  
the integrity of our dams, provide for treatment  
where necessary and maintain and repair the pipes  
that convey drinking water to all New Yorkers. In  
December 2017, DEP received a new ten-year filtration  
avoidance determination or FAD from the New York  
State Department of Health. The FAD recognizes the  
great work that DEP has done to protect the  
reservoirs and the and Catskill/Delaware watersheds  
including the acquisition of tens of thousands of  
acres of land, governing certain activities in the  
watershed, and partnering with many upstate  
communities to reduce sources of pollution. The four  
year plan includes \$341 million for FAD programs of  
which \$129 million is allocated for land acquisition.  
The nationally recognized FAD program help us to  
avoid building a very costly drinking water

filtration plant by some estimates more than \$10 billion. The Delaware aqueduct conveys more than half of New York City's high quality drinking water every day from reservoirs in the Catskill Mountains. DEP is currently implementing a \$1.5 billion program to repair a leak in a section of the aqueduct that is 800 feet below the surface of the Hudson River. Although this project extends even beyond the four year plan, the executive budget provides \$253 million for projects associated with its repair related to water conservation and to provide supplemental sources of water during the Delaware aqueduct shutdown in late 2022. The most significant of these associated projects will increase the capacity of the Catskill aqueduct by an additional 50 million gallons per day and this project accounts for nearly \$200 million of the above total. The capital plan includes \$600 million to complete the Brooklyn Queens leg of City Water Tunnel Number 3 which includes funding to construct two new shafts in Queens. In 1970, the city began construction of City Water Tunnel Number 3 and it is one of the largest and longest running public works projects in the City's history. In 2013, DEP activated the Manhattan



portion of the tunnel and laid the groundwork to get water flowing down the tunnel. Late this year, DEP insured that the Brooklyn Queens leg was activation ready so that in the unlikely event of a major failure of City Water Tunnels 1 or 2, prior to the completion of the two shafts, DEP could quickly deliver water through the entire distribution area of City Water Tunnel Number 3. DEP is responsible for the maintenance of more than 7,500 miles of sewers throughout the city. Over the last several years, DEP has embraced a data driven, proactive approach to operating and maintaining the sewer system. By using a range of digital tools and innovative practices, DEP developed targeted programs to provide a high level of service to our customers while focusing on investments that prioritize resources. Over the past decade, these programs have significantly driven down confirmed sewer backups. Since 2013 we have been more proactively cleaning sewers rather than the previous practice of reactively cleaning them after a back-up occurred. In 2017, DEP proactively cleaned more than 400 miles of sewers, more than a mile a day. The Executive FY19 to '22 capital plan projects \$2.7 billion of spending on sewers including \$1.0

1 billion for replacement of sewers, storm sanitary and  
2 combined and \$1.5 billion for new sewers including  
3 high level storm sewers. The Staten Island bluebelts  
4 are an award winning ecologically sound and cost  
5 effective storm water management system for  
6 approximately one third of Staten Island's land area.  
7 The program preserves natural drainage corridors  
8 called bluebelts, including streams, ponds and other  
9 wetland areas. They provide important community open  
10 spaces and diverse wildlife basins. This budget  
11 includes more than \$270 million in funding including  
12 extending bluebelts into other boroughs for  
13 Springfield Lake, Van Cortland Park, the New York  
14 Botanical Gardens and additional locations across the  
15 city. Alleviating street flooding in southeast  
16 Queens is a major priority for Mayor de Blasio and  
17 DEP. The Mayor has committed to substantially  
18 accelerate relief in southeast Queens by pairing  
19 traditional sewer construction with green  
20 infrastructure throughout the region. Through FY17  
21 DEP had committed \$227 million for this work. In  
22 FY18 we anticipate committing an additional \$186  
23 million. This four-year plan has another \$911  
24 million funded in FY19 through '22. DEP manages an  
25

average of 1.2 billion gallons of wastewater that New Yorkers generate each day through fourteen wastewater treatment facilities. In alignment with wastewater utilities across the country, DEP is embracing best management practices to ensure a sustainable future that minimizes waste, maximizes resources, protects our rate payers, improves the community and embraces innovation. Wastewater resource recovery is an essential element in delivering maximum environmental benefits at the least cost to society. DEP is working to promote our role in energy optimization, greenhouse gas reduction, carbon sequestration and operational improvements to efficiently manage the expense budget while expanding environmental opportunities. The four-year plan includes \$4.5 billion in wastewater treatment projects, \$2.9 billion of which is for the reconstruction or replacement of components at our wastewater treatment plants and pumping stations. DEP is constructing a new cogeneration system at the North River plant which will use renewable digestion gas produced during the wastewater treatment process to power equipment and heat the facility. This project totaling \$261 million will help us reduce our energy

use in line with the Mayor's major commitment to  
reduce greenhouse gas emissions by 80% by 2050. The  
remaining \$1.6 billion of investment will be used to  
continue mitigating combined sewer overflows that  
occur during storms. I am proud to report that our  
harbor waters are cleaner and healthier than they've  
been in more than a century. Key indicators of water  
quality include concentrations of bacteria and  
nitrogen that continue to drop while dissolved oxygen  
is on the rise. We are hearing more and more reports  
of whales, dolphins and seals returning to our  
waterways and we are proud to see those efforts pay  
off. In 2012, the state and city signed a  
groundbreaking agreement to further reduce CSO's  
using a hybrid gray and green infrastructure  
approach. So far the state has approved eight of the  
city's plans and one additional plan is under review.  
The plans for Flushing Bay and Newtown Creek call for  
enormous CSO storage tunnels beneath Brooklyn and  
Queens to significantly reduce overflows. DEP is  
currently developing plans for Jamaica Bay and the  
East River and open waters. The budget includes \$676  
million for green infrastructure such as rain gardens  
and infiltration beds and \$931 million for gray

infrastructure such as giant underground tanks and tunnels to store wastewater. Included in the budget are projects to improve water quality in the Bronx River, Alley Creek, the Hutchinson River and Flushing Creek. The plan also \$535 million for the federally mandated construction of two storage tanks to reduce overflows into the Gowanus Canal. We are hopeful that we can purchase these two sites without involving eminent domain. Now I'm gonna go into the FY19 expense budget. The projected DEP expense budget for the current fiscal year, FY 18, will be \$1.48 billion. This includes approximately \$210 million in community development block grant CDBG funds for which DEP serves as the contracting entity for the city. For FY19, we expect DEP's expense budget to be \$1.39 billion including \$92 million in CDBG funding for the Build it Back program. The preliminary FY19 expense budget breaks down into the following large categories: \$545 million or 39% of our total expense budget is for personal services to pay the salaries of more than 6,000 funded positions, \$167 million is for property taxes on upstate watershed lands, a critical investment in maintaining the high quality of New York City's drinking water by

protecting it at the source. I am pleased to report that we have successfully negotiated agreements with several upstate municipalities to make our tax obligations more stable and predictable and in some cases to reduce them. We have \$96 million for heat, light and power. DEP is the third largest municipal consumer of electric power in New York City after the Department of Education's [Inaudible] Health and Hospitals and our consumption will grow as we bring new mandated treatment facilities on-line for both drinking water and wastewater. To control energy costs and greenhouse emissions, DEP is investing in projects such as the cogeneration system at the North River Wastewater Treatment Plant which is now in construction. Chemicals such as chlorine and fluoride that are used in the treatment of drinking water and other chemicals like lesterol [phonetic] and ferric chloride that are used for wastewater treatment account for \$51 million. Finally, management of the 1,300 tons per day of bio solids is projected about \$56 million in FY19, just over 4% of our projected FY19 expenses. DEP has also taken a hard look at our processes to identify where we can reduce costs without sacrificing quality or

reliability. We've projected reducing our overtime usage by about \$1.5 million this year and estimate that procurement reforms will save over \$1.2 million. We are working to improve our interactions with our customers with a new modern customer service information system which will incorporate best industry practices. We expect to award this contract in the summer working with our partner agencies to ensure effective implementation. We expect the new system to take two years to design and construct. On behalf of the over 6,000 employees at DEP across both the city and upstate, I want to again express our appreciation to the Environmental Protection Chair Constantinides for his strong leadership and advocacy and express our continued commitment to collaborating with Chair Dromm and all the Council partners to continue delivering on our agency's mission. Thank you for the opportunity to present testimony today and I look forward to answering any questions you may have.

CHAIRPERSON DROMM: Thank you, Commissioner, and appreciate that you are here. In your testimony you noted that just this past week DEP proposed a 2.36% increase in the fiscal year 2019

water rate. You know, it comes out to be about for a single family homeowner I think about \$217 a month and for multifamily unit, it's \$1.35 [sic] a month and I guess for some people it's a small amount but the problem is that it keeps going up and so my question really is how do you determine how far down the road these increases are going to continue to happen going into the future?

VINCENT SAPIENZA: So on April 27 we did make a recommendation to the Water Board to increase the rate for the coming year by 2.36% and we have been looking forward in the coming years. To meet the needs of the system we, you know, have the fiduciary responsibility to determine what the rate is but we understand that even, even what some might consider, you know, small percentage increases can impact certain homeowners and so what we are continuing to do are those affordability programs that we've successfully done in the past and some of them I mentioned in my testimony. We have an affordability program that will benefit about 65,000 low income homeowners, primarily seniors and the disabled and they'll get \$115 bill credit. We have a program to give credits to 40,000 apartment units



whose landlords agree to enter into affordability and conservation programs and I guess one of the main things too is the minimum charge for property owners who use a low amount of water, less than 95 gallons a day, we're freezing their rate at \$1.27 a day so again we want to keep in mind the property owners who can least afford the increase and I think these programs are there for them.

CHAIRPERSON DROMM: And so I have here in front of me that in 2009, there was a 14.5% increase and then this year we're at a 2.36% increase going into 2019. How do you decide that and how do you know what you're going to be doing or how do you predict what you might be doing a little bit further down the road?

VINCENT SAPIENZA: So the water rates that are set must provide funding both for the current fiscal year's expense and capital budget. To fund projects, large capital projects, DEP works with the municipal water finance authority to sell bonds to investors and we collect those revenues and then have to pay them back so the rate is set to pay back those funds. We not only look at the coming fiscal year, but we take a longer term view. We don't like

spikes in the rates some of which happened in the  
past.

CHAIRPERSON DROMM: Because that's the  
point I'm trying to get at is how do we avoid those  
spikes so that we don't have a year where there's a  
14% and then it drops. We like the drops but the  
spike is what's concerning to us.

VINCENT SAPIENZA: Right, and, Mr. Chair,  
we do look at least our four years and in some cases  
longer to just make sure that we're not gonna be  
jumping up and down and when we do sell bonds to  
investors, the offering statement does have a four-  
year outlook and the outlook is single digits at  
least through the four-year plan.

CHAIRPERSON DROMM: So with, with like  
something like with the Delaware aqueduct let's say,  
does that factor into your decision making in terms  
of how you set the rate for this year and then moving  
forward?

VINCENT SAPIENZA: That's right, so we'll  
look at our four-year capital plan, what the needs  
are, you know, what bond offerings we're gonna need  
to do, how much we're gonna have to pay back the  
bondholders and that all gets factored in and we do

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2 have a third party rate consultant, Amwack [phonetic]  
3 consulting and they help us do longer term outlooks.

4 CHAIRPERSON DROMM: And with that  
5 Delaware aqueduct repair, how are you preparing  
6 residents? There's gonna eventually be a shutdown  
7 there, right?

8 VINCENT SAPIENZA: Yep, so we are in  
9 construction now. We are building a parallel tunnel  
10 800 feet below Newberg to bypass the leaking section  
11 of the old Delaware aqueduct and when we make the  
12 tie-in of that 2.5 mile new tunnel with the old  
13 tunnel, there will be a shutdown of about five to  
14 eight months in late 2022 so half of New York's water  
15 supply will be shut off at that time and we've been  
16 developing, we've been working with a lot of upstate  
17 municipalities who also use that water from the  
18 aqueduct but we feel confident that what our two  
19 other sources, the Catskill system and the Croton  
20 system we will have sufficient supply but we do want  
21 to still communicate that to our residents during the

22 CHAIRPERSON DROMM: So what are the plans  
23 to get that out to residents? I remember Major Koch  
24 deputizing students to be water watch guards or  
25 sheriffs or something to get parents, you know, to

flush less often and turn off taps and do you have  
any plan like that.

VINCENT SAPIENZA: Yeah, I remember that  
too and we are starting to put that together so we've  
got, you know a couple of years but again we're  
comfortable and confident that we have a sufficient  
water supply during that period but conservation is  
always something that we prefer.

CHAIRPERSON DROMM: So you're going to be  
developing a plan a little bit further down the road.  
Do you have a projected date for that plan?

VINCENT SAPIENZA: We do, we expect in  
2020 to have the plan out but we've already been  
doing things ahead of time and we've been working  
with DOE and HHC. We've been providing them funding  
to replace some of their high flow fixtures as well.

CHAIRPERSON DROMM: So what's the current  
consumption rate and what do you plan or think that  
it will be when that work starts?

VINCENT SAPIENZA: Yeah, that's a great  
question and a great story because if you go back a  
generation ago. In New York City, we were using  
about 1.5 billion gallons a day of water and we're  
down this last year in 2017 for the first time below

2 a billion gallons, did 990 million gallons and  
3 there's several reasons for that is all the water  
4 conservation initiatives and low flow fixtures and  
5 appliances and now 97% of property owners pay a water  
6 bill based upon how much they actually use so they're  
7 more conscious of that but we're under a billion  
8 gallons now. We expect to be about a billion gallons  
9 a day going forward so the two systems, the Catskill  
10 and the Croton can meet that need.

11 CHAIRPERSON DROMM: Did you say what  
12 contributes to the drop in the consumption?

13 VINCENT SAPIENZA: So a few things, low  
14 flow fixtures and appliances now, low flow toilets,  
15 dishwashers, washing machines but we think a lot of  
16 it is people are now instead of paying on a old  
17 frontage charge where you paid one flat water bill  
18 per year, you're actually paying now on a meter grade  
19 and so I think a lot of people are more conscious  
20 about how much they are using.

21 CHAIRPERSON DROMM: Okay, you know, I was  
22 the former Chair of the Education Committee before I  
23 became Chair of this Committee and, you know, the  
24 environmental internship project that you have looks  
25 like it's great. My question is that it seems to be

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2 in Ulster County Community College. How do we get  
3 that down here?

4 VINCENT SAPIENZA: Yeah, so the  
5 internship program we've been doing for many years at  
6 DEP. It really is a terrific program. You know, we  
7 need a lot of different skill sets at DEP. We have  
8 an aging workforce and so we want to encourage young  
9 folks to get familiar with us and we with them so we  
10 have our internships upstate and in city. I think  
11 it's 112, I think we have. I think we've signed up  
12 112 students this summer. You have the number, Joe?

13 JOE MURIN: Yes.

14 VINCENT SAPIENZA: 112.

15 CHAIRPERSON DROMM: Are they upstate or  
16 here?

17 JOE MURIN: Both.

18 VINCENT SAPIENZA: There are both.

19 CHAIRPERSON DROMM: And so where are they  
20 here?

21 VINCENT SAPIENZA: So for the city, they  
22 would come out of our office in Queens but they could  
23 be stationed at any of our wastewater plants or out  
24 on waterways taking samples or  
25

2 CHAIRPERSON DROMM: So it's run through  
3 Ulster?

4 VINCENT SAPIENZA: No, no, no, so there  
5 are some programs that are done in the city and then  
6 for some of our watershed internships that are up at  
7 the reservoirs at Ulster County but different sets of  
8 kids.

9 CHAIRPERSON DROMM: Okay, I see. All  
10 right, let me go to another one that a huge number of  
11 complaints in my office about which is noise  
12 reporting which is why I was cheering before. With  
13 the number of noise pollution complaints hovering  
14 around 50,000 and 60,000 per year and the average  
15 time to close a complaint 5.2 days, as I said I'm  
16 glad to see the funding in the executive plan to hire  
17 19 full-time staff for a rapid noise response unit so  
18 I just want to really know a little bit more how  
19 that's gonna work. How do the agency and OMB  
20 determine that 19 would be an adequate number for  
21 this unit?

22 VINCENT SAPIENZA: So you're right about  
23 noise complaints and, you know, as the economy has  
24 improved over the years, we're seeing a lot more  
25 construction and after hours construction. We've

1 been getting a lot of complaints so a couple things  
2 we looked at, what the need would be to more quickly  
3 respond to complaints but in the context of Local Law  
4 53 which was just signed this past January that gives  
5 us the flexibility and the ability to I just think  
6 more better enforce against some types of businesses  
7 like construction businesses. In the past, the noise  
8 code required our inspectors to actually go to the  
9 complainant's premise to take a noise reading. That  
10 was often tough. You would have to make an  
11 appointment and some people just didn't want us in  
12 their apartments. Under Local Law 53, we're now able  
13 to just go to the site and from the street level take  
14 a reading and issue a violation based upon that so  
15 that's gonna make us more effective and with the 19  
16 new heads we can certainly

18 CHAIRPERSON DROMM: And just how did you  
19 get to that 19 again?

20 VINCENT SAPIENZA: So we did an  
21 assessment of about how many existing staff we had  
22 and what percentage increase we would need to respond  
23 to again the uptick and

24 CHAIRPERSON DROMM: And how will they be  
25 disbursed amongst the boroughs?



2 VINCENT SAPIENZA: So that they come out  
3 of our office in Queens and they respond wherever  
4 there are complaints throughout the city.

5 CHAIRPERSON DROMM: But they'll be  
6 operating out of the Junction Boulevard?

7 VINCENT SAPIENZA: Yeah, and so at the  
8 beginning of the day they'll report to the office,  
9 they'll pick up their equipment, and then they'll  
10 head out. Yeah, we also, by the way, with the 19 new  
11 employees, several of them will be on an evening  
12 shift, you know, working from like 4 p.m. to midnight  
13 or 6 p.m. to 2 a.m. which is

14 CHAIRPERSON DROMM: Because oftentimes  
15 what happens is that the problem ends before the  
16 response team can get there.

17 VINCENT SAPIENZA: Yeah.

18 CHAIRPERSON DROMM: Okay, so will you be  
19 working with other agencies? One of the things that  
20 I was told was that I think the NYPD had four noise  
21 meters or whatever they're called and oftentimes they  
22 were not able to get readings or whatever. Are you  
23 working, are these response teams going to be in  
24 addition to what NYPD is doing and is it the same  
25 type of situation?

VINCENT SAPIENZA: Yeah, they're in addition but we work closely with NYPD and with the Department of Buildings cause again a lot of the complaints are construction related but we often will go out together as teams to do those inspections. NYPD primarily responds to noise complaints, after hour's clubs or at house parties. DEP's inspectional force, we're not peace officers so where we think there may be a situation that's a little bit dicey, NYPD will respond to it.

CHAIRPERSON DROMM: So do you have any estimates on the response times and what criteria would call for the response team to react, to respond to it?

VINCENT SAPIENZA: Yeah, and that's another thing we're doing, Mr. Chair, is as 311 calls come in, instead of looking at them individually we actually have, we call it heat map now, and they'll come up on the screen and if we see a particular area is getting a lot of complaints, you know, maybe there's one particular site that a lot of people are complaining about, those are the ones we more rapidly respond to.

2 CHAIRPERSON DROMM: What's the allowable  
3 decibel level?

4 VINCENT SAPIENZA: So it varies, it  
5 previously had been 85 decibels. Under the new Local  
6 Law, it's actually being ratcheted down from that to  
7 80 and then to 75 but that's on construction noise.  
8 For other things like if there's equipment that may  
9 be running 24 hours a day, say ventilation equipment  
10 on a building, there are other decibel levels.

11 CHAIRPERSON DROMM: So one thing that's a  
12 pet peeve of mine are the leaf blowers. If people  
13 were to make a complaint about leaf blowers, would  
14 your rapid response team be able to go out and check  
15 that out?

16 VINCENT SAPIENZA: Uh, yeah, if we can  
17 get there in time I guess but those are kinda more  
18 transient noise complaints that we haven't in the  
19 past responded to.

20 CHAIRPERSON DROMM: Actually I have some  
21 legislation on that and should talk to the Chair  
22 Constantinides about that as well. On another issue,  
23 I just have a couple more questions. On a city wide  
24 basis, approximately how many properties have water  
25 main line connection, a private water main line? I

have an issue and I'm gonna take a little bit of  
Chair privilege on this one. I have an issue with a  
private property owner who had the water main line  
installed prior to records being kept or whatever so  
if a homeowner has a private water main line, what if  
any options are available for that property owner  
with respect to opting into the public system?

VINCENT SAPIENZA: So, Mr. Chair, there  
are a handful of locations throughout the city that  
are on unmapped streets, they're not in the I guess  
the borough president's official directory or streets  
and the water mains that were laid there in some  
cases a hundred years ago are not city owned.  
They're privately owned and as those age out we know  
that from time to time there has been problems where  
homeowners just have a failing line. We've been  
trying to figure that out, maybe getting some streets  
officially mapped so that the city would be allowed  
to put in, you know, New York City infrastructure  
there but that's been coming up more and more over  
the last couple of years.

CHAIRPERSON DROMM: More and more so it's  
even further than just my district.

VINCENT SAPIENZA: Yeah.

2 CHAIRPERSON DROMM: Okay, let's continue  
3 to work on that. I know that my staff has been in  
4 communication with you on that as well but it  
5 continues to be a growing problem in one particular  
6 area of my district which actually is South Elmhurst  
7 and another issue there which is similar though to  
8 some other residents in Queens so some of the  
9 residents in Southeast Queens are close to an under  
10 the ground portion of Newtown Creek and are concerned  
11 that the water table is causing sink hole conditions.  
12 Currently DEP is conducting a groundwater study which  
13 includes Southeast Queens and the underlying area.  
14 Is DEP amenable to studying other areas such as this  
15 area in South Elmhurst?

16 VINCENT SAPIENZA: So just for Southeast  
17 Queens we had been getting a number of complaints  
18 from homeowners who were saying that the groundwater  
19 table as it's been rising, they're actually seeing  
20 some groundwater in their basements so that's the  
21 purpose why we did the study in Southeast Queens to  
22 see what we could do there but, you know, over the  
23 years as there's been less and less pumping of  
24 groundwater for drinking water or industrial uses, we  
25 have been seeing regular groundwater rise in certain

2 areas and, you know, we're certainly amendable to  
3 assessing where there may be needs elsewhere.

4 CHAIRPERSON DROMM: So in relation to  
5 building out water supply lines in Queens, would this  
6 have any impact on sink holes conditions in the area?

7 VINCENT SAPIENZA: So sink holes can  
8 occur for a variety of reasons. Some of them are  
9 water related. You know, if a water main breaks, you  
10 know, you'd certainly get a sink hole. You know,  
11 we've seen in the past, you know, where there were  
12 historic stream beds that got filled in by real  
13 estate developers that we get sink holes from time to  
14 time but yeah if there's a particular area,  
15 Mr. Chair, you want us to look at we can certainly  
16 get out there.

17 CHAIRPERSON DROMM: Okay, it's South  
18 Elmhurst. I'll get you the area too. All right, now  
19 we've been joined by Council Members Cumbo, Majority  
20 Leader Cumbo, Council Member Yeager, Council Member  
21 Menchaca, Council Member Van Bramer and Council  
22 Member Treyger and I want to turn it over to our  
23 Chair to ask questions and then we'll go to questions  
24 from members as well.

2 COUNCIL MEMBER CONSTANTINIDES:

3 Commissioner, thank you for your testimony. We've  
4 done a lot of really good work together so I  
5 definitely appreciate that so I really want to kinda  
6 drill down on the budget response from the Council.  
7 We include several recommendations for the Department  
8 of DEP, recommendations that called upon the  
9 administration to include \$400 million in relation to  
10 Soundview houses and Blinn [phonetic] houses, the  
11 waterways around there for additional CSO  
12 remediation. \$108 million was put into the budget  
13 for new sewer buildout which isn't quite the same  
14 thing and I'm not sure where that \$108 million is  
15 going to go so can you sort of explain to me why 1)  
16 the Council budget request was not considered in the  
17 Exec. Budget and then secondly what is this \$108  
18 million going to get us when it comes to sewer  
19 buildout, where would that be, what will help us  
20 capture, what is happening with that \$108 million?

21 VINCENT SAPIENZA: You know again thank  
22 you, Mr. Chair, for your continued advocacy on a  
23 bunch of initiatives that we've been doing and we  
24 have submitted plans to DEC, many of which have been  
25 approved to further reduce combines or overflows but

2 in the end it's a balance of, you know, trying to  
3 leverage the right projects with an amount of  
4 spending that just keeps water and sewer rates, you  
5 know, somewhat in check and, you know, we've got our  
6 Board behind us which kind of talks about where  
7 funding is going and, you know, it's always an issue  
8 of if you add to one other area, if you know, certain  
9 people advocate for more combined sewer overflows, do  
10 we have to reduce funding somewhere else without  
11 expanding, you know, the need from homeowners to pay  
12 a bigger bill.

13 COUNCIL MEMBER CONSTANTINIDES: So  
14 where's that \$108 million. You included additional  
15 spending of \$108 million so there is money. We found  
16 it so what is that \$108 million gonna buy us.

17 VINCENT SAPIENZA: Go ahead, Joe. You  
18 can take it.

19 COUNCIL MEMBER CONSTANTINIDES: Can you  
20 state your name for the record?

21 JOE MURIN: Yes, certainly, Mr. Chair.  
22 Joseph Murin. I'm Chief Financial Officer so that  
23 \$108 million was an additional to sewer emergency  
24 work. As you know, we have, you know a variety of  
25 budget lines that cover work that happens on, you



2 know, an unplanned basis such as sewer emergencies so  
3 that was underfunded and we worked with OMB to go and  
4 see that there was additional funding.

5 COUNCIL MEMBER CONSTANTINIDES: But what  
6 sort of projects were they?

7 JOE MURIN: So that would happen in an  
8 instance where if you have a sewer cave in, a  
9 sinkhole condition as the Chair also said so that  
10 those are, you know, where they're not specifically  
11 allocated because you can't predict when they're  
12 gonna happen where but you do know that you're gonna  
13 have a certain level where we generally spend about,  
14 I'd say, \$100,000 million a year or so. I'm looking  
15 to Acting Deputy Commissioner.

16 COUNCIL MEMBER CONSTANTINIDES: So that  
17 wasn't in there? That, that sort of parachute wasn't  
18 in the budget before?

19 JOE MURIN: It was, we had on baseline.  
20 We had some baseline funding there but it was not  
21 sufficient in what we were looking forward to so this  
22 was to incrementally add funding for that.

23 COUNCIL MEMBER CONSTANTINIDES: So we're  
24 not sure where it's gonna go but we know we need \$108  
25 million more of it.

2 JOE MURIN: Yes, exactly.

3 COUNCIL MEMBER CONSTANTINIDES: All  
4 right, I still feel strongly and you're gonna hear me  
5 say this. We're gonna keep going back and forth but  
6 I really believe that a good investment for New York  
7 City in general is to deal with CSO issues and, you  
8 know, it's an environmental justice issue. It's a  
9 quality of life issue. I understand we have certain  
10 agreements with the DEC but when just so let's take a  
11 quick dive before I go into

12 JOE MURIN: Sure.

13 COUNCIL MEMBER CONSTANTINIDES: Too much  
14 down a hole. The Council called to evaluate,  
15 utilizing ultraviolet filtration rather than  
16 chlorination on certain sites and, you know, we are  
17 not 100% sure that chlorination is the right way to  
18 go and I said this at the last hearing but we're  
19 sending the chlorination in to kill the bacteria from  
20 the sewage and then we're putting something else in  
21 to kill the chlorination and it kinda feels like the  
22 story I used to tell my son about the old lady who  
23 swallowed a fly. You know, at the end she dies  
24 because she swallowed a horse of course. Like, this  
25 is, this is where we're going here on the

chlorination issue so isn't ultraviolet filtration  
the better way to go?

VINCENT SAPIENZA: Yeah, and Council  
Member, we, going back a few years, looked really  
hard at different types of disinfection for these  
overflows and the issue we found with UV, there's a  
couple of things. One is that UV works by just  
really zapping bugs with ultraviolet light and  
either killing them or damaging their DNA so that  
they can't reproduce but UV doesn't work particularly  
well when you have turbid water. UV is great and we  
use it upstate in our drinking water supply. We have  
clear water. The murkier water and CSO's, you need a  
lot of power from the UV lights. It's a  
transmissivity issue to do it and then we said well,  
if you're gonna go in that direction and have to use  
a lot of energy, it's no more and gonna cost you more  
for electric power but to generate that power there's  
gonna be a greenhouse emissions somewhere so are we,  
you know, trying to solve one problem of harbor water  
quality and then have a, you know, a greenhouse gas  
climate change issue so that's why we pivoted to the  
chlorine and, you know, again we're still working

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2 with the Department of Environmental Conservation of  
3 the State to determine the best way to do that.

4 COUNCIL MEMBER CONSTANTINIDES: Now that  
5 I, that there is an additional \$90 million for the  
6 design and construction of Flushing Bay Abatement  
7 Facilities. What does that do to help reduce the  
8 overflow in that water body?

9 VINCENT SAPIENZA: Yeah, so one of the  
10 biggest CSO overflow goes into Flushing Creek and  
11 Flushing Bay. We've already built a facility at  
12 Flushing Creek that stores about 40 million gallons  
13 of storm water but just going forward we are, we have  
14 submitted a plan to the State to build a large  
15 storage tunnel that will

16 COUNCIL MEMBER CONSTANTINIDES: Is that  
17 the tunnel that we've talked about that goes from  
18 Flushing Bay all the way into Astoria to Barrier Bay?

19 VINCENT SAPIENZA: That's right, so that  
20 tunnel will do the same as the storage tank that's at  
21 Flushing Creek. It will store what would have  
22 otherwise been an overflow until the rain event ends  
23 and then it could be pumped to the Barrier Bay  
24 treatment plant.

25

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2 COUNCIL MEMBER CONSTANTINIDES: So that  
3 \$90 million helps us get on the road to get that  
4 tunnel done.

5 VINCENT SAPIENZA: That's right.

6 COUNCIL MEMBER CONSTANTINIDES: And  
7 what's the sort of due date for that particular  
8 project?

9 VINCENT SAPIENZA: Yeah, so the \$90  
10 million gets the design going and then ultimately the  
11 project we think it's probably a bit over a billion  
12 dollars and once the design is done, yeah, it's late  
13 2020's.

14 COUNCIL MEMBER CONSTANTINIDES: So I  
15 mean, I really just, I really believe that, you know,  
16 the LTE and the long-term control plan should be a  
17 floor, not our ceiling so I look forward to working  
18 with you to getting more of that done. I have three  
19 more questions, Chair Dromm. So abandoned boats, we  
20 heard about this in our hearing on Jamaica Bay a few  
21 weeks ago. With respect to derelict boats in local  
22 water bodies, how much funding is included in the  
23 2019 fiscal budget for their removal?

24 VINCENT SAPIENZA: So we don't have  
25 direct funding. We have some environmental benefits

money with the Department of Environmental  
Conservation and we've been using that to do clean  
ups in certain areas particularly wherever floatable  
debris washes up on shorelines. While we have  
removed some vessels that way, the Department of  
Parks has their own contract to remove debris  
including vessels and we've helped supplement that as  
well but, you know, going forward we want to look at  
other means. It's probably the number one complaint  
about shoreline debris.

COUNCIL MEMBER CONSTANTINIDES: And do  
you think that, you know, do we have the resources to  
monitor the water bodies cause I've heard stories of  
people scraping the numbers off the boats and that's  
basically leaving them in local water bodies and then  
that creates safety issues and environmental issues  
for those water bodies.

VINCENT SAPIENZA: Yeah, that's the  
discussion we've been having with some of the folks  
who are Jamaica Bay and then Coney Island creek is  
that they're just truly meant to be abandoned and  
people are, you know, instead of

COUNCIL MEMBER CONSTANTINIDES: Do we, do  
we have a program through the city that we, that

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someone can take a boat if they don't want it any  
longer to get it properly disposed of?

VINCENT SAPIENZA: Don't know, no. We'll  
check on that.

COUNCIL MEMBER CONSTANTINIDES: Okay, let  
me just quickly transition over to bio solids. So in  
March of this year a train full of bio solids was  
sent from New York City to Alabama for disposal and  
was held up because concerns raised by the local  
community. Currently the city relies heavily on  
other communities to take on this bio-waste,  
approximately 1,300 dumps per day, to dispose of it.  
I know the Department of Sanitation has a long-term  
export plan for refuse disposal. Does DEP have such  
a plan for bio solids?

VINCENT SAPIENZA: So, Mr. Chair, just  
what bio solids are, so dirty wastewater comes into a  
wastewater treatment plant, clean water goes out the  
other end and the muck that's removed, the organics  
is bio solids and

COUNCIL MEMBER CONSTANTINIDES: Yeah, I  
didn't eat brownies. After I saw the cake, I didn't  
eat brownies for about two months.

[Laughter]

2 VINCENT SAPIENZA: Yeah, you heard about,  
3 so we used to take that material for 100 years and it  
4 was dumped in the ocean but Congress in the 1990's  
5 passed the Ocean Dumping Ban Act and we have to now  
6 land apply it so most of it goes to landfills, some  
7 of it goes for mind reclamation but we have looked  
8 for where the lowest cost landfills are throughout  
9 the country because we want to try to keep our water  
10 rates low and one of them was in Alabama and was  
11 called the poop train, was stuck on a railroad siding  
12 for a while but we've since corrected that but longer  
13 term we're looking at a bunch of things. One of them  
14 is just trying to make that cake a little bit drier,  
15 reduce the volume and then that will, there will be  
16 less of it to ultimately dispose of but the bio  
17 solids do have a nutrient value as well and some  
18 municipalities use it as a fertilizer, you know soil  
19 amendments and those are some of the things we want  
20 to look at going forward.

21 COUNCIL MEMBER CONSTANTINIDES: So we can  
22 find beneficial reuse ways so that we can actually,  
23 even not make money but at least not spend money to  
24 get rid of these bio solids, right because we're  
25 spending quite a bit of money to get rid of them.



2 VINCENT SAPIENZA: That's, that's the  
3 plan and our Deputy Commissioner for Wastewater  
4 Treatment, Pam Alerdo [phonetic] who's here is  
5 putting that plan together.

6 COUNCIL MEMBER CONSTANTINIDES: I love  
7 Pam. I still didn't eat the cake for like, I  
8 couldn't eat brownies for like two months after that,  
9 sorry Pam. But then the last thing I'll say on the  
10 bio solids, what happens if a community doesn't want  
11 it? Does it get dumped there? I mean how do we make  
12 sure that we're not leaving our waste to the  
13 environmental justice communities throughout the  
14 country? Like is there a way to make sure that we  
15 work with individuals and work with companies that  
16 aren't just gonna dump it?

17 VINCENT SAPIENZA: Yeah, I think we can  
18 do it, certainly a better job of that Mr. Chair is  
19 again, you know, we generally will look for the price  
20 first on landfills but, you know, we certainly send  
21 staff down to those communities just to make sure  
22 that, you know, we find places that aren't, you know,  
23 impacting environmental justice communities  
24 particularly but, you know, it is getting tougher and  
25 tougher to find locations to dispose of those

2 materials which is why we wanted to look for more  
3 beneficial uses.

4 COUNCIL MEMBER CONSTANTINIDES: All  
5 right, I'm gonna stop questioning now. If the Chair  
6 will embellish me, I'll come back for a second round.

7 CHAIRPERSON DROMM: Absolutely, we've  
8 been joined by Council Member Espinal and we're going  
9 to start off with questions from Council Member  
10 Grodenchik followed by Adams, Richards and Treyger.

11 COUNCIL MEMBER GRODENCHIK: Thank you  
12 Chair Dromm and Chair Constantinides. Question, I  
13 know that the water consumption at the City of New  
14 York has dropped rapidly. Have we seen any increases  
15 due to urban farming? I know that more and more  
16 we're growing food in New York City which was  
17 something that would not be conceivable a generation  
18 ago but I have a big farm in my district. I assume  
19 they use well water but and there is a lot of water  
20 available in parts of my district in Southeast Queens  
21 but any impact at all?

22 VINCENT SAPIENZA: No and that's a great  
23 question because I know we've been seeing really an  
24 explosion in urban farming and I don't think we've  
25 done a deep dive on how much water's being used.

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2 COUNCIL MEMBER GRODENCHIK: Do they use,  
3 I guess they're using well water.

4 VINCENT SAPIENZA: I mean they may be  
5 using

6 COUNCIL MEMBER GRODENCHIK: They gotta be  
7 using something.

8 VINCENT SAPIENZA: If they're using city  
9 water, they certainly would have a meter that we  
10 could take a look at. That's a good question.

11 COUNCIL MEMBER GRODENCHIK: I'm just  
12 curious about that because, you know, agriculture  
13 uses an incredible amount of water which is fine if  
14 you have it but in New York City, it's prohibitively  
15 expensive. I wanted to get back also to the  
16 chlorination issue because that, one of the CSO's is  
17 Oakland Lake and then into the Alley and is it  
18 possible, I understand your concern about using  
19 energy and that, is it possible to, you know, build  
20 solar facilities over there or, you know, using the  
21 latest technology? There is open space over there  
22 where you may be able to put solar stuff. It's not  
23 my district so we'd have to talk to Paul Vallone but  
24 it's just something that concerns me that, you know,  
25 we've worked so hard for so many years to clean up

2 the Alley and it's doing better. Wildlife is  
3 definitely returning there so I hope you will keep us  
4 up to date on DEP's efforts in that regard.

5 VINCENT SAPIENZA: We will.

6 COUNCIL MEMBER GRODENCHIK: Thank you  
7 very much, Commissioner. Thank you, Mr. Chairs.

8 CHAIRPERSON DROMM: Thank you, now  
9 questions from Council Member Adams.

10 COUNCIL MEMBER ADAMS: Thank you very  
11 much to both Chairs. Good afternoon, first of all I  
12 want to give a shout out to our Queens  
13 representative, Karen Ellis Woo. We're really,  
14 really pleased with her. She does great work with  
15 us. I've seen in a few schools in my district  
16 something that's very, very wonderful for the  
17 children and that's the use of the bottle fillers in  
18 the schools so my question really is a practical one.  
19 For fiscal year 2019, does the Department have plans  
20 to install additional bottle fillers and water  
21 fountains in parks and schools?

22 JOE MURIN: I don't have the specific  
23 numbers but I do know that we have an ongoing program  
24 where we have funding allocated. I can follow up  
25 with specifics but yes, we do have plans to be

installing them in more locations. It's an ongoing yearly project. The staffer who was running it for us recently left but I'll get the information and let you know.

COUNCIL MEMBER ADAMS: Okay, and that would include for my edification, any specific targeted areas.

JOE MURIN: Sure, happy to get you that information.

COUNCIL MEMBER ADAMS: All right, thank you very much.

CHAIRPERSON DROMM: Thank you, Council Member Richards followed by Treyger.

COUNCIL MEMBER RICHARDS: Thank you, thank you Chairs and thank you Commissioner and Mike and Karen and everyone who's done some great work in Southeast Queens and citywide as well. Question just on, so how much money did we spend last fiscal year compared to what you're anticipating to spend this specific year in the Southeast Queens plan? While he finds the answer, I guess I can move on.

JOE MURIN: Okay, I don't remember but I believe we're on target for \$187 million was it as the Commissioner said in his testimony and I think

year to date, hold on. Let me see if I have the Southeast Queens tab here. Here we go, yes, \$910 million overall in the plan, yes, of which I believe it's, yes, it was \$227 through fiscal year '17. There's anticipated that we'll commit \$186 million this year. That's not set in stone yet but if it doesn't commit this year those funds will rollover into the next fiscal year and that means those projects are in process so if they don't register for '18, they'll get registered in early '19 and then, you know, as noted we've got another billion dollars for the four years from '19 through '22

COUNCIL MEMBER RICHARDS: And are you confident you're gonna get, how much of the plan are you confident

JOE MURIN: I mean, we aim for 100%. We'd all like to get a 100% commitment rate. I believe last year we were just shy of 80% for the entirety of the agency. I think we've been very, you know, successful in keeping close to that number on the Southeast Queens projects as well so we'll probably look to be and I'd say to be, you know, conservative, in the 70 to 90% range as to the commitments.

2 VINCENT SAPIENZA: But I do want to add,  
3 we've been working closely with the Department of  
4 Design and Construction and they've been doing a lot  
5 more up-front planning they call it for the Southeast  
6 Queens work and I think they've been really, the last  
7 couple of years, delivering pretty close to  
8 commitment.

9 COUNCIL MEMBER RICHARDS: Thank you, and  
10 in terms of green infrastructure, just want to hear a  
11 little bit more about how we're connecting the local  
12 community to the job opportunities or can you just go  
13 through the dynamics of, or if we're not, how could  
14 we ensure that we, you know, create opportunities for  
15 the local community to get into this?

16 VINCENT SAPIENZA: So one of the ways to  
17 reduce the amount of storm water runoff that's  
18 getting into the sewer system is installing green  
19 infrastructure and bio swells, curbside rain gardens.  
20 We've got 4,000 in the ground already. We have  
21 funding in the budget to get up to 10,000. They work  
22 great but they require a lot of maintenance to, and  
23 upkeep, everything from, you know, replacing  
24 plantings to removing trash and so we've been hiring  
25 and we have plans to hire more. It's, I don't want

2 to say entry level, but low skill set employees who,  
3 the thought is, hire them, get them trained and let  
4 them work their way up the trades in the agency.

5 MICHAEL DELOACH [?]: Yeah, we've been  
6 doing a lot in terms of going out to different  
7 colleges and community college to educate people  
8 about opportunities and how they apply and sort of  
9 walk them through the process so that's been  
10 generating a lot more.

11 COUNCIL MEMBER RICHARDS: If you could  
12 work with all three Council Members from the local  
13 areas so we can actually come up with a more targeted  
14 plan for the local community that would be  
15 appreciated.

16 MICHAEL DELOACH [?]: Sure.

17 COUNCIL MEMBER RICHARDS: Last question,  
18 I promise Chairs. NYCHA boilers, are you guys in any  
19 way involved in that conversation or not?

20 VINCENT SAPIENZA: Just permitting so  
21 when they go in we look at what the emissions on the  
22 new boiler but we try to

23 COUNCIL MEMBER RICHARDS: You're not  
24 taking any other  
25



2 VINCENT SAPIENZA: An immediate  
3 turnaround, that's our only

4 COUNCIL MEMBER RICHARDS: Okay, got it.  
5 Thank you Chairs.

6 CHAIRPERSON DROMM: Council Member  
7 Treyger, followed by Levin and Ulrich. Okay, Council  
8 Member Levin, I'm sorry, yeah, Treyger.

9 COUNCIL MEMBER TREYGER: Sorry, okay.  
10 Thank you, thank you Chairs. Welcome Commissioner  
11 and I just want to give a very quick shout out first  
12 to Mario Bruno who is very, very responsive to my  
13 office whenever I email him frequently but he does  
14 get back to me and I do appreciate that Commissioner.  
15 Commissioner, it's my understanding that in the  
16 executive plan there is \$792,000 to improve water  
17 quality in and around Coney Island creek. Can you  
18 elaborate on that and what does the community  
19 engagement plan look like because there historically  
20 has been a lack of a community engagement with  
21 regards to illegal dumping that's incurred there  
22 through illegal sewage outfalls so if you can  
23 elaborate on this funding and how will we better  
24 engage the community moving forward.

2 VINCENT SAPIENZA: Yeah, Council Member,  
3 at Coney Island creek we've had, you know, certainly  
4 issues over the years. We know that there are some,  
5 they're not public beaches but they're used by many  
6 folks who live nearby and there have been, you know,  
7 some what we call illegal connections. It's just  
8 basically property owners who hook up their sanitary  
9 sewage lines to the storm lines and that's been  
10 impacting but, you know, we have funding through the  
11 Environmental Benefit Program to help just really do  
12 debris clean up and track down and try to reduce  
13 those overflows.

14 COUNCIL MEMBER TREYGER: So, I'd like to  
15 get more information from your office about that. I  
16 would like kind of a breakdown and also just to kinda  
17 of notify the community board about that because I  
18 don't know if you're aware Commissioner that DEC  
19 leveled a \$400,000 penalty again Beach Haven  
20 Apartments for dumping raw sewage into the creek and  
21 so there's a lot of activity and try to address that  
22 so I would like to find out more information about  
23 how we're gonna spend this money to really improve  
24 the quality in and around the creek.

25 VINCENT SAPIENZA: Yeah.

2 COUNCIL MEMBER TREYGER: My second  
3 question is with regards to the sewer system in the  
4 west end of Coney Island. I'm talking about the area  
5 specifically Neptune Avenue by W. 35<sup>th</sup> Street, 33<sup>rd</sup>  
6 Street. Just to let you know when it rains, schools  
7 suffer because Neptune Avenue turns into Neptune  
8 River. It's not ponding. It's a river. I have  
9 video. I'm sure Mario Bruno has a couple of clips  
10 where a river affect actually occurred and kids can't  
11 go to school, staff can't get into the school. The  
12 water goes up to the steps of the door. We have a  
13 serious problem and so are you aware of this and what  
14 is being done? What's causing it and what's being  
15 done to address it?

16 VINCENT SAPIENZA: Yes, I am aware.  
17 We've had discussion. I don't have the latest where  
18 we are but, you know Mario, we can get back to you if  
19 no one's got that information.

20 COUNCIL MEMBER TREYGER: Yeah, I just  
21 want to flag this. This is not your average street  
22 flooding. This is, it was a river. I will be happy  
23 to get your email. I can show you the video. It was  
24 a river down Neptune Avenue and it affected schools  
25 had to really kind of close early. It affected

attendance. This can't happen in every rainstorm and this was not a major hurricane. This was just a rainstorm and so I would like to follow up with you Commissioner. Thank you.

CHAIRPERSON DROMM: Thank you, Council Member Levin.

COUNCIL MEMBER LEVIN: Thank you very much, Mr. Chair. Thank you, Commissioner. I just want to ask a little bit, and this might have been asked before. We've been going through the process of CSO tank sighting at Gowanus and obviously this is a very large capital outlay on the part of DEP. It was not DEP's idea in the first place. This was a mandate from the EPA as part of the Gowanus superfund. I was wondering if you could talk us through a little bit of how the costs were arrived at because obviously between the one on the northern end is roughly \$500 million, another \$500 million for the Owl Creek retention tanks. These are large, large cap outlets. Can you take us a little bit through how the dollar amounts were arrived at and whether there can be any savings along the way?

VINCENT SAPIENZA: Yeah so originally when EPA came out with their record of decision I

1 guess about seven or eight years ago, they really  
2 looked at a simplistic system to store CSO's and they  
3 looked at building it in city owner property under  
4 Thomas Green park and that's why they came up with  
5 such a low estimate. When we look at building real  
6 CSO retention systems, we look at doing screening and  
7 odor control and, you know, just making sure that  
8 it's a complete system to deal with what can be found  
9 in wastewater and we've done it at our other  
10 facilities so that, that cost more and then doing  
11 property acquisitions so that we didn't have to build  
12 a tank in Thomas Green park. We've pivoted now to  
13 private properties and we're negotiating with those  
14 property owners. That's adding to the total as well  
15 but, you know, I think everyone agrees that the  
16 original estimate by EPA was just really low.

18 COUNCIL MEMBER LEVIN: Right, right. Are  
19 there any ideas of like how you could reduce costs  
20 over time or along the way or is, are a lot of these  
21 fixed costs you think with in the capital  
22 construction?

23 VINCENT SAPIENZA: Yeah, I think, and  
24 lesson learned from the past is by building it right  
25 and doing it well now and spending the capital money

2 up front, it's gonna reduce ongoing expenses. You  
3 know, the forever O & M going forward and I think  
4 that's how we really help to reduce costs.

5 COUNCIL MEMBER LEVIN: And then last  
6 question, up in the other part of the district that I  
7 represent in Greenpoint, at a community meeting a  
8 couple, about two months ago and I heard from a lot  
9 of residents around, about the idea of sewer backups  
10 throughout the neighborhood. Greenpoint has a lot of  
11 old infrastructure, mostly combined but some not  
12 combined sewer infrastructure. Some blocks that  
13 don't have any sewers at all so I was wondering if  
14 it's possible that we could work together on  
15 examining what the sewer infrastructure is in  
16 Greenpoint and whether there is a need for upgrades.  
17 Obviously there's, you know, these are massive  
18 capital projects to replace or improve sewer capacity  
19 but it's certainly something that we've been hearing  
20 from constituents about. Up and around the Newtown  
21 Creek wastewater treatment facility on that side of  
22 McGuinness Boulevard as you are familiar, of course.

23 VINCENT SAPIENZA: Yes, we are familiar  
24 and we'll be happy to sit down with you and go  
25 through that.

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2 MICHAEL DELOACH [?]: And just  
3 additionally, we've been working with Ben. We're  
4 actually coming out to the next meeting to talk with  
5 some of our leadership so we'll definitely follow up.

6 COUNCIL MEMBER LEVIN: Excellent,  
7 excellent, much appreciated. All right, thank you  
8 very much Commissioners.

9 CHAIRPERSON DROMM: Thank you, Council  
10 Member Ulrich followed by Council Member Menchaca.

11 COUNCIL MEMBER ULRICH: Thank you  
12 Mr. Chair and to the Chair of the Committee, thank  
13 you very much. I apologize for being late. I was on  
14 the subway so I'll save that for the transportation  
15 committee hearing and not, I'll spare you the details  
16 but I did have a chance to review the testimony. I  
17 want to thank the Commissioner as always and his  
18 staff for doing a terrific job. They're very  
19 responsive in my district so I have no complaints in  
20 particular but I would like an update if I can,  
21 Commissioner, because I didn't see it in the finance  
22 papers that we have here, on any upgrades or  
23 announcements or budget allocations for the Rockaway  
24 Sewage Treatment Plant. I know that came up at the  
25 Mayor's Town Hall and then the other question I have

2 is regarding the Spring Creek facility which has a  
3 big impact on the Lindenwood, Howard Beach community  
4 for me as you know so any updates on that? Are you  
5 guys looking into anything in the budget?

6 VINCENT SAPIENZA: Yeah, Council Member,  
7 thanks. We heard it loud and clear about odor  
8 problems at the Rockaway plant and Deputy  
9 Commissioner for Wastewater, Pam Alerdo, got her team  
10 on it and I think we've made a lot of big  
11 improvements over the last six or eight months, just  
12 tightening things up, buttoning things up and getting  
13 the odor control systems upgraded so I think we've  
14 done well there. We've started, by the way, we're  
15 about to start a \$30 million project at the Rockaway  
16 plant to reduce nitrogen discharges and again that  
17 will help upgrade some facilities and I think that's

18 COUNCIL MEMBER ULRICH: Well that's great  
19 news, welcome news and Chair, maybe you know when  
20 you're ready to announce that or roll that out, we'll  
21 get the Jamaica Bay task force people who are  
22 involved with the Eco watchers and the advocacy of  
23 Jamaica Bay, we'd love to get them involved in that  
24 because I know that they're really eager to reduce as  
25 much nitrogen in the Bay as possible. They were sort



of the first ones to ring the bell on that. What about Spring Creek? Any updates on that? We're very concerned about flooding, you know, rainstorms, other events.

VINCENT SAPIENZA: Yeah, so Spring Creek is a combined sewer storage facility that had been designed to run unmanned and we had a glitch and flooded some property owners and restitution had to be made so going forward we're upgrading the computer system one, but just making sure that when there is heavy rain that somebody is physically there on site to manually open gates if necessary.

COUNCIL MEMBER ULRICH: That's great. There was some talk a few years ago, getting back to Rockaway treatment plant about making it a pumping station or converting it to a pumping station. How much would that cost? Is that still on a long-term vision? What's the status of that?

VINCENT SAPIENZA: So we took a look at that, Council Member. The, our Rockaway plant is the smallest plant in the system and the thought was maybe we can pump that wastewater from the Rockaway Peninsula and send it to another plant but as we costed that out, building a deep tunnel essentially

2 under Jamaica Bay to get it to one of our plants on  
3 the mainland, it was the same cost if not a little  
4 bit more than just upgrading the facility itself so  
5 that's where we ended up on that.

6 COUNCIL MEMBER ULRICH: Well, again I  
7 just want to finish thanking the Chairs but thanking  
8 you, Commissioner. The workers, the DEP workers not  
9 only in the sewage treatment plants but all the DEP  
10 workers, they're so responsive, so helpful to my  
11 staff, to my constituents and I think they're all  
12 doing a great job and they probably deserve a lot  
13 more money than they make because they put in so much  
14 time and energy and they always try to go above and  
15 beyond to try to help people with the particular  
16 issues, especially the homeowners with water bills  
17 and other issues so I want to thank you and your  
18 staff for doing such a great job. Thank you.

19 VINCENT SAPIENZA: Thank you, Council  
20 Member.

21 CHAIRPERSON DROMM: Okay, Council Member  
22 Menchaca.

23 COUNCIL MEMBER MENCHACA: Thank you to  
24 the Chairs and welcome to the team and I'll just give  
25 a shout out to Michael Deloach. He's awesome and

2 amazing and we're so happy that he's on your team. I  
3 have a question specifically about working  
4 waterfronts, development, storms, all kinda  
5 clustering together in one and I think RedHawk  
6 [phonetic] is a great example of that and I'm really  
7 looking forward to dollars in the budget that you may  
8 be anticipating or is in the budget that you can  
9 point to that really kind of think about the extra  
10 impacted water fronts with sea levels and rise in  
11 storm surges in our communities but specifically to,  
12 in relationship to development that's happening.  
13 I'll leave at that for now. I can give you a  
14 specific question but that's where I'm kinda looking  
15 to see what DEP's thinking about right now.

16 VINCENT SAPIENZA: So Council Member,  
17 certainly I think the city has invested a lot in  
18 helping to improve local harbor water quality and  
19 that's frankly I think the reason why we've seen so  
20 much residential development along the waterways is,  
21 you know, it was once a place that was odorous and  
22 people didn't want to be at and I think that's,  
23 that's improved a lot. You know, it's still  
24 challenges with overflows during wet weather which we  
25 want to address and certainly climate change is a big

2 challenge for us. A lot of our facilities were  
3 located and designed to be at certain elevations and  
4 they were hydraulically, you know, created to handle  
5 certain capacities and, you know, that's something we  
6 are always taking a good hard look at.

7 COUNCIL MEMBER MENCHACA: So, and I know  
8 you're looking at it, right, but what I'm looking for  
9 is real dedication in the budget that you can point  
10 to and say we're looking at and there's budget and  
11 we're gonna address. Very specifically, I'm thinking  
12 about storm drain maintenance and record keeping. I  
13 think a lot of that is, and I think your team is  
14 working with my team on that right now to figure out  
15 when was something recently cleaned. We want to see  
16 connection between development along the waterfronts  
17 in the city and the potentially clogged drains.  
18 Those are all things that in real time can help us  
19 fight back, especially when there's bad actors  
20 [phonetic] in our neighborhoods and really kind of  
21 coordinate with all of you to just to hold the  
22 developers accountable when construction is impacting  
23 our city infrastructure and I think that, that is  
24 where I'm hoping that you can kinda point to the  
25 budget and say, we have, we have the resources ready.

2 I will say that there's specific issues right now  
3 that we haven't gotten full information from your  
4 team and we're gonna follow up on that but in general  
5 across the waterfronts. I think that's a real  
6 pressure point.

7 VINCENT SAPIENZA: Understood and  
8 whatever records you'd like to see, Council Member,  
9 obviously, you know, we'd be happy to share with you  
10 and work with you going forward. Thanks.

11 COUNCIL MEMBER CONSTANTINIDES:  
12 Commissioner, hi I'm back. All right, so I have a  
13 few more questions and then we'll wrap up. In the  
14 budget response, the Council put in, I know MOS is  
15 not here. I know OR's, not here. Their mayoralities,  
16 you know my frustration with that but it kinda leaves  
17 you on the hook to answer questions on  
18 sustainability. You know, we put in \$789 million to  
19 accelerate the solarization of our city buildings to  
20 make sure we get to that law that we just passed two  
21 weeks ago that says that we should have all renewable  
22 energy sources in our city owned buildings by 2050.  
23 What is DEP doing to make sure that becomes reality  
24 in all of your buildings?

25 VINCENT SAPIENZA: Yeah, so we've been  
taking a number of initiatives, Mr. Chair, to reduce  
our greenhouse footprint. Our wastewater treatment  
plants are large energy users and as we treat more

wastewater and treat it better, that puts more stress on our grid but we've done a bunch of things. At our Port Richmond plant, we've installed what may still be the largest solar array in New York City where we generate about one megawatt a day of power that helps to run the plant. At our North River plant, we're installing a cogeneration system that's gonna use the renewable gas that's produced in the process called digester gas, use that as a fuel to turn engines, to make both electrical energy and heat for the facility that's gonna significantly reduce our greenhouse footprint and then one last thing I'll mention is at our Newtown Creek plant where we have those iconic egg shaped digesters, they're very efficient, lot of capacity. We've actually started to take in some food wastes from New York City and digest those and make gas there as well and working with National Grid to actually return that excess gain into the utility line so all good stuff.

COUNCIL MEMBER CONSTANTINIDES: And we're continuing to look for more opportunities, right, cause there are things like Bowery Bay that we're not there yet and do we have plans or what's sort of the mandate from the Mayor's office to look at your agency and say how do we take your properties? What's our timeline? How do we make sure we get there?

VINCENT SAPIENZA: Yeah, so, and again shout out to Deputy Commissioner, Pam Alerdo. She's

1  
2 actually hired an energy guru recently and you know,  
3 we've been looking at again, how do we track to get  
4 from where we've been to the Mayor's 80 x 50 goal and  
5 again, I mentioned a few things but there are a lot  
6 of other really good initiatives that they're  
undertaking at our facilities.

7 COUNCIL MEMBER CONSTANTINIDES: And sort  
8 of building upon that, I know we have OneNYC that's  
9 gonna be due next summer. What's DEP's role? Now  
10 there's more money in the budget this year for  
11 planning for OneNYC. What is DEP's role in that  
12 document and how are you coordinating with the other  
agencies?

13 VINCENT SAPIENZA: So this is something  
14 we work all the times, Mr. Chair, with the other  
15 agencies for, you know, improving our facilities for  
16 sustainability and reliability and just, you know,  
17 having equitable services across the board and so  
18 there's a number of things. Again, I mentioned some  
19 of the energy initiatives but on the sustainability  
20 front, we're just looking to make sure that our  
21 facilities are ready for, you know, further climate  
22 change. We've already been seeing heavier rainfalls,  
23 more intense storms, call them cloudbursts, sea level  
24 rise has already been a challenge and we've been  
25 looking at hardening our facilities, raise electrical  
equipment so we can certainly, your know, come to  
your office and share all those things with you.

2 COUNCIL MEMBER CONSTANTINIDES: I love,  
3 so you said to hardening your facilities. We just,  
4 you know, we've talked about before. I know there's  
5 money in the budget to harden DEP facilities. How  
6 are we, how is that money being spent? What are we  
7 sort of looking at in the long term to make sure as  
8 we see sea level rise, not only just what's happening  
9 now in the potential of the storms but we know that  
10 in ten years, what these models are going to say when  
11 it comes to sea level rise? How are we hardening our  
12 infrastructure to deal with that potential sea level  
13 rise?

14 VINCENT SAPIENZA: Yeah, so a lot of  
15 DEP's facilities are right at the waterfront. They  
16 were put there for a reason because you want sewage  
17 to flow by gravity to get to those sites but because  
18 of that we now have challenges as, you know, we get  
19 nor'easters or even just in some, some more intense  
20 storms. We're seeing water rise that is affecting  
21 some of our facilities so we've prioritized the  
22 equipment at those sites which are most critical and  
23 as we've been making funding available. Those are  
24 the things that we've been addressing first.

25 COUNCIL MEMBER CONSTANTINIDES: And when  
it comes to CSO's and the sewer system in general,  
how are we looking at potential models for increased  
precipitation and saying that, you know, it's not  
what we're dealing with now but we have to start  
planning for ten years from now as to what the system



2 can handle and how much sewage is gonna end up in our  
3 waterways based on those models. What are we doing  
4 on that?

VINCENT SAPIENZA: Yeah, that's exactly  
5 right. I mean, we can say we designed our sewer  
6 system in the past for a five year storm but a five  
7 year storm in 1950 may be a three year storm today.  
8 That's something our drainage team is looking at all  
9 the time as they're putting new sewers in.

COUNCIL MEMBER CONSTANTINIDES: So again,  
11 I mean, I will end where I started. I mean, I look  
12 at some of these CSO issues. I mean, we have a CSO  
13 in Howlett's Cove in my district and I know this  
14 summer we're in the process of working with DEP to  
15 build a brand new environmental kayak launch there  
16 and so we're gonna get students from, young people  
17 from Astoria houses into the water for the first time  
18 and the CSO's right there. All right, we have  
19 residents in Flushing Creek, near the Blan [phonetic]  
20 houses that, you know, not too far away from them we  
21 have issues of CSO's. I really look at this as not  
22 only an issue of equity, it's an issue, it's an  
23 environmental justice issue. I'm looking forward to  
24 working with you to come up with, as you contemplate  
25 not just the current plans but the future citywide,

2 long term control plan. Looking forward to working  
3 with you to sort of deal with some of these issues.

4 VINCENT SAPIENZA: Thank you, same here.

5 COUNCIL MEMBER CONSTANTINIDES: Thank  
6 you, Commissioner. Thank you Chair Dromm.

7 CHAIRPERSON DROMM: We're not gonna let  
8 you off just yet. We have Council Member Yeger.

9 COUNCIL MEMBER YEGER: Hi, thank you  
10 Chair Dromm and my Chair, Chair Constantinides. Just  
11 real quickly, Commissioner, a favorite topic of mine  
12 in my neighborhood, rain gardens. I love them. I  
13 think they look great when they happen. We haven't  
14 actually seen them come in yet but I've seen them  
15 around the city. We have seen the green markings and  
16 as I understand it and your team's been great,  
17 actually when we identify a special need for  
18 exemption but the as of right exemption is  
19 essentially either, you know, one of two cases. The  
20 homeowner has a handicapped parking permit or there  
21 is an underground sprinkler system already installed  
22 which your installation of a rain garden would  
23 affect. My feeling just based on what I've been  
24 seeing is that some of, those two as of right  
25 exemptions are pretty narrow and I'm wondering if you

2 can talk about whether or not there should be broader  
3 exemptions like if it's in front of a house of  
4 worship and kind of expanding your webpage for how to  
5 request an exemption from that.

6 VINCENT SAPIENZA: Yeah, thank you,  
7 Council Member, so as I mentioned a little earlier,  
8 we've got about 4,000 of those curbside rain gardens  
9 in the ground and more to come. A lot of property  
10 owners like them. It, you know, greens up the front  
11 of their space but we've heard from other that  
12 they're happy with the way the front of their  
13 buildings and sidewalks look. All of these assets  
14 are built in the city right of way and we're looking  
15 to expand the green infrastructure as much as we  
16 physically can because again, it's helping to reduce  
17 those combined sewer overflows. We've worked with  
18 certain communities about the look and feel of the  
19 green infrastructure. Some people in front of their  
20 homes they have just a grass strip and they don't  
21 want to see trees and bushes. They just like their  
22 grass strip so we've actually come up with an  
23 innovative design for a curbside rain garden to just  
24 look like that. We've been looking at porous pavers  
25 if you want that look and feel of concrete or stone,

2 some of that but we really wanted to limit the  
3 opportunities for folks to just opt out for any  
4 reasons and that's why we kinda of made just narrow  
5 reasons for opting out.

6 COUNCIL MEMBER YEGER: So if a particular  
7 homeowner or an organization or school or anything  
8 like that that feels that perhaps the beautiful  
9 picture of the very large rain gardens that you have  
10 on the website isn't the right fit, they can ask for  
11 a porous concrete thing that wouldn't be a rain  
12 garden that would be obstructing the sidewalk but  
13 would actually just, you know, accomplish the  
14 purposes of the storm water runoff deterrents that  
15 we're looking for but without actually putting an  
16 obstruction on the sidewalk?

17 VINCENT SAPIENZA: That's right, so we  
18 have other than again, the traditional, I'll call it,  
19 design with the trees and the bushes, there are other  
20 options.

21 COUNCIL MEMBER YEGER: Okay, just state  
22 for the record, if I owned a home I would love to  
23 have one of your lovely rain gardens in front of it.  
24 I'm a renter in an apartment. I don't get that right  
25 but I do think they're great. You know, and I think

your team has accepted that it's not the right fit  
for every set of circumstances. We appreciate it,  
Commissioner. Thank you.

VINCENT SAPIENZA: Thank you.

CHAIRPERSON DROMM: Okay, thank you very  
much and that will end this part of our hearing and I  
want to thank you for coming in. I do need to just  
read this. This concludes our hearing today. This  
Finance Committee with resume executive budget  
hearings for fiscal 2019 tomorrow, Friday, May 11,  
2018, at 10 a.m. in this room. The Finance Committee  
with hear from the Department of Correction. As a  
reminder, the public will be invited to testify on  
Thursday, May 24, the last day of budget hearings at  
approximately 4 p.m. in this room. For any member of  
the public who wishes to testify but cannot make it  
to the hearing, you can email your testimony to the  
Finance Division at [financetestimony@council.nyc.gov](mailto:financetestimony@council.nyc.gov)  
and the staff will make it a part of the official  
record. Thank you and this hearing is now adjourned.  
Thank you very much. [gavel]

**[Transcription Note: No Video Available  
for Committee on Environmental Protection portion of  
hearing.]**

C E R T I F I C A T E

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



Date June 7, 2018