

CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON FINANCE JOINTLY WITH  
COMMITTEE ON CULTURAL AFFAIRS,  
LIBRARIES & INTERNATIONAL RELATIONS,  
COMMITTEE ON SANITATION & SOLID  
WASTE MANAGEMENT AND THE COMMITTEE  
ON TRANSPORTATION

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May 21, 2019  
Start: 10:34 a.m.  
Recess: 5:10 p.m.

HELD AT: Chambers - City Hall

B E F O R E: Daniel Dromm - Committee on  
Finance Jointly with the Committee  
Cultural Affairs, Libraries &  
International Intergroup  
Relations, the Committee on  
Sanitation & Solid Waste  
Management and the Committee on  
Transportation Council  
Chairperson

COUNCIL MEMBERS:

Adrienne E. Adams  
Andrew Cohen  
Robert E. Cornegy, Jr.  
Laurie A. Cumbo  
Vanessa L. Gibson

## COUNCIL MEMBERS (CONT.):

Mark Gjonaj

Barry S. Grodenchik

Rory I. Lancman

Steven Matteo

Francisco P. Moya

Keith Powers

Helen K. Rosenthal

James G. Van Bramer

## A P P E A R A N C E S

Tony Marx  
President of the New York Public Library, NYPL

Linda Johnson  
President of the Brooklyn Public Library

Dennis Walcott  
President and CEO of Queens Public Library

Tom Finkelparl  
Cultural Affairs Commissioner

Steven Costas  
Acting Commissioner for the Department of  
Sanitation

Larry Cipollina  
Deputy Commissioner for Administration and  
Financial Management

Gregory Anderson  
Assistant Commissioner for Policy and External  
Affairs

Patrick Foye  
MTA Chairman and CEO

Ronnie Hakim  
Managing Director

Andy Byford  
New York City Transit President

A P P E A R A N C E S (CONT.)

Bob Foran  
MTA CFO

COMMITTEE ON FINANCE JOINTLY WITH COMMITTEE ON  
CULTURAL AFFAIRS, LIBRARIES & INTERNATIONAL  
RELATIONS, COMMITTEE ON SANITATION & SOLID WASTE  
MANAGEMENT AND THE COMMITTEE ON TRANSPORTATION 5

CHAIRPERSON DROMM: [Gavel] Okay, good morning and  
welcome to the City Council's eleventh day of hearing  
on the Mayor's Executive Budget for Fiscal 2020. My  
name is Daniel Dromm and I Chair the Finance  
Committee.

We are joined by the Committee on Cultural  
Affairs, Libraries and International Intergroup  
Relations, Chaired by my colleague Council Member  
Jimmy Van Bramer. We have been joined by Minority  
Leader Steve Matteo; Council Member Barry Grodenchik;  
Council Member Adrienne Adams; Council Member Karen  
Koslowitz; and others I am sure will be joining us  
shortly.

Today, we will hear from the Libraries, the  
Department of Cultural Affairs, the Sanitation  
Department and the Metropolitan Transportation  
Authority.

Before we begin, I would like to thank the  
Finance Division Staff for putting today's hearing  
together including the Director Latonia McKinney,  
Committee Counsel's Rebecca Chasan and Noah Brick;  
Deputy Directors Regina Poreda Ryan and Nathan Toth;  
Unit Heads Crilhien Francisco and Chima Obichere;  
Finance Analyst Aliya Ali; John Seltzer and John

Basile; and the Finance Division Administrative  
Support Unit Nicole Anderson; Maria Pegan; Latina  
Brown; and Courtney Summarize[SP?], who pull  
everything together.

I would also like to thank Robin Forst from my  
office who has been with me on all of these hearings.  
Thank you for all of 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 23<sup>rd</sup> beginning at approximately 2  
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 a  
three library systems. In the Preliminary Budget  
Response, the Council urged the Administration to add  
\$27 million for the Libraries in Fiscal 2020, so that  
they can continue to maintain, grow, and offer the  
programs and services they have been providing.

Additionally, the Council asked the  
Administration to baseline the \$8 million one-time  
funding that the Council had allocated to the systems

1  
2 in Fiscal 2019 Adopted Budget. However, not only did  
3 the Administration not add to the Libraries Budget as  
4 requested, they actually decreased the Libraries  
5 funding through an imposition of the PEG which caused  
6 the systems to cut back on DVD's and other supplies  
7 and materials.

8 On the Capital side, the Executive ten-year  
9 strategy reflects \$778.3 million for the Library  
10 systems. However, the \$778.3 million is existing,  
11 Capital funding already earmarked for other projects  
12 from previous years and does not represent the  
13 accurate assessment of the need the strategy is  
14 supposed to contain.

15 According to the Libraries, over the next ten  
16 years the systems have identified an additional \$963  
17 million in Capital needs that OMB chose not to  
18 include in the ten-year strategy.

19 This is a prime example of what the Council has  
20 been criticizing the Administration about throughout  
21 this entire budget cycle. The ten-year strategy is a  
22 planning document. It is intended to capture the  
23 anticipated Capital need over the next ten years.  
24 However, OMB is wrongly treating it as a funding  
25

document thereby depriving the Council and the public  
of the true picture of future Capital needs.

Libraries have an essential presence in every  
neighborhood in New York. Providing indispensable  
services in a safe and reliable space to youth,  
seniors, immigrants, and incarcerated individuals  
among others.

Early literacy, English for speakers of other  
languages and video visitation for incarcerated  
individuals are just some of the numerous agency  
partnerships and countless department collaborations  
the systems do each year.

So, I look forward to hearing your testimony  
today and working with you until budget adoption to  
ensure you have the funding you are required to  
continue the good work you are doing.

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 will now turn the mic over to my Co-Chair  
Council Member Van Bramer for his statement and then



we will hear from the President of the New York  
Public Library Tony Marx, the President of the Queens  
Public Library Dennis Walcott and the President of  
the Brooklyn Public Library Linda Johnson.

CO-CHAIR VAN BRAMER: Thank you very much Mr.  
Chair for your very supportive comments on Libraries  
in this budget. I also want to thank Speaker Johnson  
for coming to our rally earlier which was amazing.

If you agree with what we are saying you can do  
the happy hands. And my colleagues who joined us as  
well. It was a spirited rally, let me be clear when  
it comes to libraries, this proposed budget is a  
disgrace.

We should not be in a position where libraries  
are down and begging for what they need, simply to  
serve the neediest New Yorkers and I want to thank  
everyone who is here who works for libraries, who  
cares about libraries, who advocates for libraries.  
We are in a position where we need the \$8 million  
that the Council put in baselined and restored. We  
need the PEG to go away. We shouldn't be in a  
position where we are asking libraries to cut by  
millions of dollars how many books and DVD's you buy,  
so that people in the City of New York can actually

1 have the information they need to live the lives that  
2 they want to lead. And libraries aren't looking for  
3 anything extra when it comes to the full \$35 million.  
4 This is what is basically needed to operate to serve  
5 people in the City of New York.  
6

7 Look, I said it outside, our Mayor is running for  
8 President and I certainly don't begrudge his  
9 ambition, but I will say this. There is nothing more  
10 democratic than a public library. There is nothing  
11 more progressive than supporting public libraries and  
12 the people who need public libraries and I believe  
13 people love libraries every where in this country.  
14 Every state is going to have lots of people who love  
15 libraries and if we want to be the fairest big city  
16 in this country, if we want to be the most  
17 progressive city in this country, we have got to get  
18 to a place where we are never cutting funding for  
19 public libraries.

20 That should be where we are as a city and as a  
21 country, and I certainly am looking for that  
22 commitment from our presidential candidates.

23 So, with that, I just want to say thank you to  
24 everyone who is here. Thank you to our Co-Chair, I  
25 am anxious to hear your testimony and I know the

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1 Council, the Speaker said it outside and our Finance  
2 Chair just said it, we are very, very united in our  
3 support for libraries and our belief in public  
4 libraries and we have a month to get it done. So,  
5 let's get to work and make sure that public libraries  
6 have what they need. Thank you very much.

8 CHAIRPERSON DROMM: Thank you Chair Van Bramer.  
9 I am going to ask Council to swear in the panel. Oh,  
10 we don't - do we swear in this panel? No, okay, we  
11 don't do that.

12 Alright, if somebody would like to start. Mr.  
13 Marx.

14 TONY MARX: Thank you Mr. Chairman, Mr. Chairman  
15 and Members. It has been and continues to be an  
16 honor to serve and to serve with you.

17 You have done amazing work for the libraries in  
18 the past, but as everyone has said, it's crunch time.  
19 I think we all recognize that.

20 So, we are here this morning to talk about very  
21 real serious challenges to the City's Public  
22 Libraries. As much as we appreciate the record of  
23 investment on branch and Capital from the City  
24 Council and from the Mayor, we now are in a position  
25 where we may not be able to maintain the work that we

1 do, to better the lives of New Yorkers. That's why  
2 as you've heard, we need a \$35 million in additional  
3 expense funding just to cover what the city has asked  
4 us to increase our efforts to do. And I am not even  
5 going to talk about a cut and Linda will be focusing  
6 on our Capital funding needs.  
7

8 Without that additional funding and certainly if  
9 we received up to \$11 million in expense cuts, which  
10 are currently on the table, days of service, hours,  
11 collections and programs will be impacted.

12 A recent poll by Change Research showed that 95  
13 percent of New Yorkers say a loss of library service  
14 would impact their communities particularly children,  
15 seniors, immigrants, and low-income families.

16 Let's just think about that for a second. We are  
17 talking about cuts, an attack on the civic  
18 institution that almost everyone in New York agrees,  
19 is essential for meeting the needs of those who most  
20 need that help. But despite what New Yorkers need  
21 and want, we maybe in a position of having and only  
22 being able to provide less service. The budget dance  
23 to reduce cuts which is what we've been asked in  
24 effect to argue, when in fact we need more. Shifts  
25

1 the grounds to a very unhelpful place and is not a  
2 happy dance for New Yorkers.

3  
4 With the city's support, four years ago we came  
5 back to instituting citywide six-day service and  
6 Sunday services, but if things don't change, we may  
7 be forced to eliminate hours and even days. We saw  
8 the Mayor recently on inside City Hall and we  
9 understand that this is a tough budget year. But  
10 what he has offered for libraries in his Executive  
11 Budget is simply not going to work. We can still  
12 help the highest need New Yorkers. We have to be  
13 able to do that.

14 New Yorkers rely on us more than ever. In large  
15 part because we have been asked by the Mayor and the  
16 City Council to do more and we have been responsive  
17 and have across the five boroughs huge reach. In the  
18 New York Public Library, our English language classes  
19 have increased 500 percent since 2012 and we've added  
20 Citizenship classes. 118,000 people attended Tech  
21 Training last year. Almost 3 million computer  
22 session, 3.3 million wireless sessions in a city in  
23 which 2-3 million New Yorkers don't have broadband at  
24 home, so we lend thousands of people broadband at  
25 home.

1  
2 Early Literacy in New York Public Library we are  
3 up to almost 800,000 attendees a year. I bet between  
4 the three systems; we are well over \$2 million.  
5 That's 154 percent increase over just two years  
6 before.

7 MyLibraryNYC is providing over one-third of  
8 public schools in New York with the library books  
9 that otherwise they would not be able to make  
10 available to their students.

11 You asked us to do more and we are delighted to  
12 do more in terms of Correctional services, we created  
13 our first physical branches at Rikers and Manhattan  
14 Detention Center. You asked us to do video  
15 visitations and we are doing that. We are offering  
16 over 6,000 programs to the homeless. We were the  
17 largest source place in which the citizens could come  
18 and get IDNYC again, at the request of the Mayor and  
19 the City Council. But we simply cannot sustain this  
20 extension of our work without sufficient funding.  
21 The needs are only growing. They are not shrinking,  
22 and neither is our footprint by the way.

23 In the next year we will add just in our system  
24 almost 40,000 square feet. Bigger branches in  
25 Roosevelt Island, Van Cortlandt, Washington Heights,

1 East Harlem, Macomb's is going to be five times the  
2 size that it was for decades. And of course, we will  
3 be opening our great central branch circulating  
4 library the Stavros Niarchos Foundation Library.  
5

6 Construction will soon begin in Charleston South  
7 Staten Island, opening in FY 2021, the Charleston  
8 Staten Island Library, we will need to hire 12 full-  
9 time staff and build a collection and that's just one  
10 example. More space means more collections, expert  
11 staff, program needed, security and maintenance. We  
12 need a spending budget, the Expense Budget, but we  
13 also need the Capital Budget and it is essential.

14 I just want to reiterate what you are going to  
15 hear, that we have expanded amounts deposited into  
16 the ten-year Capital Plan. It's very simple, without  
17 that we cannot plan. We cannot be efficient. We  
18 will lose the momentum that we are currently on of  
19 fixing up all of New York's branches, especially in  
20 the poorest neighborhoods and the citizens of New  
21 York will get half as much taking twice as long to  
22 get the renovations needed. We can't go back to that  
23 world.

24 We also know that we have a new challenge coming  
25 up in terms of the 2020 Census, with billions of

1 federal dollars and accurate representation at stake.

2 So, we want to do more of that, and we are doing more  
3 of that. We saw a 30 percent increase in library  
4 card signups this year. More hours, more seats, more  
5 branches, more space, more programs, all cannot be  
6 lost.  
7

8 We know that you and the Mayor have seen our  
9 value. Let me be very clear. We are doing so much  
10 more. This is not your grandmothers library anymore.  
11 We are everywhere and everyone is coming to us. For  
12 the full array of needs. The city has asked us to do  
13 more and I think we have proven perhaps surprisingly  
14 that we can be your best instrument. Because we can  
15 innovate, because we are trusted and because we work  
16 at scale in every neighborhood and because like you,  
17 and like the Mayor, we believe in equity and  
18 opportunity not just in abstraction, not just in  
19 rhetoric, but on the ground where the people are and  
20 where they must not find doors shut on their  
21 libraries. Thank you.

22 CHAIRPERSON DROMM: Thank you very much.

23 LINDA JOHNSON: Thank you Chairs Dromm and Van  
24 Bramer, for the opportunity to testify on the Mayor's  
25 Executive Budget. We are grateful to you and your



1 Committees, to Speaker Johnson and Majority Leader  
2 Cumbo to our Brooklyn Delegation and the entire City  
3 Council, for your outspoken support of New York  
4 City's libraries.  
5

6 I believe everyone who works in libraries  
7 believe, everybody who comes to libraries believe,  
8 and thank goodness all of you believe that every  
9 great city deserve great libraries.

10 Your investment over the last few years has  
11 enabled us to provide reliable core library services  
12 a minimum of six-days a week; create new programming  
13 tailored to our communities; and to upgrade our  
14 spaces to better serve the public. But our progress  
15 is being jeopardized by cuts proposed in the Mayor's  
16 Executive Budget. Today, we implore you to reverse  
17 those cuts, increase library operating funds, and  
18 include \$150 million in new capital, which is \$50  
19 million for each library system.

20 It is baffling that our public libraries are  
21 facing millions of dollars in potential cuts, instead  
22 of the increased funding we need to keep up with  
23 soaring demand and increased costs. The city  
24 consistently turns to us as partners on priority  
25 initiatives; for IDNYC enrollment in our branches,

1 for hosting early voting and prospective candidate  
2 training, for providing free legal resources to  
3 immigrants, and next year to ensure that every  
4 resident is counted in the 2020 Census. We are proud  
5 to play this role and our presence in virtually every  
6 community makes us uniquely suited to carry out the  
7 city's civic initiatives. Time and again, we have  
8 been there to bring them to life. We need the city  
9 to be there for us by making our budget whole and  
10 addressing the capital crisis plaguing our three  
11 systems.  
12

13 Even if the Mayor's cuts are restored, without  
14 additional operating dollars this year, our  
15 collections, staffing and hour of service will  
16 suffer. Brooklyn Public Library's portion of the  
17 operating budget request, \$9.7 million, is needed to  
18 support increased collections, programming, and  
19 staff, as well as physical improvements in our  
20 branches that are not capially eligible. When I  
21 last testified, I detailed our innovative new  
22 programs, described the needs of our aging  
23 collection, and our growing footprint, including  
24 opening Brooklyn's first new library in 36 years.  
25 Thanks to the city's investments in our three library

1 systems, we are adding seven new branches and eleven  
2 expanded branches, 133,000 additional square feet in  
3 total. It was money well spent. We will bringing  
4 libraries to communities that either didn't have them  
5 before or were previously underserved. We urged you  
6 to help us see that investment through. The public  
7 is counting on us to open well-staffed branches,  
8 program-rich and filled with materials our patrons  
9 need and deserve.  
10

11 Likewise, the public is counting on us to open  
12 branches that are functional. Branches that are cool  
13 in the summer and warm in the winter, with roofs that  
14 don't leak and elevators that work. Our patrons  
15 deserve much more. Our aim is to design welcoming  
16 and inspiring spaces, able to support the countless  
17 ways people are using their libraries today.

18 We truly appreciate the Council's advocacy to  
19 include libraries in the city's ten-year capital  
20 plan. However, the outcome was disappointment for  
21 all of us. While we received welcome one-time  
22 capital, in Brooklyn Public Library's case \$25  
23 million for Central Library renovations. The plan  
24 did not include recurring funding for libraries to  
25 manage physical plants over the next ten years.

1  
2 This is extremely shortsighted. Brooklyn Public  
3 Library along is the steward of over 1 million square  
4 feet of city-owned property. Denying libraries, the  
5 long-term funding necessary to maintain and improve  
6 our facilities is frankly, reckless.

7 The Council has the opportunity to make this  
8 right by pushing for a \$150 million allocation in  
9 this year's budget. Each of our three systems needs  
10 \$50 million to compensate for the lack of adequate  
11 funding in the ten-year plan. Libraries should not  
12 have to limp from year to year, only addressing  
13 emergencies. With your support this year, we can  
14 maintain building renovations already in progress,  
15 replace failing infrastructure and keep our current  
16 projects moving forward as planned for the coming  
17 year.

18 In every borough, valuable library projects are  
19 stalled because the city hasn't included capital  
20 dollars in future years. You know these stories all  
21 too well, because we rely on your help in your  
22 districts to keep the projects afloat. Last year,  
23 for example, we initiated a project at the 111-year-  
24 old Leonard Library, one of the original Carnegie  
25 branches in Brooklyn. Armed with \$3.3 million, we

sought to improve accessibility throughout the  
branch. DDC's front end panning unit immediately  
identified a deficit of \$2.1 million, halting the  
project before we got started.

Because libraries lack discretionary capital  
dollars in future years, we are tethered to a vicious  
cycle of awaiting each year's budget outcome in order  
to advance critical projects. And, the strategic  
benefit of DDC's early planning unit is diminished.  
New capital funding this year will allow us to  
restart the DDC managed projects that have ground to  
a halt as Brooklyn Public Library faces \$22 million  
in shortfalls.

Other project budgets balloon during design.  
Consider Borough Park Library, which began as an HVAC  
upgrade and roof replacement. Investigative probing  
early in the design process revealed that the  
exterior walls were deteriorating, and if left  
untreated water damage would threaten the building's  
structural integrity. Given the entire building  
would be renovated; the scope was further expanded to  
include accessibility upgrades, a bathroom  
renovation, a new elevator, and modest interior and  
exterior renovations. Years later, we are still in

1 the design phase for a much-needed branch overhaul  
2 and we are short \$5.2 million on a \$21 million  
3 project.  
4

5 As the Borough Park example illustrates,  
6 upgrading our buildings piecemeal, system by system,  
7 increases costs, elongates timelines, and disrupts  
8 communities. It makes much more sense to approach  
9 our buildings holistically from the outset. Of  
10 course, that won't always be possible, and in light  
11 of the lack of funding in the 10-year plan, a strong  
12 allocation this year, will allow us to be the best  
13 stewards of the city's funds and to continue with our  
14 planned renovations.

15 Last year Brooklyn Public Library spent 500,000  
16 of our precious operating dollars maintain old  
17 equipment, replacing dilapidated furniture, and  
18 funding temporary heating and cooling fixes. In  
19 total, 629 hours of public service were lost to  
20 unplanned closures in this Fiscal Year, with  
21 disruption at 35 or our 59 branches. Just last  
22 month, Kings Bay Library closed unexpectedly for  
23 emergency ceiling work, along with Flatlands and New  
24 Lots Libraries for urgent building maintenance.  
25 These short-term fixes drain our already

1 overstretched expense dollars, shortchanging  
2 collections and other library operations.

3  
4 The \$50 million per system we are requesting will  
5 address a myriad of immediate capital needs in the  
6 coming year. Brooklyn Public Library has \$230  
7 million in deferred maintenance; new funding this  
8 year will allow us to launch several infrastructure  
9 projects including new roofs and HVAC systems.  
10 Additionally, we need capital funding to replace the  
11 computers, servers and networking equipment  
12 throughout the system that are at the end of their  
13 useful life. Maintaining the old equipment is a  
14 drain on our resources and leaves our patrons and  
15 staff with inadequate technology.

16 You have been our greatest champions. You  
17 understand the impact that libraries have on our  
18 communities and over the last few years, your support  
19 has allowed us to grow to meet their needs. New  
20 Yorkers agree it has been a wise investment. A  
21 recent poll found that 93 percent of New Yorkers  
22 believe that libraries are a cornerstone of all New  
23 York City communities.

24 We depend on your leadership. Make this budget a  
25 reflection of our city's priorities. New Yorkers

1  
2 deserve excellent public libraries. They are worthy  
3 of programs that lift them up and collections that  
4 inspire; spaces that are welcoming and buildings that  
5 are safe. We implore you to stay the course, so we  
6 can keep our doors open wide for all New Yorkers and  
7 continue to strengthen the fabric of our city.

8 DENNIS WALCOTT: Good morning. I am Dennis  
9 Walcott, President and CEO of the Queens Public  
10 Library. It is a pleasure to be here today and thank  
11 you Chairs Dromm and Van Bramer and Speaker Johnson  
12 and the Members of this distinguished Joint Committee  
13 for the opportunity to testify today.

14 So, I am going to warn you before hand I am not  
15 going to read from my script. I am going to go  
16 totally off script because you have heard it and  
17 heard it and heard it. And you have heard it  
18 outside, inside, but more importantly, you believe  
19 it. You are the advocates on behalf of the library,  
20 and we say thank you for that.

21 You heard Tony talk about the programmatic side,  
22 you heard Linda talk about the Capital side. You  
23 know the issues because a number of you are from the  
24 great Borough of Queens and we have worked closely  
25 together in addressing the number of libraries in



1 your particular district. And I just want to take a  
2 couple of minutes to talk about this job itself,  
3 because I have been very lucky in life and I have had  
4 public service jobs just about my entire adult life  
5 and this job to me represents one of the greatest  
6 jobs I've ever had.

7  
8 In that we get the opportunity to serve our  
9 public, our customers on an everyday basis. Plain  
10 and simple, we see them stream through our doors. We  
11 see them stream to the doors of our branches, and we  
12 are proud of what we are doing there. We are proud  
13 of our great staff who are there, but more  
14 importantly, we are there for the children, for  
15 adults, for seniors. Just last week at Kew Gardens  
16 Hills in Queens. We had our older adult day, I guess  
17 I qualified for that as well. And the number of  
18 people who poured into Kew Gardens Hills to receive  
19 the programmatic services and to really be a part of  
20 that was just tremendous and we have done that  
21 throughout our library system with a variety of  
22 programs.

23 All of that is threatened. All of that is  
24 threatened if we are not able to not just maintain  
25 services but to get more money for the basic core

1 services that we provide and to blend the Linda and  
2 Tony testimony together. It's not about the expense  
3 side solely, it's not about the capital side solely.  
4 It's about a combination of both because we take  
5 great pride in having the great titles of President  
6 and CEO's of our respective systems. But more  
7 importantly, we take great pride in our libraries  
8 that are part of our system and we want to see those  
9 libraries thrive and grow and flourish for the public  
10 at large.

12 I don't know about my colleagues, but I know when  
13 I go to other cities, I make it a habit of going and  
14 visiting other libraries, just to get a feel of whats  
15 going on and get the flavor of the programs that they  
16 have. The atmosphere they have there and the  
17 infrastructure that they have. And when I come back,  
18 we always talk about what we can do to do better.  
19 But at the same time, people I think at times, take  
20 us for granted. They think we are always going to be  
21 there just growing and responding to the needs of the  
22 city and that's not possible.

23 In addition to being great advocates and great  
24 CEO's, the thing that we pride ourselves on is also  
25 making sure we watch your investment. Not just your

1 investment, but the public's investment to our  
2 libraries. And to do that requires us to sometimes  
3 make very difficult choices as far as that investment  
4 is concerned. If we don't make those choices, then  
5 that investment will go up on flames. As what we are  
6 saying to you is continue your advocacy, continue  
7 your support, continue you funding, but more  
8 importantly, to make sure that we work  
9 collaboratively with the executive side to get what  
10 we need because without that, then we're going to  
11 have to make difficult choices, plain and simple. We  
12 are just going to have to make very difficult choices  
13 as far as the futures of our systems and I as a  
14 competitor in life, serving the public, making sure  
15 we are providing the best services possible, do not  
16 want to be put in that position. And I know my  
17 colleagues definitely don't want to be put in that  
18 position.  
19

20 You guys are fantastic, I can check off every  
21 Queens delegation member and all the outstanding work  
22 that you have done.

23 We are about to open up a brand-new library at  
24 the end of summer and summer being September 21<sup>st</sup>,  
25 Councilman Van Bramer, so remember that summer is not

1 the beginning of July it is the end of September,  
2 close to it. And we are going to be very proud of  
3 that. I was out there yesterday at our soon to be  
4 Hunters Point Library and it's going to be a  
5 magnificent structure. It's going to be a structure  
6 the day we open it that's going to be overwhelmed  
7 with the public and you know that, and I know that.  
8

9 Both for the people who live there as well as the  
10 people who want to see it and especially in that area  
11 of town and with all the plans that we have for all  
12 of your respective libraries, whether it is Rego  
13 Park, whether it is Jackson Heights, whether it's Bay  
14 Park, whether it is Queens Village. You name it, we  
15 have great plans for the future. But at the time,  
16 those plans are threatened. They are threatened on  
17 the capital side, and they are threatened on the  
18 expense side. And our goal is to make sure that we  
19 are not overwhelmed but that they are there to  
20 provide the core important services that serve the  
21 public.

22 In closing, I want to do two things. One is just  
23 read one part of the testimony and that talks about  
24 in Fiscal Year 2015, here at Queens Public Library,  
25 we had 943,000 customers who attended our programs.

1  
2 In Fiscal Year 2016, we had 1.1 million customers  
3 that attended our program. In Fiscal Year 2017, that  
4 number rose to 1.4 million people. And this past  
5 Fiscal Year, that number went up even higher to 1.54  
6 million customers. That's solely attended programs,  
7 not who came through our doors, but came through our  
8 doors specifically for programs. As you can see, we  
9 are collectively responding to the public and we need  
10 the continuing support and an increased support of  
11 your finances to make sure we continue to do that  
12 job.

13 But don't take it just from me, don't take it  
14 just from Tony, don't take it just from Linda, but  
15 listen directly to your constituents as they share  
16 how libraries have transformed their lives and know  
17 that there are a thousand more stories similar to  
18 theirs out there and thank you for your leadership.

19 And now, our video. [VIDEO BEGINS]

20 Mr. Chairman can I just note that you know,  
21 amongst the budget items are our tech and digital  
22 efforts. Just saying, you really don't want to cut  
23 those more, you really don't.

24 Mr. Chairman, if you want to proceed.

CHAIRPERSON DROMM: Yeah, let's get started with some of the questions and then this way when they are ready, we can stop and see the video.

First of all, thank you for the amazing testimony that all of you gave. And as you mentioned in your testimony, the Council is solidly behind the work that you do.

We have been joined by Council Member Rosenthal and Cumbo and let me start off by asking a few questions in terms of our budget response.

In our budget response, the Council called for an additional \$27 million dollars in expense funding. The baselining of \$8 million of expense funding included in the 2019 Adopted Budget and an additional capital funding recommended by the Council.

The Administration chose to include none of this in the Executive Budget. How did each library system use the \$8 million that the Council added at the Adoption of last years Fiscal 2019 Budget?

DENNIS WALCOTT: I will start. We used \$1 million in Queens for staffing, \$800,000 for programming, and \$450,000 for non-capital maintenance and repairs and with the staffing, we filled 15 union positions, that were vacancies at the library.

1           So, your funding for us was a lifeline for  
2  
3 continued services and programs as well as dealing  
4 with the non-capital maintenance and repairs that we  
5 had to end up doing.

6           LINDA JOHNSON: In Brooklyn, we spent \$750,000 on  
7 staffing. We filled ten positions. We spent \$1  
8 million on collections and programming and we spent  
9 \$500,000 on maintenance and repairs.

10          TONY MARX: At the New York Public Library, we  
11 spent \$1.7 million to fund wage increases, associated  
12 with the important minimum wage increases as well as  
13 collective bargaining salary increases for our non-  
14 city funded union employees, including retroactive  
15 payments. \$300,000 is being used for overtime  
16 expenses in the branch libraries. \$1 million for  
17 building repairs, maintenance and equipment and a  
18 half a million dollars for books, supplies and  
19 program related expenses.

20          CHAIRPERSON DROMM: What additional services  
21 would the branches be able to provide if you had an  
22 additional \$27 million increase in expense funding?

23          TONY MARX: Mr. Chairman, what's happening in  
24 these three systems is again, because of the  
25 investment that you and the Mayor have made is, we

1 are increasing the number of libraries, in some  
2 instances significantly. The New York Public is the  
3 biggest example of that. The biggest facilities  
4 project we have ever done.  
5

6 We have added hours; we have added days. You  
7 asked us to add programs, which we are happy to add  
8 because the citizens of New York apparently want  
9 those programs since they are coming to us by  
10 millions. All of that cannot be sustained if we  
11 don't have sufficient funding and we simply don't at  
12 this point. It's that we've taken on more and you  
13 wanted us to and we are delighted to. But we need to  
14 have the funding to pay for it.

15 LINDA JOHNSON: And in addition to everything  
16 Tony outlined, in this next fiscal year in  
17 particular, we know that we are going to be inundated  
18 with people who are coming to the library to get help  
19 filling out the Census forms. They should be coming  
20 to their library. We have many, many over 25 percent  
21 of the household in New York City without internet  
22 access at home and a Census form which is largely  
23 this time going to be an online submission. So, it's  
24 a natural that the libraries be there but we need to  
25 train staff to help patrons with that work. We need



1 more computers, so that when patrons come in to fill  
2 out the form, there is a place for them to work.

3  
4 And without additional funding, we will still  
5 handle all the people that come to us, but we will  
6 not do it adequately and it will not go the way the  
7 city would want it to go.

8 CHAIRPERSON DROMM: Very good points, yeah. The  
9 Fiscal 2020 Executive Plan includes reductions in  
10 spending by each system to meet the PEG target, set  
11 by the Office of Management and Budget or OMB. How  
12 did each system achieve their target and how will the  
13 PEG you chose effect the services you are able to  
14 provide?

15 DENNIS WALCOTT: So, we have challenged ourselves  
16 to take a look internally and try not to impact staff  
17 too much, but what we have already done is that we've  
18 taken a look at OTPS and our OTPS lines other than  
19 personnel services is cut to basically the minimum or  
20 nonexistent. In addition to that, I have slowed  
21 hiring down tremendously. And so, we've had a slow  
22 down in hiring, we do not necessarily have a hiring  
23 freeze, but also being very forward thinking as far  
24 as anticipating potential cuts and what it means and  
25 with the PEG itself. And so, we have addressed it

1 through the slowdown of hiring. So, we have  
2 attempted to do that in a variety of ways, but at  
3 that same time, as Linda and Tony have indicated, the  
4 system is growing and so, once we open up Hunters  
5 Point, then we are going to have a loss of staff in  
6 some of the existing branches going to Hunters Point  
7 for the responsibilities there and then I am going to  
8 have to do some of the filling of those lines at the  
9 other libraries and so, it's a very difficult budget  
10 dance that we're going through right now addressing  
11 the PEG itself.  
12

13 TONY MARX: Mr. Chairman, of the \$3.3 million, we  
14 used close to a \$1 million of that very sadly  
15 unfortunately to reduce some of what we could offer  
16 the public in particular DVD's, which circulation has  
17 gone down but people still rely upon us for that and  
18 it helps to introduce them to reading often as well.

19 The rest of the \$3.3 million we were credited for  
20 the energy savings that we provided to the city  
21 through the amazing lead work at the new Niarchos  
22 Library. But I want to reiterate Dennis's point. As  
23 you have asked us to do more and as we want to do  
24 more, funding hasn't increased. Now, it's  
25 threatening also to be decreased and what we end up

1 doing for awhile is robbing Peter to pay Paul. So,  
2 we spend the money to fix up the Wood Stalk Branch  
3 and then we don't have enough funding to fully staff  
4 it, right. We spend the money to create a great new  
5 Niarchos Library in Mid-town, right, which will be  
6 our most visited branch, I am sure. And then we are  
7 going to have to steal staff and program from  
8 elsewhere in the system. That's crazy, that's just  
9 crazy.  
10

11 LINDA JOHNSON: Yeah, of course, Brooklyn is in a  
12 similar situation where we are looking at ways to  
13 reduce our budget other than reducing hours, which  
14 means other than reducing staff. So, the collections  
15 is always the first area to be hit. But also, we are  
16 taking a hard look at every open position and making  
17 sure that we are only hiring those that are  
18 absolutely essential at this moment.

19 CHAIRPERSON DROMM: So, how did you work if at  
20 all, with OMB to determine the PEG target in the  
21 first place?

22 TONY MARX: It was opposed on us. We got a  
23 letter.

24 CHAIRPERSON DROMM: You were told.  
25

1  
2 DENNIS WALCOTT: Yeah, but I want to pick up on  
3 that in that we have had a very constructive back and  
4 forth with OMB. I mean, so I know normally one does  
5 not hear from public testimony, talking about OMB in  
6 a very constructive way, but I think for us, we have  
7 had a very constructive engagement with OMB and the  
8 back and forth. We don't necessarily agree around  
9 different things but at the same time, we said, okay  
10 if we have to absorb it, then what's the least painful  
11 way to absorb the PEG? And so, my CFO, my COO and I  
12 to some extent have been in ongoing conversation with  
13 them to minimize any type of pain because correctly  
14 so, they don't necessarily want us to impact the  
15 hours and the days of week of service and we don't  
16 want to do that obviously.

17 And so, how do we work collaboratively to address  
18 that since this is being imposed on us as far as PEG  
19 targets are concerned?

20 CHAIRPERSON DROMM: Is the video ready? You want  
21 to do the video now?

22 [VIDEO BEGINS]

23 Alright, great, thank you that was really  
24 informative and wonderful to watch. I am going to  
25 just ask some questions about the capital strategy

1 and then I think I am going to turn it over to Chair  
2 Van Bramer and we have some Council Member questions  
3 as well.  
4

5 So, at the Preliminary Budget hearing, the  
6 libraries testified that they have assessed an  
7 additional \$963 million need over ten years above the  
8 need that was identified in the ten-year capital  
9 strategy. As you know, the Council has been critical  
10 of the Administration's presentation of the strategy  
11 because it is unrealistic particularly in the final  
12 five years of the plan with respect to anticipated  
13 capital needs.

14 Can you describe for the committee what the  
15 process of working with OMB to develop the ten-year  
16 strategy looked like? And did OMB give consideration  
17 to your needs assessment?

18 TONY MARX: I think the answer Mr. Chairman is in  
19 the result, which is you know, we got into the ten-  
20 year capital plan was it four years ago, for the  
21 first time in a century and we saw a night and day  
22 difference. We suddenly could increase your  
23 investment and have significant more return. So, we  
24 are all together probably, we have or are now working  
25

1 probably in roughly half of our square footage.

2 Which given 4 million square feet is unprecedented.

3 The branches is in many of the poorest  
4 neighborhoods hadn't really been touched in ages.  
5 That's a scandal in my opinion.

6 We are still in the ten-year capital plan, so  
7 thank God for that but with almost no funding in it.  
8 And that means going forward, we can do less with the  
9 city's resources. If we can plan, we can't be  
10 efficient. We end up using expense dollars, we end  
11 up doing band aids. Only if we can plan, can we get  
12 it done. And we still have a couple million square  
13 feet to go between the three of us.

14 LINDA JOHNSON: I think that one critical point,  
15 and there are many, but being included in the ten-  
16 year plan allows us to use the Expense Budget for the  
17 very purposes it was designed. And having to reach  
18 into the Expense Budget year after year, so that we  
19 can keep the building safe and not even making them  
20 inspiring, but just keep them tight, protected from  
21 rain, cool, warm as appropriate, it's not a good use  
22 of our money and it's a bad way to plan for the  
23 future.  
24  
25

1  
2       So, we have done an amazing job. For the first  
3 time in our history of committing the money that's  
4 been allocated of working library by library to do  
5 important and significant upgrades. In some cases,  
6 complete builds, but all of that is in jeopardy  
7 because we don't see how we are going to continue  
8 this work in the future.

9       DENNIS WALCOTT: So, what we have here in Queens  
10 is a very detailed list of all of our capital  
11 projects proposed moving forward and basically whats  
12 built into the ten-year plan, but the reality is  
13 there are number of shortfalls that go along with  
14 that as well. So, we have done our internal  
15 analysis, we have planned it out, just like my fellow  
16 colleagues who also have done their own respective  
17 planning as well and as a result of that though, even  
18 though we were included in the ten-year capital plan,  
19 it doesn't address the amount of money that's  
20 required to do this.

21       So, in addition to what Linda talked about as far  
22 as the capital emergencies that we have in the  
23 capital programs that don't qualify for capital  
24 dollars and then using expense dollars for that, what  
25 has happened is that money gets pushed to the back

1 end and as a result of the money getting pushed to  
2 the back end, then a number of the necessary projects  
3 are not done at the frontend. And as you all know,  
4 we work collaboratively with DDC in identifying what  
5 those needs are and OMB help deal with some of those  
6 shortfalls, but still there are a significant number  
7 of shortfalls that we have that will not be addressed  
8 until additional money is provided in the ten-year  
9 capital plan itself.

11 CHAIRPERSON DROMM: Was any additional funding  
12 added for the libraries in the Executive ten-year  
13 strategy since the Preliminary Strategy?

14 LINDA JOHNSON: In Brooklyn, we received \$25  
15 million for the Central Library renovation.

16 DENNIS WALCOTT: So, I don't remember the exact  
17 amount and I will look to our folks for the exact  
18 amount, but yes, we have received additional money  
19 since Prelim to address some of the shortfalls, one  
20 being in Jackson Heights. And so, that has been  
21 addressed and there are several others that have been  
22 addressed as well. So, yes, we did get additional  
23 money to take care of some of those shortfalls and  
24 some of them are fully funded, so we didn't have to  
25 worry about shortfalls at all.



1  
2 TONY MARX: For the \$18.7 million in the ten-year  
3 capital plan, 6.7 went to fund the shortfalls, but  
4 let me just be clear about what that means. It means  
5 we are working with the DDC, our partners there and  
6 we are finding projects that are going massively over  
7 budget and taking way over time. Grand Concourse, 95  
8 percent over budget. Bloomingdale, 90 percent over  
9 budget. And the other big ticket that we are  
10 grateful to have in the ten-year capital plan is \$12  
11 million for West Chester Square. An important  
12 project that has been way too long delayed and  
13 because of its delay and because of you know, how  
14 this process has worked with DDC and the City, it's  
15 massively over budget, significantly more than what  
16 we got in the ten-year capital plan.

17 So, we haven't gotten anything. We've just got  
18 some help to sort of make up for the problems that  
19 have been sort of imposed upon us up to now.

20 DENNIS WALCOTT: I had it right in front of me  
21 and I didn't look down. So, with the DDC shortfall  
22 so far, \$7 million was identified, \$1 for Glendale,  
23 Steinway, Rochdale Village, and probably one of most  
24 complex projects we have coming up is the Flushing  
25 elevator and also Hall renovations. So, some of the

1 money was added and then we have additional  
2 shortfalls, and I have had painful conversations with  
3 a number of you and those who are not in the room,  
4 around some of the shortfalls that existed in your  
5 respective projects as well. And so, with the  
6 inclusion of the additional money, then that will  
7 address those types of shortfalls as we move forward  
8 with projects.

9  
10 LINDA JOHNSON: Part of the reason that we are  
11 asking for \$150 million across the three systems, in  
12 this particular Fiscal Year, is to make up for the  
13 fact that we haven't been included in the ten-year  
14 plan and we really do not want to see these capital  
15 projects that are underway come to a halt because of  
16 either escalating budgets or unanticipated  
17 emergencies.

18 CHAIRPERSON DROMM: Okay, how do the systems  
19 assess capital needs and how do you prioritize  
20 funding to meet the needs? Do you factor in  
21 community input into the decision-making process?

22 TONY MARX: Absolutely, we don't do any projects  
23 anymore without having public meetings in the  
24 community on trying to work through those issues.

1  
2 For instance, in our project in Inwood, where we  
3 are building 174 fully affordable housing units above  
4 what will be a brand-new library in the neighborhood  
5 I grew up in, bigger, beautiful, for free for the  
6 taxpayers because of Robin Hood and a donor working  
7 with the city. Those are all projects you know, that  
8 we want to see more of, but again, we need the  
9 capital funding to be able to plan to do that and to  
10 find those deals.

11 DENNIS WALCOTT: So, to answer your question.  
12 Yes, we do, we can always do a better job. We meet  
13 with the local community boards, we meet with various  
14 stakeholders, obviously we meet with you and people  
15 who represent you as well. And so, we are always out  
16 in the community. I think where the better job  
17 needed to be done and we're putting that process in  
18 place, is how we drive the construction of new  
19 projects and what it means in having that input there  
20 as well. We have some complex projects in Queens  
21 that are coming up and we want to make sure that the  
22 stakeholders have input into that process, whether it  
23 was in Far Rockaway and having input there as we move  
24 to do something in Corona with our Corona Library.  
25 You name it, we have Rego Park coming up.

1  
2       So, having that back and forth dialog as far as  
3 those projects are concerned, for those that were  
4 already planned, as well as those that are being  
5 planned for the future.

6       CHAIRPERSON DROMM: Okay, thank you. I just want  
7 to say; we have been joined by Council Members Moya  
8 and Cornegy and I am going to turn it over to Chair  
9 Van Bramer.

10       CO-CHAIR VAN BRAMER: Thank you very much Chair  
11 Dromm. So, I want to start off by saying, I am angry  
12 that we are in this position. Listening to your  
13 testimony, hearing Dennis, you talk about slowing  
14 down hiring. To hear Tony and Linda talking about  
15 the fact that we are buying fewer books and DVD's and  
16 providing fewer services to some of the New Yorkers  
17 who need those most as New Yorkers in this incredibly  
18 rich city. We should all be angry that we are in  
19 this place and in this moment talking about reducing  
20 services and programs to the New Yorkers who  
21 desperately need those services.

22       Let me say something that I actually agree with  
23 the Mayor on. In his introduction to his  
24 presidential announcement, that video, the first  
25 thing that he says is that there is plenty of money

1 in this country, it's just in the wrong hands. I  
2 agree with that 1,000 percent. And what I get from  
3 that is, that we should be putting more money and  
4 more resources into places like public libraries.  
5 Into the hands of library workers who are going to  
6 make sure that some of the people in our city who  
7 have the least are getting more from our city and  
8 it's libraries.  
9

10 It is absolutely outrageous that we are here  
11 listening to that young man in the video and first of  
12 all, I don't know how you do it, it must be a casting  
13 call, you get the most adorable children every year  
14 in that video.

15 And I don't know if he pronounced his name Brayan  
16 or Bryan, but to hear him talk about the fact that if  
17 the library doors are closed, he is going to camp out  
18 in front of the building. Because that's how badly  
19 he knows he needs the library. That's the difference  
20 that the library made in his life as his family was  
21 struggling.

22 How in this, one of the richest cities in the  
23 world are we talking about cutting funding to  
24 families like his? How are we talking about reducing  
25 programs and services to immigrants, documented and

1 undocumented because our public libraries have always  
2 served everyone regardless of their status, no  
3 questions asked. That's why the libraries are the  
4 best and most democratic institution that we have in  
5 this city and in this country. If you are thinking  
6 about running for president of it. It is so  
7 important that we speak truth here. Right, the Mayor  
8 of the City of New York in this Administration is  
9 proposing to cut your budgets substantially.  
10

11 That is wrong. It is morally wrong, it is  
12 indefensible. Knowing how wealthy this country is,  
13 knowing how wealthy this city is. What we need to do  
14 if we are serious about that and we want to be the  
15 fairest big city in the country, and the most  
16 progressive city in the country is to fully fund  
17 public libraries. That's what we should be doing.  
18 That's what we should be doing.

19 So, I am angry that we are in this place and that  
20 we have a ten-year capital plan. We fought so hard  
21 to get you guys on the ten-year capital plan four  
22 years ago and it's good that you are back in the  
23 capital plan. But if there is no money in the ten-  
24 year capital plan for you, then whats the point?

1 This city shortchanging libraries is  
2 shortchanging its people. That's what we are looking  
3 at here and the Council is always the beacon of hope  
4 for public libraries, it always has been. But and I  
5 know you can't always say it quite the way I am  
6 saying it now, but we need the Mayor and this  
7 Administration to meet us and to do the right thing.  
8 To fully fund libraries to baseline libraries, and to  
9 say once and for all that we are never going to cut  
10 libraries. Never going to cut libraries again in  
11 this city, because it's wrong.

13 Even in the great depression, we had libraries  
14 open seven days a week, why in the hell are we here  
15 in the richest city in the country talking about  
16 making a young man think that he is going to have to  
17 camp outside of his library. That's wrong, that's  
18 morally wrong, it's indefensible, it's disgraceful.

19 So, we've heard it all before, but I want to know  
20 from all of you because I know that you talk to the  
21 Administration as you have to and as you should. But  
22 what are you hearing from the Mayor's side, in terms  
23 of these cuts?

24 DENNIS WALCOTT: My only conversation recently  
25 has been through our team and that includes me as

1 well with OMB and that's basically been the  
2 conversation that we've had.

3  
4 So, I have not talked to anyone on the Executive  
5 side in a little while around libraries. I mean, so,  
6 that's just my side of the coin, I am not sure about  
7 my colleagues.

8 LINDA JOHNSON: Yeah, likewise, you know, we have  
9 not heard a lot. Although we did receive a missive  
10 that we were to cut \$750,000 on our DVD budget, which  
11 is problematic on many levels because I think we are  
12 best situated to figure out how we are spending the  
13 dollars that we get and best at knowing what our  
14 patrons are looking for.

15 TONY MARX: Mr. Chairman, can I just reiterate,  
16 you know, the sort of absurdness of this? I have a  
17 branch in the Bronx, seen kids with agent laptops  
18 sitting on the stoop. You have heard the story  
19 before, they are doing their math homework because it  
20 is assigned. They are trying to succeed as we ask  
21 them to. And the kids on the stoop of the library  
22 because he can't afford broadband at home. What we  
23 take for granted carrying in our pockets. A couple  
24 million New Yorkers, he is on the stoop of the  
25 library literally Mr. Chairman, getting bleed from



1 our broadband when it's closed because it's closed  
2 too much. Just think about that story. In the City  
3 at the center of the world, of the information  
4 capital of the world, our kids who we want to do  
5 homework are getting crumbs from under the door.

6 That just can't be. That just can't be. We are  
7 excited to see the Mayor has just appointed a new  
8 Deputy Mayor who will be working with us Vicki Been  
9 and we are very much looking forward to working with  
10 here and we hope to get into discussions right away.

11 CO-CHAIR VAN BRAMER: You are a very hopeful and  
12 optimistic man Tony Marx and I want to believe that  
13 good things are going to come but so far, we are  
14 seeing something that is absolutely disgraceful and  
15 unacceptable from this administration on this budget  
16 so far when it comes to libraries. Your video was  
17 good, and it tells the story. That there are people  
18 who were formerly incarcerated who are finding hope  
19 through their public libraries.

20 There are immigrants, million, in our city, who  
21 find hope in our public libraries. There are public  
22 housing residents, there are people who are  
23 struggling financially. Seniors, they find hope.  
24 People who are homeless or were formally homeless,  
25

1 people who are struggling, people who are living in  
2 shelters. They find hope in the public libraries.  
3 You cannot be the fairest big city in this country  
4 and tell all of those people that we are cutting  
5 programs and services that are meant to lift you up.  
6

7 That is the end of that sentence and we are going  
8 to fight, I am going to fight, but we have got to do  
9 better when it comes to our public libraries and I  
10 want to say thank you to all the work that all of you  
11 do. More importantly, all the work to all the  
12 library workers across this city who everyday see all  
13 of those faces come into you local libraries. Some  
14 of whom are desperate for services, some of whom  
15 desperately need help and you are the face that they  
16 see. But they don't get to see you if the doors are  
17 closed and they don't get the help that they need if  
18 you don't have that funding you need.

19 So, I want to thank the three of you, but we all  
20 have a lot of fighting left to do and I know that you  
21 know that I have a lot of fight in me when it comes  
22 to public libraries. So, we will be fighting for you  
23 every step of the way. Thank you.

24 CHAIRPERSON DROMM: Thank you Chair Van Bramer  
25 and we now have questions from members. I just want

1 to remind them that we have three minutes, we are  
2 already almost 45 minutes behind schedule, so I am  
3 going to have to be very strict about adhering to the  
4 three-minute limit. We will start with Council  
5 Member Barry Grodenchik followed by Council Member  
6 Adams.  
7

8 COUNCIL MEMBER GRODENCHIK: Thank you Chairs.  
9 Very quickly, it's my great pleasure to work with  
10 Dennis Walcott. I have seven libraries he is in them  
11 all the time; I don't know how he does it. He runs  
12 from branch to branch quite literally.

13 We have had discussions Dennis and I and other  
14 members here. Every person here has a library  
15 capital horror story and I can tell you I know it's  
16 Hunters Point in Jimmy's district. I know in my  
17 district we are working on Hollis. Adrienne Adams  
18 has her own issues, Karen Koslowitz has the Rego Park  
19 Branch. The Kew Garden Hills branch, we can go on  
20 and on and on.

21 Several years ago, at a budget briefing the Mayor  
22 said he was looking at the possibility of allowing  
23 the branch systems to do their own capital  
24 construction.  
25

1  
2 The Board of Trustees of the three systems are  
3 entrusted with literally hundreds of millions,  
4 probably north of a billion dollars' worth of New  
5 York City property. We trust you through the  
6 agreements to do this for us and the Mayor and the  
7 other elected officials appointed trustees. I would  
8 like to hear from you in the next minute and 53  
9 seconds how much better would the capital  
10 construction process be, because it can't get worse.  
11 How much better would it be if the library, the three  
12 individual systems were doing their own work and I  
13 have heard from Dennis about this, so I would be  
14 happy to hear from either New York or Brooklyn.

15 TONY MARX: Can I just say on behalf of the New  
16 York Public Library when we do self-managed projects  
17 and we are spending hundreds of millions of dollars.  
18 We are able to but there is a limit to how much we  
19 can advance and still keep our budget going, our  
20 operations going, but when we manage our own project  
21 compared to when we do DDC project just as a matter  
22 of fact, costs twice as much, takes twice as long.

23 COUNCIL MEMBER GRODENCHIK: You mean DDC  
24 projects.

25 TONY MARX: Correct.

1  
2 COUNCIL MEMBER GRODENCHIK: Okay.

3 TONY MARX: And you know, look I am not a public  
4 administration genius but that sounds like bad public  
5 administration right.

6 COUNCIL MEMBER GRODENCHIK: I think everybody  
7 sitting here in this room would agree with you. I am  
8 not an expert either but twice as much and twice as  
9 long is a disaster.

10 I have been trying to get this conversation going  
11 for a while, but I appreciate your frankness on that.  
12 Brooklyn anything?

13 LINDA JOHNSON: No, we all love this question.  
14 You know, we can lean in and tell you that we are  
15 doing things with half the dollars in half the amount  
16 of time and that's true but also, we need help with  
17 the roofs, the boilers, the system is large, and we  
18 are not you know, in the business. Although I will  
19 say at this point, we have an extraordinary team in  
20 our capital Planning Department of finance experts,  
21 architects, project managers, and so, since the city  
22 has entrusted us with capital dollars in the ten-year  
23 plan, we've made huge strides in terms of getting  
24 projects designed and built on time and on budget.

1  
2 COUNCIL MEMBER GRODENCHIK: Thank you for you  
3 frankness. Thank you Chairs.

4 CHAIRPERSON DROMM: Thank you. Council Member  
5 Adams followed by Koslowitz.

6 COUNCIL MEMBER ADAMS: Thank you Chair Dromm and  
7 certainly Chair Van Bramer for your enthusiasm and  
8 your love and passion as is my own. Thank you all  
9 for being here today. It is always a pleasure to  
10 have our library leadership in the people's house.

11 I have said it before; I will say it again. I am  
12 a former Board of Trustees Member for the Queens  
13 Borough Public Library and I proudly served that  
14 body. It was a wonderful experience and I don't  
15 really have a question, but I just wanted to go on  
16 the record this morning just to say that as we on the  
17 Council, continue to peel back the onion of what is  
18 the horror story of this budget. It is becoming more  
19 and more disturbing to me. We are looking at cuts to  
20 the most important people in our city. Cuts to  
21 senior centers, cuts to breakfast in classroom, cuts  
22 to our public library system and Linda, you said it  
23 best, you used the word baffling. To me, it is  
24 baffling that we are sitting here in the year 2019  
25 not looking to promote and propel and extend the

1 great things that New York is but instead we are  
2 looking to demote and demolish and destroy.

3  
4 And so, as we look at our libraries, I celebrate  
5 them in Queens. We had a fantastic town hall about  
6 three weeks ago Dennis, wall to wall standing room  
7 only. It was a public safety town hall for myself a  
8 first time Council Member joining the realm of  
9 participatory budgeting. We had a celebration in the  
10 Rochdale Village Library celebrating the  
11 participation of our citizens of District 28.

12 Participating and sharing a million plus dollars.  
13 And telling us what they wanted and how they wanted  
14 that money spent.

15 So, I just wanted to go on record just to say  
16 thank you. We have a lot to do. As I look at the  
17 projects shortfalls, I notice that this is my area  
18 Richmond Hill and Baisley Park in the shortfalls  
19 list. I don't say that proudly, but I humbly say to  
20 you that I will continue to fight with everything in  
21 me. Every fiber of my being to ensure the success of  
22 our public library system.

23 CHAIRPERSON DROMM: Thank you very much. Council  
24 Member Koslowitz followed by Majority Leader Cumbo.

1  
2 COUNCIL MEMBER KOSLOWITZ: Thank you. I sit here  
3 a little bit nervous about my Rego Park Library.  
4 Since 1993, we have been working on this and is that  
5 in jeopardy?

6 DENNIS WALCOTT: Rego Park is fully funded, and  
7 it is fully funded based on projections moving  
8 forward as well. So, no, it is not. As a matter of  
9 fact, with the Rego Park, we've been working very  
10 closely with DDC and our team has really been very  
11 out front in doing the work as far as the analysis.  
12 So, we are on top of Rego Park.

13 COUNCIL MEMBER KOSLOWITZ: Okay, because you  
14 know, I don't have to tell you. You know the story.  
15 The library in 1993, started out at costing \$20  
16 million and between the Borough President going back  
17 to Claire Schulman, we kept putting money in. I as a  
18 Council Member and the Borough President and then the  
19 \$20 million now became \$33 million and all that money  
20 got wasted because it took so long to get to this  
21 project and the Administration has to realize that  
22 when money is in the project, it has to go forward.

23 DENNIS WALCOTT: So Rego Park is currently in  
24 schematic design and DDC is projecting completion of  
25



1 construction in the winter of 2024. So, it's in  
2 schematic design right now.

3  
4 COUNCIL MEMBER KOSLOWITZ: Okay, as long as they  
5 break ground before I leave the Council.

6 DENNIS WALCOTT: That's what our goals are for a  
7 number of projects, yes.

8 COUNCIL MEMBER KOSLOWITZ: Thank you. Also,  
9 Richmond Hill and what about Richmond Hill Library  
10 Dennis?

11 DENNIS WALCOTT: So, with Richmond Hill as you  
12 know, is an originally a pass-through project. It's  
13 now been submitted to DDC and based on the initiation  
14 documents prepared by the Queens Public Library, DDC  
15 has begun the interdepartmental process of verifying  
16 the alignment between scope and funding. So, we have  
17 been working now with DDC around Richmond Hill. We  
18 are waiting all outstanding requests for information  
19 from DDC. And matter of fact, we have a meeting set  
20 up with DDC on Thursday with my COO and myself, with  
21 the Commissioner and her First Dep. to go over the  
22 various projects in the borough of Queens.

23 COUNCIL MEMBER KOSLOWITZ: Okay, I just want to  
24 make a statement. I can assure you that I will be  
25 fighting very hard for the libraries, that they don't

2 be cut. I think that cutting libraries is cutting  
3 peoples heart out. It's a very serious thing to have  
4 our children not have a place to go and learn. And  
5 libraries are another way of learning for our  
6 children. Getting books, reading, you walk into a  
7 library after 3:00 in the afternoon and its flooded  
8 with children. And seniors, seniors love the  
9 libraries. They go earlier in the day, but they love  
10 the libraries. So, I will be fighting for libraries  
11 that they do not get cut and possibly get more money  
12 into the budgets.

13 I also want to compliment you Dennis for the work  
14 that you do. I have been around a very long time and  
15 we've had other people running our libraries, you are  
16 the best. Thank you.

17 CHAIRPERSON DROMM: Okay, thank you. We will now  
18 go to Majority Leader Cumbo followed by Gjonaj and we  
19 have been joined by Council Members Gjonaj and  
20 Powers.

21 COUNCIL MEMBER CUMBO: Thank you. I will be  
22 brief. Certainly, share all of the sentiments and  
23 the disappointment in the cuts that we have seen to  
24 our libraries, but I wanted to get specific in this  
25 way on the Walt Whitman Library and wanted to know

1 what is the update on that library as well as moving  
2 forward with gaining an understanding. Do you have  
3 any understanding about the South Portland Project at  
4 300 Ashland, if there have been any updates or  
5 movements as far as that project goes.

7 LINDA JOHNSON: I'll start with the second part  
8 of the question on South Site. I wish I had an  
9 answer frankly and it's not really within our  
10 control. I think that there is a dispute between the  
11 city and the developer and until that gets resolved;  
12 the space will not be turned over to the library to  
13 begin the construction. The project has been fully  
14 designed and is ready to start construction when we  
15 do get access to the space.

16 And on Walt Whitman, we are waiting for funds.  
17 We have a process for interior upgrades. It's a DDC  
18 project which has infrastructure needs and is in  
19 design.

20 COUNCIL MEMBER CUMBO: Not quite the answer I was  
21 looking for, but do you have a timeline in terms of -  
22 I too share the sentiments of Council Member  
23 Koslowitz in terms of we've got two and a half years  
24 left to go and we want to really see a lot of these  
25 projects.

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1 LINDA JOHNSON: So, do we and you know, we are  
2 awaiting additional funds before we can get part of  
3 this classic unfortunately, we are making a lot of  
4 projects and a lot of - I don't know that I want to  
5 tell you what they are all whispering to me.  
6

7 Construction may start in two years.

8 COUNCIL MEMBER CUMBO: Wow. We will have a  
9 separate meeting about this. Thank you.

10 CHAIRPERSON DROMM: Okay, Council Member Gjonaj  
11 followed by Powers.

12 COUNCIL MEMBER GJONAJ: Thank you Chairs. It's  
13 unexplainable that Regal Park 26 years before the  
14 project even begins, I just can't even begin to think  
15 of how that's possible. I will continue to echo the  
16 sentiments of my colleagues and the importance of  
17 libraries. Not only do they provide a learning  
18 experience, but they are also a safe haven for our  
19 communities.

20 West Chester Square Branch, are we fully funded?

21 TONY MARX: No sir. Let me just be clear. We  
22 share you concerns are dismay that this project is  
23 still not happening. Having heard just from Member  
24 Koslowitz about a similar project that's going to be  
25 20 years from when envisioned to when completed.

1  
2 COUNCIL MEMBER GJONAJ: 26 years.

3 TONY MARX: Right. We did get the additional  
4 funding towards West Chester Square in the ten-year  
5 capital. It's really what we got in the ten-year  
6 capital. That takes us to about \$30 million.  
7 Currently, the estimates because this project has  
8 gone on an on is \$33 million, which again, is a great  
9 concern to us. The Ulurp is done, we will acquire  
10 the property and then we will proceed with demolition  
11 of whats necessary on the site and then building, but  
12 we are still short, and the price keeps going up.

13 This is a pattern; we are all hearing across the  
14 systems.

15 COUNCIL MEMBER GJONAJ: How many square feet is  
16 this library, the projected West Chester Square  
17 Library going to be?

18 TONY MARX: I think it's going to be 12,000, the  
19 current one is also 12,000.

20 COUNCIL MEMBER GJONAJ: \$33 million divide that  
21 by 12,000 square feet, correct?

22 TONY MARX: Yeah.

23 COUNCIL MEMBER GJONAJ: That's \$2,750 a square  
24 foot. We currently are building condos in Manhattan  
25 for a lot less than that.

1  
2 TONY MARX: I couldn't agree more sir.

3 COUNCIL MEMBER GJONAJ: So, help us understand.  
4 Put your finger on the problem. Is this criminal?

5 TONY MARX: Not to my knowledge sir, but clearly  
6 it is a crime for the citizens of New York when we  
7 don't get our capital projects done in a timely and  
8 cost-efficient way. Everyone pays for that because  
9 that's money we don't have for all the other amazing  
10 things that we need to do in New York.

11 COUNCIL MEMBER GJONAJ: So, problem solution and  
12 move on. We have identified a problem, who do we  
13 blame? Someone's got to be the cause of all of this  
14 and if you want us to help you, we need this  
15 information. You obviously see it day in and day out  
16 and it's the sentiment of everyone and the Council  
17 and it's going on for decades.

18 TONY MARX: I think that's right. It's hard,  
19 clearly, it's a hard-political problem in ways I  
20 can't fully understand, I am not on that side of the  
21 wall if you will, but look, we work with DDC, they  
22 are our partners. We need them to be our partners,  
23 there are things we can't do. But there are some of  
24 these particularly large projects that apparently  
25 just are overwhelming the system. They get stuck,

1 the cost keeps rising, then the budget races to try  
2 to keep up with the rising cost and nothing happens.  
3 And the hole keeps getting deeper.

4 I know that the Administration shares our  
5 concerns with this. I know the head of DDC whose  
6 really come in with a breath of fresh air and is  
7 trying and I am sure it is difficult. But something  
8 has to fundamentally be rethought and that's always  
9 the hardest thing to do.

10 DENNIS WALCOTT: So, really quickly, I mean there  
11 is several things going on in response to your  
12 question. One, I think is what we talked about  
13 earlier as far the ten-year capital plan and having  
14 the appropriate money to address some of these  
15 shortfalls built into the existing ten-year capital  
16 plan, that's one. I think with Lorraine Grillo  
17 starting as Commissioner of DDC and her role also as  
18 President of the School Construction authority,  
19 Lorraine is bringing reform to DDC to help address  
20 some of the issues that you have raised as far as  
21 having the forecasting done properly as well.

22 When you broke down rather quickly the price per  
23 square, I think part of the problem in the past as  
24 been not a realistic projection on the price per  
25

1 square, therefore we are caught with shortfalls. I  
2 think that's being addressed. I think the market is  
3 hot right now. And so, with the market being hot as  
4 far as capital construction is concerned in New York  
5 City, then you are going to see the price going up  
6 and up and up and as you all know, many years ago,  
7 the market was not as hot here in New York City as  
8 far as the construction industry is concerned. And  
9 so, we are living in that type of environment right  
10 now, where again, we are having our quotes going up  
11 higher and higher and so, it's all combined together  
12 painting this shortfall that we are facing.

14 And I think as I said Council Member Koslowitz,  
15 that with Rego Park in particular, that was way  
16 before my time but since I have been here and since  
17 we have been here in this Administration, both  
18 through the Council and the Executive side, that  
19 project was fully funded and it was fully funded  
20 based on projections moving in the out years as well.  
21 And that's how you start to solve the problem, but I  
22 think part of challenge that Linda talked about is  
23 the challenge of a city agency doing something no  
24 matter how well intention the Commissioner is and the  
25 type of reforms that are put in place versus an



1 entity like the libraries themselves, that can  
2 produce a product that is done in a more efficient  
3 way and a more timely way and that's as a result I  
4 think of the efficiency of the operation and also,  
5 the less of the bureaucracy that we have in  
6 performing those tasks.  
7

8 And I think all those things working together  
9 will allow us to hopefully improve the construction  
10 process as we move forward.

11 COUNCIL MEMBER GJONAJ: Thank you for that  
12 explanation but again, we are coming up with excuses.

13 DENNIS WALCOTT: Oh, no, no, no, no, I don't  
14 believe in excuses at all. I mean from our point of  
15 view, and I think the libraries like you are all  
16 committed to building libraries in an expeditious but  
17 appropriate fashion itself. And I think our  
18 challenge as a system as a city government, as a not-  
19 for-profit is to work collaboratively in knocking out  
20 the excuses that you are referring to. And making  
21 sure we are able to produce a product that we will be  
22 proud of.

23 I mean, it's unacceptable and we have articulated  
24 this before at our hearings, to have you guys who  
25 have been great for us, who have been great for the

1 communities providing the funding, not to be in  
2 office when we break ground. The project starts  
3 eight years ago, that's unacceptable. We concur with  
4 you. We share your beliefs and we want for our  
5 customers, not just for you to make sure we are  
6 putting out the best product possible and that best  
7 product is not just on the program side, but it's on  
8 the infrastructure side. And again, we are talking  
9 about huge construction projects but also, we are  
10 talking about the smaller projects and the projects  
11 that Linda referred to earlier in her testimony that  
12 are, we feel, capitally eligible but they may not be  
13 deemed capitally eligible, therefore we are using  
14 expense dollars for that. And they are sucking money  
15 away from the expense side of our business.  
16

17 So, we are not looking and we're not trying, and  
18 I apologize if it sounds like I am trying to put an  
19 excuse out there. That's not the case at all. We  
20 want the same thing as you as far as having libraries  
21 built expeditiously, but also in a way that will  
22 allow us to do the job for our customers that provide  
23 high quality services.

24 CHAIRPERSON DROMM: And Council Member, we need  
25 to move on to Council Member Powers.

1  
2 COUNCIL MEMBER POWERS: Thank you. I am picking  
3 up on where he left off anyway but the question from  
4 Council Member Grodenchik earlier about half the  
5 price and half the money to build if the library  
6 systems do it themselves versus DDC is an astonishing  
7 number and admission to the city is doing something  
8 wrong here.

9 But can you tell us what you guys can do that  
10 they can't do to make that cheaper and faster? Why  
11 is it so that the systems can build have the price  
12 and half the time, versus relative to DDC?

13 LINDA JOHNSON: So, it's hard to know how another  
14 agency is operating and we are all hopeful with new  
15 leadership that DDC that we will see a change. But  
16 we have a lot at stake in the projects that we are  
17 managing ourselves. In fact, if there are cost  
18 overruns, we are responsible for them and so, we are  
19 highly motivated a. because we want the projects to  
20 be built on time and on budget because we want our  
21 patrons to be able to take full advantage of the new  
22 projects as quickly as possible. But also,  
23 financially we have a lot at stake and whatever  
24 disciplines we are imposing on our own operations  
25 need to be also applied at the agency.

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1  
2 COUNCIL MEMBER POWERS: How many projects do you  
3 build on your own versus having DDC build for you?

4 LINDA JOHNSON: So, in Brooklyn, we are new at  
5 this.

6 COUNCIL MEMBER POWERS: You are doing all?

7 LINDA JOHNSON: No, no, we are not doing all and  
8 by the way, we couldn't do all. We couldn't possibly  
9 with the staffing that we have on the expense side,  
10 sorry to get back to that, but we couldn't possibly  
11 have the staff we need to take care of all the roofs  
12 and all of the boilers and HVAC systems that need to  
13 be repaired routinely. This is just standard  
14 maintenance.

15 And so, we have been selecting the projects that  
16 have a strong aesthetic component involved in them,  
17 new buildings, or dramatic renovations to do  
18 ourselves and leaving the other projects for DDC.

19 COUNCIL MEMBER POWERS: Can you just give me an  
20 idea how many projects you have?

21 LINDA JOHNSON: Right now, we have 80, yeah, here  
22 lays the problem, we have 59 buildings with two more  
23 coming online, and yet we have 80 projects that are  
24 currently registered with DDC.

25

1  
2 COUNCIL MEMBER POWERS: Got it and they are  
3 waiting to get done. Okay, you know, we want to get  
4 these projects done fast to, so we are willing to  
5 work with you to figure out how to do and I think  
6 expense if being part of it.

7 I am just going to finish up. I have just one  
8 last question here. We had a hearing with the BOE  
9 last week talking about early voting places and  
10 polling places. Can you tell us each of the three  
11 systems, how many libraries today serve as polling  
12 places? And I should add early voting places?

13 LINDA JOHNSON: So, in Brooklyn, we will have two  
14 early voting sites, which is a real challenge because  
15 of the length of time that they will be voting sites  
16 and the wear and tear on the building and also the  
17 staffing that was required. We are happy to do it.  
18 And then we have 20 sites that are voting stations on  
19 election day.

20 DENNIS WALCOTT: So, in Queens, we have three  
21 sites that will serve as early voting sites and for  
22 our regular voting, I think we have 13. 13 sites  
23 that serve as polling sites.

24 TONY MARX: At the New York Public Library, we  
25 have three Richmond Town, the Highschool Library for

1 the impaired, as well as a library where the resident  
2 at Trump Tower votes on 53<sup>rd</sup> Street.

3  
4 COUNCIL MEMBER POWERS: My district and you have  
5 three for early voting and how many total?

6 TONY MARX: No, that's for voting.

7 COUNCIL MEMBER POWERS: For voting. You only  
8 have three polling places in your whole system?

9 TONY MARX: We have responded to requests; it  
10 just happens that those neighborhoods have been using  
11 other spots that they are happier with. But we are  
12 open to doing more and that's why we are also eager  
13 to help with the Census.

14 COUNCIL MEMBER POWERS: I would just not that the  
15 BOE to their - I mean, I fight with the BOE on a lot  
16 of stuff but to their credit, have explained to me  
17 often, their difficulty in finding polling places and  
18 it seems like having only three is -

19 TONY MARX: We will go back to them. We will go  
20 back to them and see if they need more.

21 COUNCIL MEMBER POWERS: Okay, thank you, but I  
22 will note on other civic stuff, IDNYC participatory  
23 budgeting and other things, you have been partners  
24 with my office. So, I appreciate that, and I will  
25 make a plug for you guys. You guys have the best

1 app. I think the where you can look at books, is the  
2 best app and if you are a reader, it is great, and I  
3 use it all the time. So, thank you.

4 TONY MARX: Just wait, when we go from a hundred  
5 thousand titles on that app for anyone to use to  
6 every book ever written, which is the goal.

7 COUNCIL MEMBER POWERS: Alright, we will look  
8 forward to it.

9 CHAIRPERSON DROMM: Okay, thank you very much. I  
10 want to thank this panel for coming in. Thank you,  
11 Tony Marx, Linda Johnson, Dennis Walcott and we will  
12 take a five-minute break and then we are going to go  
13 to culturals.

14 DENNIS WALCOTT: Thank you for your leadership,  
15 thank you.

16 CHAIRPERSON DROMM: [GAVEL] Okay, we will now  
17 resume the City Council's hearing on the Mayor's  
18 Executive Budget for Fiscal 2020. The Finance  
19 Committee is joined by the Committee. Excuse me.

20 Is joined by the Committee on Cultural Affairs,  
21 Libraries and International Intergroup Relations,  
22 Chaired by Council Member Jimmy Van Bramer.

23 We are joined by our Majority Leader Laurie Cumbo  
24 and others will probably be joining us shortly. We  
25

1 just heard from the libraries and now we will hear  
2 from the Commissioner of the Department of Cultural  
3 Affairs, Tom Finkelparl. In the interest of time, I  
4 will forego an opening statement but before we hear  
5 testimony, I will open the mic to my Co-Chair Council  
6 Member Van Bramer.  
7

8 CO-CHAIR VAN BRAMER: Thank you very much Chair  
9 Dromm and I want to thank all the members of the  
10 cultural community who are here today and who took  
11 part in the rally earlier. Obviously, I was only  
12 able to participate in a portion of that, but I was  
13 spirited in my defense of the cultural community  
14 before I had to come back in here and conduct the  
15 library portion of the event. And I just want to say  
16 I am very, very upset that we come to this hearing in  
17 a place where the Administration is doubling down on  
18 it's cuts to the budget of the Department of Cultural  
19 Affairs. Which is not just a cut to the Department  
20 of Cultural Affairs, let's be frank about what this  
21 is. This is a reduction in funding, no matter how  
22 big or small, to every organization in the City of  
23 New York that is receiving funding and to cut the  
24 budgets of our program groups, some of which are so  
25 incredibly small, neighborhood based, nonprofit



1 cultural organizations in all five boroughs, serving  
2 every community. Many of which are run by and serve  
3 communities of color, immigrant communities. That's  
4 unconscionable. It is unconscionable in a city with  
5 the wealth that we have with the numbers coming in  
6 from the personal income tax across the city, both  
7 projections. There is a lot of money in this city.  
8 It is a very, very wealthy city and this city would  
9 be far better off if we understood that instead of  
10 cutting every cultural organizations budget, we  
11 should be increasing every cultural organizations  
12 budget in the City of New York.

14 It is befuddling at the most generous to be  
15 looking at this area, which and I talked a little bit  
16 outside, we know culture and the arts when children  
17 and young people have culture in the arts in their  
18 school experience, we know they perform better.

19 We know that when the art are present in  
20 communities, there are dramatic improvements to the  
21 wellbeing of the people in those communities. I  
22 believe we share a foundational belief that equity  
23 and access to culture and the arts, is at the base of  
24 any progressive city and civilization. And that  
25 makes it even more befuddling that this

2 Administration is cutting the budget and then  
3 baselining those cuts and then doubling down on the  
4 cuts. It is unfathomable that we are here talking  
5 about restoring cuts to the budget.

6 We shouldn't even be having this conversation.  
7 We should be talking about making sure that the  
8 cultural community has what it needs to succeed and  
9 thrive, not simply survive and subsist. Like, enough  
10 of those days, I thought we had moved beyond that  
11 discussion and you know, this is not a question of  
12 luxury. This is a necessity. Access to culture and  
13 the arts is an absolute necessity. And I will never  
14 understand, and I will certainly have time to talk to  
15 the Commissioner after he testifies, how an  
16 Administration and one venue will talk about how many  
17 tourists come to New York City and how many billions  
18 in revenue that generates and how wonderful it is  
19 that so many of them talk about how culture and the  
20 arts are such a big part of why they come.

21 We know that spends off billions in revenue for  
22 the City of New York and yet, we come here, and the  
23 Department of Cultural Affairs will talk about a  
24 budget cut. A budget cut to its budget, but it's not  
25 a cut to Tom's agency, it's a cut to you all and by

1 extension, it's a reduction in services to all 8.5  
2 million New Yorkers. That's unacceptable. That's  
3 disgraceful given where we sit in this city and in  
4 this country of great wealth.

5  
6 This is not prudent, this is foolish. Cutting  
7 the budget for an area that spins off billions in  
8 revenue. Admittedly, the OMB Director said the same  
9 at the hearing, spins off billions in revenue.  
10 Foolish to cut, even a dime. We should be talking  
11 about increasing the budget.

12 Never mind, beyond the numbers in terms of what  
13 his community produces for the City of New York, it  
14 goes much beyond that because in a time when there is  
15 so much hatred and there is so much ugliness and so  
16 much divisiveness in this country that we as  
17 progressives we talk about fairness, we all know that  
18 the one thing that brings everyone together that  
19 actually provides a little bit of hope in this moment  
20 is when people come together in a community and see a  
21 performance and hear a song and watch some dance and  
22 see some beautiful art on the wall. That brings us  
23 together. That sustains people in this time of  
24 hatred and instability and divisiveness.

1  
2       So, for all those reasons and more, I am anxious  
3 to hear from the Commissioner of the Department of  
4 Cultural Affairs share with us our outrage at these  
5 cuts and what is our plan to not only restore these  
6 cuts but to increase funding for the Department of  
7 Cultural Affairs.

8       CHAIRPERSON DROMM: Thank you Chair Van Bramer.  
9 We will now ask Council to swear in Commissioner  
10 Finkelpearl.

11       COUNCIL CLERK: Do you affirm that your testimony  
12 will be truthful to the best of your knowledge,  
13 information and belief?

14       TOM FINKELPEARL: Yes, I do.

15       COUNCIL CLERK: Thank you. You may proceed.

16       CHAIRPERSON DROMM: You may begin.

17       TOM FINKELPEARL: Okay, thank you. Good  
18 afternoon, Chairs Van Bramer and Dromm, and other  
19 members of the committee. I am Cultural Affairs  
20 Commissioner Tom Finkelpearl, here today to testify  
21 in regards to the Mayor's Fiscal 2020 Executive  
22 Budget proposal for the Department of Cultural  
23 Affairs. I am joined by a number of my staff from  
24 the agency.

I will begin with a look at the numbers. DCLA's  
Fiscal Year 2020 Executive Budget is \$145.3 million.

By comparison at this point last year, our FY  
2019 Executive Budget was \$145.3 million.

The FY 2020 figures include: \$28.3 million for  
the Cultural Development Fund; \$103.2 million for the  
Cultural Institutions Group; \$1.2 million energy  
support for groups on City property under DCLA  
jurisdiction; \$6.5 million for agency operations and  
Building Community Capacity program; \$5 million in  
funding to be allocated at adoption.

As always, these figure do not include Council  
initiatives that are typically added at adoption.

DCLA's five-year capital budget, which I  
testified on at the Preliminary Budget hearing in  
March, is unaffected by Executive Budget. It  
allocates \$1.15 billion to projects for 250 cultural  
groups citywide. This investment continues to  
provide extraordinary cultural venues welcoming all  
New Yorkers.

Since the adoption of CreateNYC, we have also  
committed to directing million in capital funding to  
projects that promote more accessible facilities for  
people with disabilities. Further, we've directed

1 millions in capital funding towards projects that  
2 foster more sustainable cultural facilities, reducing  
3 the sector's carbon footprint, while expanding  
4 opportunities for cultural engagement for all New  
5 Yorkers.  
6

7 As of the Executive Budget, DCLA's Fiscal Year  
8 2019 Modified Budget is now \$197.7 million. This  
9 remains the largest allocation in agency history, and  
10 the largest public source of cultural funding  
11 anywhere in the United States outside of the federal  
12 government. We're proud to work alongside City  
13 Council to make these historic investments. The  
14 roadmap provided by CreateNYC cultural plan continues  
15 to guide DCLA's fiscal choices, ensuring that they  
16 are aligned with the values around arts a culture  
17 expressed to us by thousands of New Yorkers from all  
18 five boroughs.

19 Now, for an update on few agency programs and  
20 initiatives. This year's second cohort of the  
21 CreateNYC Leadership Accelerator is happening now.  
22 We launched this program as a pilot last year to help  
23 mid-level cultural workers grow into leadership  
24 roles. The demographic survey of DCLA grantees that  
25 we released in 2016 showed that there is far less

1 diversity at the top of the org chart for many  
2 cultural groups. This, along with the input received  
3 during the cultural plan public engagement, indicates  
4 that there were barriers within the cultural sector  
5 prevent advancement for underrepresented groups. The  
6 Leadership Accelerator program participants examine  
7 systemic issues that prevent more diverse leadership.  
8 26 individuals took part in the previous round  
9 earlier this year, and another group just started.  
10 The feedback on the program has been excellent.  
11 Participants report that they learned new strategies  
12 to advocate for themselves. We have also seen them  
13 forge strong peer networks that can help advance  
14 their careers over the long term.

15  
16 On May 2, we announced the launch of another  
17 program tied to the cultural plan's findings.  
18 Community Organizing 101: Engagement Tactics for  
19 Cultural Organizations is a pilot course that will  
20 train staff from cultural organizations around the  
21 city in strategies for sustained community building.  
22 During public engagement conducted for CreateNYC,  
23 residents and cultural workers called for the city to  
24 support cultural groups in efforts to establish  
25 stronger connections with their neighborhoods.

Representatives from 30 DCLA-funded organizations from all five boroughs are participating in the free pilot course providing them an opportunity to learn how to integrate the tools of community organizing into their work in the cultural sector.

On May 4<sup>th</sup>, the latest group of CUNY Cultural Corps students celebrated their graduation at Lehman College in the Bronx. Supported by DCLA and the Rockefeller Foundation funding, these extraordinary students, more than 130 of them, have paid internships with 63 partner cultural organizations. To date, 340 students have completed the CUNY Cultural Corp program. About 20 percent of participants have received job offers from their host sites and many have gone on to explore careers or areas of study in arts and culture. The Cultural Corps has brought hundreds of students into cultural community who might not have otherwise considered art and culture as a career path.

Cultural organizations have been thrilled with the 62,000 paid work hours contributed through this program. They have been even more excited about the smart, skilled students that they have had the opportunity to work with. This is laying a solid



1 foundation of professional and personal relationships  
2 on which these students can build their careers.

3  
4 Last year, we hosted CreateNYC Office Hours with  
5 the Commissioner at MoMA PSI in partnership with  
6 Chair Van Bramer, where we discussed the intersection  
7 of arts, culture, and LGBTQ history and activism.

8 Just yesterday evening, we hosted a follow up to  
9 CreateNYC Office Hours, in advance of Pride Month and  
10 the 50<sup>th</sup> anniversary of Stonewall Uprising at the  
11 Bronx Council in the Arts. Titled "Voices Unheard,"  
12 the focus of this public dialogue was LGBTQ artists  
13 and art spaces since Stonewall. Many people took  
14 part, including our fellow members of the Stonewall  
15 50 Consortium. We look forward to continuing this  
16 dialogue in the weeks and months ahead.

17 It is important that while we celebrate our  
18 victories and those who sacrificed to achieve them,  
19 we don't forget the challenges that still lie ahead.

20 In April, we announced four new Public Artists  
21 and Residence or PAIRs, who will work with four City  
22 agencies over the next year. The PAIR and their host  
23 agencies are Taja Lindley, working with Department of  
24 Health and Mental Hygiene's Tremont Neighborhood  
25 Health Action Center. She will start her residency

1  
2 by exploring how the voices of pregnant and parenting  
3 Black people in the Bronx can advance reproductive  
4 justice and inform changes in medical practices and  
5 government policies. Laura Nova, working with the  
6 Department of the Aging, to deepen the city's  
7 understanding of ageism and its impact on older New  
8 Yorkers. Julia Weist, working with the Department of  
9 Records and Information Services. She will start by  
10 focusing on DORIS's colonial collection, exploring  
11 how artists might help present the Colonial records  
12 to better represent the perspectives of indigenous  
13 and enslaved populations of the period.

14 And Janet Zweig, working with Mayor's Office of  
15 Sustainability to support MOS's efforts to convey to  
16 New Yorkers how they can make positive difference on  
17 issues around sustainability.

18 And I am pleased that two of our previous PAIR's,  
19 Tatyana Fazializadeh with the Commission on Human  
20 Rights, and Rachel Barnard at the Department of  
21 Probation, had their residencies extended by their  
22 host agencies. Their work addressing anti-Black  
23 discrimination and street harassment and improving  
24 relations between DOP officers and their clients  
25 continues.

1  
2 And finally, last month the 33 members of the  
3 Cultural Institutions Group submitted their  
4 Diversity, Equity, and Inclusion, DEI plans to the  
5 agency. This new requirement was originally  
6 announced by the Mayor who released CreateNYC.

7 As you know, the CIG consists of a wide range of  
8 organizations, from large museums to community-based  
9 performing art centers, to zoos and gardens. The DEI  
10 plans will reflect these disparate sizes, disciplines  
11 and audiences.

12 But across the board, the groups see this as an  
13 opportunity to dive into critical issues that will  
14 shape the future of the sector. As our population  
15 grows more diverse, our cultural institutions need to  
16 keep pace in order to continue offering programs that  
17 make these vital, relevant institutions.

18 We have started our internal review process and  
19 look forward to working with these institutions to  
20 foster a more inclusive workforce for the rest of my  
21 tenure as Commissioner.

22 Thank you to the Council for its ongoing  
23 commitment to supporting arts and culture in NYC and  
24 I am happy to answer any questions you may have at  
25 this time.

1  
2 CHAIRPERSON DROMM: Thank you very much  
3 Commissioner Finkelpearl for your testimony. I want  
4 to start off with some general questions about the  
5 PEG. As mentioned at the Preliminary Budget hearing,  
6 the Council is concerned about the \$6.2 million PEG  
7 target that OMB set for DCLA. The PEG was achieved  
8 through a hiring freeze, a reduction in the cultural  
9 development fund and a reduction of subsidies to  
10 cultural institution group members.

11 Why are we deemphasizing the cultural community  
12 by cutting funds particularly in light of the work we  
13 just did regarding the cultural plan, when now is the  
14 time to be adding money and not cutting it?

15 TOM FINKELPEARL: So, I mean I think that  
16 probably is the fundamental question that is going to  
17 be asked a number of times at this hearing and I will  
18 say that look, between the time that I sat here last  
19 and now, there has been progress made on this. First  
20 of all, there were ways in which the PEG was  
21 mitigated using agency savings but also, I think the  
22 most fundamental thing is it's a one-year PEG.

23 So, many agencies across the city are facing  
24 baseline PEGs that are permanent. This PEG money  
25 gets restored next year. So, it's something where I

1 think in recognition of the discussions that we had  
2 at the last hearing, that we were able to make a  
3 bunch of progress in terms of the size of the PEG and  
4 the duration of the PEG primarily.

5 But you know, I think the answer also is simply  
6 that the Administration does care about arts and  
7 culture. We do currently have the largest budget in  
8 the history of this agency. We are within a million  
9 dollars of where we were exactly at this time last  
10 year and we look forward to working with the Council  
11 towards adoption for a healthy cultural budget for  
12 New York City.

13 CHAIRPERSON DROMM: So, Commissioner, only about  
14 5 percent of the Departments total budget supports  
15 direct agency expenses. The remaining 95 percent  
16 supports cultural institution groups and other arts  
17 organizations. So, why did you have just a high PEG  
18 target for an agency where really the only room for  
19 a reduction would necessarily hit the arts community  
20 directly?

21 TOM FINKELPEARL: So, I mean, I think there are  
22 two parts to answer that question. So, as I  
23 understand it, in the non-profit sector, if you are  
24 spending more than 65 percent of your money on  
25

1 grants, if you are a foundation, that's considered to  
2 be an efficient agency. There is no other agency that  
3 I understand that is anywhere close to as efficient  
4 if you might say as the Department of Cultural  
5 Affairs in New York City. So, you said a minute ago,  
6 which was at 95 percent of the agency budget is  
7 grants. It is a remarkable thing in America. Most  
8 foundations and even if you look at the National  
9 number for the arts or New York State Council and the  
10 Arts, spend a much larger percentage of their funding  
11 on the operations of the agency.  
12

13 So, you know, you pointed actually at one of the  
14 good things about the agency is how incredibly  
15 efficient it is. So, that having been said, if the  
16 city is facing budget cuts, and we are looking at  
17 \$750 million dollars of savings in this budget, a cut  
18 to the agency necessarily includes cuts to the  
19 groups.

20 But all I am saying is that you know, if you are  
21 looking to cut proportionally different agencies,  
22 there is just no way at our agency like if you were  
23 to take a \$6 million cut out of our agency budget, we  
24 would be left with \$200,000 to run the agency. Do  
25 you understand what I am saying? Almost all the

1 money is going to our fantastic cultural groups  
2 there. So, the only way to save money on that budget  
3 and I know that that's a debate as to whether that  
4 should even be considered is to make cuts and then  
5 the cuts were made proportionally to the cultural  
6 institution groups and the program groups.  
7

8 So, it was a similar percentage cut for both.

9 CHAIRPERSON DROMM: Did you work with OMB to  
10 target these cuts?

11 TOM FINKELPEARL: Yes, absolutely. So, yeah, we  
12 did work with OMB and we worked with OMB also to  
13 mitigate the cuts since the last hearing that we had.

14 So, for example, we made the decision, supported  
15 by OMB together that we would you know, and we've  
16 done this before, that the cuts and this is bad news  
17 for some of our friends and better news for others  
18 would be larger cuts to the bigger organizations  
19 within the CIG. So, it's a twice as much of a cut  
20 percentagewise to the larger groups which is also  
21 where the majority of the money was cut.

22 So, we talked about that. We said that the  
23 impact as Council Member Van Bramer said on the  
24 smaller organizations, is sometimes quite severe. It  
25 is very hard for the bigger organizations as well. I

1 don't want to diminish that. But absolutely, so  
2 that's an example of our agency working together with  
3 OMB and saying if these cuts are happening, we want  
4 to make sure it happens in a way that mitigates some  
5 of the pain on the smaller organizations who have the  
6 smaller budgets.  
7

8 CHAIRPERSON DROMM: I fundamentally agree with  
9 Council Member Van Bramer on the impact that this is  
10 going to have on the smaller organizations in  
11 particular but to all of them actually. So, anyway,  
12 the Fiscal 2020 Executive Plan includes a reduction  
13 of \$1.5 million in Fiscal 2020 through a one-time  
14 elimination of supplemental funds for cultural  
15 institutions. In the past, this funding has been  
16 used to address emergency needs at cultural  
17 organizations.

18 So, what kind of emergency needs have the  
19 organizations used the funding for?

20 TOM FINKELPEARL: Right, so what you are talking  
21 about actually is two different parts, but it is  
22 correct, but let me just clarify.

23 So, there is a million dollars in supplemental  
24 funding for the CIG and that's been very important  
25 and again, that is money that's been there for quite



1 a period of time and that has gone under this  
2 administration to special projects at CIG's for the  
3 smaller CIG's with budgets under \$12 million.

4  
5 The \$500,000 is the emergency money a separate  
6 fund. So, that's been everything from an emergency  
7 boiler bursting in the middle of the winter. This  
8 did happen and what we generally have done in these  
9 situations as you know, the cultural institutions are  
10 responsible for the maintenance of their own  
11 property, but when something comes up like an  
12 emergency like a burst boiler, what we've been able  
13 to – and we have a review process within the agency,  
14 often pay about half of that and many of the cultural  
15 groups I am sure that are here have profited from  
16 that. So, they have let's say a burst boiler, there  
17 is all of a sudden, an emergency, \$50,000  
18 expenditure. Often, we have been able to throw in  
19 \$25,000 to mitigate that.

20 CHAIRPERSON DROMM: So, how will you be able to  
21 tackle the emergency needs of these organizations  
22 without the funds.

23 TOM FINKELPEARL: So, first of all that's a new  
24 fund under this administration that wasn't even there  
25 – I think Phillip the \$500,000 is from two years ago

1 or three years ago? Okay, it's under this  
2 administration that that money has been added. It  
3 isn't traditionally something that Department of  
4 Cultural Affairs has done. I think it's been highly  
5 valuable and again, we are looking forward to  
6 negotiations as we go forward towards the adoption.

7  
8 There is \$5 million of unallocated money in the  
9 budget right now. There is \$5 million and by the  
10 way, this is baseline money that's in our budget.  
11 So, there is going to be a question, I think it would  
12 be important to restore some of that money you are  
13 talking about within that \$5 million.

14 CHAIRPERSON DROMM: The Fiscal 2020 Executive  
15 Plan includes a one percent reduction of the Cultural  
16 Development Fund grants. The total funding for CDF  
17 in Fiscal 2020 with the reduction is \$28.25 million.  
18 How many organizations will be impacted by this  
19 reduction?

20 TOM FINKELPEARL: So, our belief is we are in the  
21 middle of the process right now, the CDF process and  
22 we are about halfway through and the grants will be  
23 allocated. So, the pain of this cut will mean  
24 slightly smaller grants to each of the grantees  
25 right. So, it's not the number of organizations that

1 would change, we expect the number of organizations  
2 to remain steady but the amount of money per grant  
3 would go down by that one percent or whatever that  
4 you are saying.  
5

6 So, in other words, if you were getting \$100,000  
7 grant, you might have a \$98,000 grant or something  
8 like that in the coming process. And again, I don't  
9 want to diminish that. These are important you know,  
10 every penny counts, especially in smaller  
11 organizations and the bigger ones as well. But it  
12 would be across the board as we see it.

13 So, the same number of grantees and a slightly  
14 reduced amount of money.

15 CHAIRPERSON DROMM: So, what is the City Budget  
16 for 2019 and whats the average award for small and  
17 large organizations.

18 TIM FINKELPEARL: Yeah, hold on, I do have that.  
19 So, we divide it between organizations. About half  
20 the organizations that apply to us have budgets under  
21 \$250,000 and the other half are above and so, they  
22 are very small organizations all over the city, often  
23 with one or no employees, full-time employees.

24 The average award for those smaller organizations  
25 was \$8,500 and the average award for the larger

1 organizations was \$44,000 and those go up to the very  
2 large organizations that are not within the CIG.

3  
4 So, that was the average award that was  
5 recommended by the panels calculated before you know,  
6 there sometimes our Council adds and their adds based  
7 on the additional money that we got at adoption last  
8 year etc. Those are those numbers.

9 CHAIRPERSON DROMM: How many multiyear recipients  
10 got renewed funding in Fiscal 2019?

11 TOM FINKELPEARL: They don't go to panel; they go  
12 directly to staff. So, again, I think the number is  
13 around 300. I have the numbers here; I could get it  
14 to you later. So, the ones that are in renewal  
15 cycle, they come directly to our staff. They have  
16 now sent them in. We haven't reviewed them yet, but  
17 generally speaking those grants are renewed. I mean  
18 those are three-year grants. They have to simply  
19 make a report and say; we did what we did. If they  
20 have defaulted or gone out of business or something,  
21 then they aren't going to get the money but aside  
22 from that, they get the money. So, almost all of  
23 them.

24 CHAIRPERSON DROMM: Do you know how many of them  
25 were new applicants in 2019?

1  
2 TOM FINKELPEARL: I don't have that number. I do  
3 know that the number of applications this year is  
4 very consistent with what it has been last year. I  
5 am not exactly sure how many are new applicants this  
6 year.

7 CHAIRPERSON DROMM: Commissioner, what was the  
8 total reduction funding for the CIGs as a result of  
9 the PEG and what formula was used to calculate the  
10 reduction for each one?

11 TOM FINKELPEARL: Okay, hold on just a sec. I do  
12 have this. I mean I can tell you the formula, I  
13 think I have the exact number in here. If anybody  
14 has that, you can tell me what it is. \$1 million  
15 okay, thank you.

16 So, the formula that was used I believe was a .9  
17 percent reduction for the smaller CIGs and a 1.8  
18 percent reduction for the larger CIGs. So, again,  
19 the larger CIGs, which again we feel have more  
20 capacity to absorb. So, the smaller groups got a  
21 nine tenths of one percent cut whereas the bigger  
22 groups got 1.8 percent cut.

23 Again, that was something I mentioned before it  
24 was negotiated with OMB you know, discussed and that  
25 was our recommendation and that was what enacted.

CHAIRPERSON DROMM: In our budget response, the Council urged the Administration to baseline the one-time funding of \$13.7 million in Fiscal 2020's Executive Budget and additionally called on the Administration to increase the budget for the Department of Cultural Affairs by \$10 million.

What programs will be effected if the \$13.7 million one shot funding is not included in Fiscal 2020?

TOM FINKELPEARL: So, \$20 million was added at Adoption. \$5 million of it was baselined and the other \$15 million was not. That \$20 million was divided essentially into three different parts. One part was across the board increases for the CIG with smaller organizations getting larger bumps than the - that was \$6.5 million dollars, about the same amount of money went to increases to the CDF. Again, targeting smaller organizations, organizations in low-income communities and serving low-income communities and the other \$6.5 went to essentially cultural plan initiatives.

This is all great stuff including the additional money for individual artists through the arts councils in each borough. It included Disability

1 Forward fund; it included the Mayor's grant for  
2 cultural impact. Those cultural plan initiatives.

3  
4 CHAIRPERSON DROMM: Okay, thank you. Let me ask  
5 a few questions now about the cultural institutions  
6 retirement system. I have been unable to get some  
7 solid answers regarding the cultural institutions  
8 retirement system. You know, as you know, the city's  
9 Early Learn initiative causes a significant drop in  
10 the number of daycare employers and thus the  
11 employees participating in the multiemployers pension  
12 plan. This caused a large liability to be imposed on  
13 the plan known as a withdrawal liability.

14 So, what is the status of that liability and is  
15 it just an unpaid bill?

16 TOM FINKELPEARL: So, I know that there was  
17 meeting yesterday, I believe, I haven't talked to  
18 people that have been in that meeting but there was a  
19 meeting OMB and some representatives from the CIG,  
20 and I am not an expert in Arisa, and you know,  
21 appointment law when it comes to pensions. So,  
22 that's something that is being handled by OMB in the  
23 Law Department, but I am aware that there was a  
24 meeting yesterday, face to face meeting here at City  
25 Hall about that.

CHAIRPERSON DROMM: Do you know if that liability  
will grow if it's not paid soon?

TOM FINKELPEARL: Again, I actually don't know  
that. I do understand what a withdrawal liability  
is. I actually don't know how it is calculated  
exactly or whether there is a precise calculation of  
what the entire liability is, but again, that's  
something being handled by OMB and the Law  
Department.

CHAIRPERSON DROMM: Okay, so I think the Council  
feels strongly that this is something that the  
members should not have to take on. That the city  
should really take that on, the cost of that.

TOM FINKELPEARL: No, I understand.

CHAIRPERSON DROMM: Just in general, budget  
questions. The Departments Fiscal 2020 Executive  
Budget provides funding for 55 full-time positions  
across all divisions, which is five positions less  
than the head count at the Fiscal 2019 Adopted Budget  
and three less than Fiscal 2020 Preliminary Budget.  
Which positions were eliminated?

TOM FINKELPEARL: So, there are a series of  
positions across the agency. We have been you know,  
working to figure out how to absorb the workflow of



1 those employees. So, I mean, I can give you a list  
2 exactly. There's some project managers that have  
3 been eliminated in the hiring freeze.  
4

5 You know, we have an incredibly hard-working  
6 staff that moves the money through our agency in the  
7 incredibly efficient way that I mentioned before.  
8 So, this is not an agency with a huge amount of  
9 additional capacity to be shed I would say.

10 But we have been working with OMB, it's not that  
11 they said you are taking this, this, and this  
12 position. It's sort of a collaborative thing and  
13 there is this possibility you know, within the hiring  
14 freeze of making an appeal from time to time to  
15 restore positions.

16 CHAIRPERSON DROMM: The Department added about  
17 \$444,000 in Fiscal 2019 through an MOU with Decas for  
18 energy conservation initiative. Which cultural  
19 organizations are receiving funding and what is the  
20 anticipated impact on energy efficiency?

21 TOM FINKELPEARL: Is this Ace? Is that what we  
22 are talking about? Excel, okay. I am sorry, there  
23 is two programs. Ace, I guess is capital and Excel  
24 is expense. I actually don't have with me that list.  
25 So, what we do, it's a grant program, we have a new

1 energy sustainability manager in our staff. This is  
2 part of the cultural plan. This is the first  
3 scientist we have in our agency as master screen  
4 solid state physics for which he went to Iceland to  
5 get, because they are so far ahead of everybody.  
6 That person has been working extensively with our  
7 groups and has now I think in a way solidified that  
8 application process. The way that it's generally  
9 calculated is that we are looking for projects that  
10 are going to pay for themselves over a ten-year  
11 period.  
12

13 So, again, we could report back to you. Have  
14 those awards been made already this year, or they are  
15 in the process? The application is in the process?  
16 Okay, they have been awarded. So, we can get you a  
17 list of exactly who has gotten it. But I will say  
18 that that's something that we are very proud of the  
19 progress we have been making on that. So, that  
20 having a sustainability director at the agency, we  
21 spent a lot of our agency budget on energy. So, it's  
22 a huge amount of the CIG budget and it's this new  
23 energy coalition, so we have been working carefully  
24 with them and also through this process to award  
25 those grants.

1  
2 CHAIRPERSON DROMM: Okay, thank you. Is the  
3 agency still implementing the Arts and Residents  
4 program?

5 TOM FINKELPEARL: Yes.

6 CHAIRPERSON DROMM: Which are the participating  
7 agencies?

8 TOM FINKELPEARL: So, that was in my testimony.  
9 So, there are four agencies; the way that it's  
10 working, and we have been sort of really living and  
11 learning with this. It's been a very successful  
12 program. The agencies are Department of Health and  
13 Mental Hygiene, Department of the Aging, Department  
14 of Records and Information Services and the Mayor's  
15 Office of Sustainability.

16 So, it's a partnership with the agencies. The  
17 artists come on board after an application process in  
18 the fall. They come onboard in the spring, they do  
19 their planning and then they work for the second year  
20 with funds from the agency. So, these artists are  
21 all in, they are doing their planning and they will  
22 start executing their projects in the new Fiscal Year  
23 with the agency.

24 CHAIRPERSON DROMM: Okay, thank you. How much of  
25 the budget is for the Annual Design Week? Can you

1 describe the agencies role in Design Week and how it  
2 collaborates with other agencies?

3  
4 TOM FINKELPEARL: So, that is a contractual  
5 arrangement. I am going to have to get back to you  
6 about all the details on Design Week. It's been an  
7 ongoing thing; the money comes through our budget.  
8 It is a successful program.

9 I am sorry, it is no longer in our budget. This  
10 is why you have experts on your staff who come with  
11 you. I would like to say that that was wrong. That  
12 project this year, moved over to EDC.

13 CHAIRPERSON DROMM: Okay, thank you.

14 TOM FINKELPEARL: Yeah, sorry about that.

15 CHAIRPERSON DROMM: Alright, and this will be my  
16 last question and then we will give it over to Chair  
17 Van Bramer.

18 The baseline funding of \$5 million for CreateNYC  
19 Cultural plan initiative has not yet been allocated.  
20 When and how does the agency plan to do so?

21 TOM FINKELPEARL: Okay, so first of all, I just  
22 want to say clearly that that money was spent this  
23 year. To say it's unallocated in the coming budget  
24 does not mean we did not spend the money. Okay, so,  
25 this is something that will part of Adoption to work

1 towards allocating that money and that money is  
2 again, remains unallocated at this time but by  
3 Adoption, we intent to allocate it.

4 CHAIRPERSON DROMM: Okay, alright thank you.  
5 Chair Van Bramer.

6 CO-CHAIR VAN BRAMER: Thank you very much Chair  
7 Dromm. So, Commissioner, we have known each other a  
8 long time, you know I have respect for you, but I  
9 have to say I am disappointed your testimony did not  
10 in any meaningful way address the situation that we  
11 are faced with. And your agency and this community  
12 are starring down potentially enormous, enormous  
13 reductions in funding because the Mayor is proposing  
14 and doubling down on the PEG while at the same time,  
15 there is no guarantee that this administration in any  
16 way shape or form wants to fight for and wants to  
17 restore millions of dollars on top of the PEG.

18 So, I am shocked that there isn't a sense of  
19 alarm. There isn't a sense of urgency and you know,  
20 where is the passion to fight for this? So, I just  
21 have to say to you, do you support cutting funding to  
22 your department?  
23

24 TOM FINKELPEARL: So, you know, I believe that a  
25 robust cultural budget is extremely good for New York

1 City. I believe that the money that we spent this  
2 year was well spent and you know, we're in a very  
3 similar state right now. We are \$1 million different  
4 out of a \$145 million budget.  
5

6 CO-CHAIR VAN BRAMER: Tom, I have a lot of  
7 respect for you. You are better than that. I know  
8 that there are people in intergov and others who work  
9 with you on this testimony. We are not where we were  
10 last year. The numbers tell a different story given  
11 the PEG and given that we are looking at a PEG this  
12 year, that the Administration seems very, very  
13 convinced that it wants to really see happen. Then  
14 how are we ever going to expect the funding that was  
15 added last year at adoption and not baselined to  
16 suddenly be there again? And so, to me, it's like  
17 smoke and mirrors a little bit that number because we  
18 are in a far more dire situation this year than we  
19 were last year. No question and so, I am really  
20 concerned, and I think you should be concerned as  
21 well because your boss and the Mayor seems hell bent  
22 on cutting cultural's this year.

23 I just want to know that you are uncomfortable  
24 with that idea and that outcome.  
25

1  
2 TOM FINKELPEARL: So, let me just say in terms of  
3 where we are in relationship to last year again. And  
4 so, there was \$20 million added at adoption, \$5  
5 million of that was baselined at adoption. So, then  
6 there is a \$6 million cut or PEG, right. So, that  
7 means because the \$5 million was baselined, the PEG,  
8 you know, the baseline went up by \$5 million and the  
9 PEG brings us down \$1 million below that.

10 So, I am just saying, I believe that the numbers  
11 that I reported on in the testimony are accurate,  
12 that we are \$1 million lower than we were. Whether  
13 we are in a more dire situation is your other part of  
14 the question. And do I support? Look, I support a  
15 robust cultural budget for the city. I worked in  
16 this sector my entire adult life before I got to the  
17 agency, and I understand that this is a fantastic  
18 part of this city and that all the cultural funding  
19 that we do is important. We are also facing a  
20 financial reality, where the Mayor is into balance  
21 the budget looking for \$750 million of reductions.

22 So, I mean I can go over and over again.

23 CO-CHAIR VAN BRAMER: I would say to you that we  
24 can balance the budget without cutting the budget for  
25 nonprofit cultural organizations and institutions in

1 this city. In fact, we would have even better, more  
2 robust budget in the City of New York if we increased  
3 funding for our cultural organizations and cultural  
4 institutions. And so, what I want to see from you in  
5 some sense because here, the Council fights, right  
6 and we are going to fight because we always fight. I  
7 am the Chair of the Committee; the Majority Leader  
8 loves the arts. Council Member Dromm loves the arts,  
9 he is a gay man, what gay man doesn't love the arts.  
10 But are you guys going to fight for the arts? And  
11 where is your fight for the arts and I know you care  
12 about culture and the arts. I know you do but it's  
13 wrong that we are in this place. Right, it is wrong  
14 that we are coming from a place where we have to  
15 catch up and it's meant, trust me, I have been doing  
16 this a long time, this is intentional.

18 This is absolutely intentional to keep us behind.  
19 It is absolutely intentional to keep us from  
20 achieving what we really need to achieve. Because we  
21 fight like hell to get a restoration and then they  
22 are like, well, you know, you are not going to get  
23 anything on top of the restoration. Right, so we are  
24 just never getting to the right place.



1  
2 So, let me ask you this in another way. Do you  
3 believe that a progressive city values culture and  
4 the arts?

5 TOM FINKELPEARL: Yes.

6 CO-CHAIR VAN BRAMER: Do you believe that a fair  
7 city supports culture and the arts?

8 TOM FINKELPEARL: Absolutely.

9 CO-CHAIR VAN BRAMER: And artists are the  
10 backbone of a city that is progressive and hopeful  
11 and inspirational.

12 TOM FINKELPEARL: I agree.

13 CO-CHAIR VAN BRAMER: So, then why would we cut  
14 the budget for culture and the arts and artists?

15 TOM FINKELPEARL: So, look, I mean, I can go over  
16 and over it. Let me just actually say one other  
17 thing because I want to just refer back to when you  
18 were speaking earlier.

19 And I think this is something that people well  
20 know and by the way, I also just want to say, I was  
21 very heartened, my staff sent me some pictures of the  
22 rally and I think that's great. I love to see that  
23 many people on the steps of City Hall advocating for  
24 the arts budget. That's beautiful, it looked like a  
25 couple hundred people, that was beautiful.

2 So, I also just want to say because you mentioned  
3 how important it is Arts and Cultural education in  
4 the public-school system. And I think without doubt,  
5 you know, there is 444 more full-time certified arts  
6 teachers in the public-school system then there were  
7 when this Mayor took over.

8 That's been a partnership with the City Council,  
9 which has been a huge priority for you all. It's  
10 been a partnership that has been, I mean, it's been  
11 important to the city government. So, adding 100  
12 extra art teachers practically per year has been  
13 extremely important.

14 So, I do feel that you know, it is the fact and  
15 you know, because you fought for it along with the  
16 City Council, as long with the administration, came  
17 to a budget. This is the best budget we've ever had  
18 this year. In the last three years, we've added  
19 money each year at adoption. We are in that process  
20 right now.

21 CO-CHAIR VAN BRAMER: And don't you want an even  
22 better budget next year?

23 TOM FINKELPEARL: So, you know, in isolation of  
24 course, the idea is you know, as much money that I  
25 think we could spend a lot more money on culture and

1 it be beneficial. We are in a tight budget situation  
2 right now citywide. One Commissioner after the next  
3 is coming up probably, I haven't been at the  
4 hearings, having very similar discussions because of  
5 the tightness of the budget.  
6

7 CO-CHAIR VAN BRAMER: So, you mentioned before  
8 that there is a debate as to whether or not cuts to  
9 culture and the arts should even be considered. I  
10 agree with you. I come down on the side of that  
11 debate that they should not be considered. Do you  
12 support that position? Where are you on this debate  
13 about whether or not we should be considering as a  
14 city cutting funding to cultural organizations and  
15 institutions. Including the smallest of the small  
16 that desperately need this funding.

17 TOM FINKELPEARL: So, I mean I can answer that  
18 question in many different ways, but again, I am here  
19 to present this budget, which does right now include,  
20 we are \$1 million shy of where we were last year at  
21 this time.

22 So, I support a robust cultural budget for the  
23 city. Between this hearing and the end of the day  
24 last year, we got to a higher budget, which was  
25 something that the Administration and myself

1 supported. I also understand that your advocacy and  
2 the advocacy of the groups that we have here today is  
3 an important part of the process.

4  
5 CO-CHAIR VAN BRAMER: I will just say it's  
6 important for the Cultural community to feel  
7 supported and to feel like both sides of this are  
8 fighting for this community. And I think if there is  
9 a belief that the Mayor doesn't prioritize this  
10 community, then where is that fight coming from  
11 within the Administration? Who is our champion in  
12 the administration? Folks out there know who the  
13 champions are in city government on the City Council  
14 side. And I think that if we are going to get to a  
15 good result at the end of this budget cycle, you  
16 know, you're certainly going to need to be very  
17 aggressive on the inside to make sure that the folks  
18 who you report to and work with understand this is a  
19 priority.

20 Do you have a sense from those people that they  
21 are listening to you?

22 TOM FINKELPEARL: Yeah, absolutely. So, I mean I  
23 do think there is a lot of support for Arts and  
24 Culture all throughout the Administration. I really  
25 do believe that.

1  
2 CO-CHAIR VAN BRAMER: Is that reflected in this  
3 budget?

4 TOM FINKELPEARL: This budget you know, has been  
5 a tough budget for a lot of different agencies.

6 CO-CHAIR VAN BRAMER: I know but you are only the  
7 Commissioner of one.

8 TOM FINKELPEARL: I know but I'm just saying.  
9 No, but I do think that the love and appreciation of  
10 what happens in our Arts and Cultural institutions is  
11 something that is felt throughout the Administration  
12 and it's felt across different agencies and lots of  
13 different agencies are investing in Arts and Culture  
14 and we have had really wonderful partnerships.

15 So, I do feel that and again, this is where it  
16 has landed and that's what I am reporting to.

17 CO-CHAIR VAN BRAMER: So, I am going to wrap up.  
18 I am just going to say, the Mayor, as he goes around  
19 the country, I hope he talks to lots of artists. I  
20 hope he goes to lots of cultural organizations and  
21 institutions from Iowa to New Hampshire to South  
22 Carolina and knows that people in this country care  
23 about the arts, care about culture, and if you cut  
24 funding to the Arts and Culture, people are going to  
25 know that, and they are going to measure their

1 presidential candidates on that. But more  
2 importantly, people in the City of New York care  
3 about Culture and the Arts and are watching to and  
4 obviously I am going to fight like heck because  
5 that's what I always do and that's my job. And we at  
6 the Council obviously care a great deal about this  
7 but the Mayor's Budget is disgraceful when it comes  
8 to Culture, and the Arts and it is unforgivable in  
9 the richest City in the world to be proposing this.

11 CHAIRPERSON DROMM: Okay, thank you Chair Van  
12 Bramer. We have Council Member Gjonaj is here and  
13 Majority Leader Cumbo. I have to be very strict  
14 about limiting them to three minutes each, but we  
15 will start with Council Member Gjonaj.

16 COUNCIL MEMBER GJONAJ: Thank you Chairs. I do  
17 want to compliment my colleague Van Bramer on those  
18 hard questions that were just asked but I am going to  
19 compliment you as well Commissioner on your skilled  
20 reserved responses. If we recognize the importance  
21 of Arts and what makes New York City such a vibrant,  
22 such a colorful attraction to the world, you  
23 shouldn't be so reserved.

24 We understand the importance and every dollar  
25 that invest in the Arts and our Cultural

1 institutions, we yield a great return, which leads me  
2 into my question. Has the DCLA designed any programs  
3 specifically targeting tourism industry?  
4

5 TOM FINKELPEARL: First of all, just let me say  
6 that I am not reserved in my championing of Arts and  
7 Culture. I absolutely believe in its value. We have  
8 done more research in relationship to the value of  
9 Arts and Culture. I think then any administration  
10 has done in the past to the social impact of the arts  
11 initiative, which has privately funded. Many of  
12 hundreds of thousands of dollars went into millions  
13 of data points coming back. So, I am 100 percent  
14 with you on that Councilman.

15 COUNCIL MEMBER GJONAJ: Commissioner, my  
16 colleague was leading you to water, you refused to  
17 drink. I am not looking to have you throw the  
18 Administration under the bus, that's our job but give  
19 us a little help here.

20 TOM FINKELPEARL: Alright but hold on. So, look,  
21 in relationship to fighting for Arts and Culture and  
22 saying it's valuable. Absolutely, that is something  
23 that I do all the time, not just within the  
24 Administration but outside as well. What he was  
25 questioning me also was about specifically about this

1 budget. But in terms of the tourism, look, I am on  
2 the Board of NYC and Company, we collaborate with  
3 them a lot. The tourism dollars that have gone into  
4 that have been exemplary, I think within this  
5 Administration. So, the straight up tourism side of  
6 this, has been NYC and Company. So, it's not  
7 something – we do stuff that's extremely good for  
8 tourism all the time. I think that some of the  
9 shows, if you looked at the Frida Kahlo show at the  
10 Brooklyn Museum or some of the shows, the Rock and  
11 Roll show at the Met right now. These are big  
12 tourist attraction shows. These are in organizations  
13 where we are their biggest longtime funding.  
14

15 COUNCIL MEMBER GJONAJ: So, you are providing a  
16 product for them to market, correct?

17 TOM FINKELPEARL: Exactly, that's correct.

18 COUNCIL MEMBER GJONAJ: And in marketing what you  
19 are providing makes for a tourist attraction and  
20 makes for a well debated argument substantiated to  
21 fund the arts, to continue to flourish so we can  
22 continue to have more tourism.

23 TOM FINKELPEARL: Yes.

24 COUNCIL MEMBER GJONAJ: Can the Cultural  
25 community additional funding help in you providing



1 the marketing material that's needed, so that we can  
2 continue to flourish?

3  
4 TOM FINKELPEARL: Again, I think what you said  
5 before Councilman, the product is the thing. So,  
6 having a great product for NYC and Company to promote  
7 around the world, is something that happens when  
8 there is a robust culture budget within New York  
9 City.

10 COUNCIL MEMBER GJONAJ: So, my last question is  
11 then, does the DCLA measure the impact of tourism on  
12 the city's cultural institutions?

13 TOM FINKELPEARL: So, that kind of measurement  
14 has been done repeatedly but not by our agency. So,  
15 there have been reports about the economic impact  
16 through tourism. So, if you look at the statistics  
17 you get from NYC and Company, more than half the  
18 tourists who come to New York City every year signal  
19 Arts and Cultures being their number one or number  
20 two reason.

21 COUNCIL MEMBER GJONAJ: Can you imagine that.  
22 They are not here for the Brick and Mortar and the  
23 Asphalt.

24 TOM FINKELPEARL: That's right.  
25

COMMITTEE ON FINANCE JOINTLY WITH COMMITTEE ON  
CULTURAL AFFAIRS, LIBRARIES & INTERNATIONAL  
RELATIONS, COMMITTEE ON SANITATION & SOLID WASTE  
MANAGEMENT AND THE COMMITTEE ON TRANSPORTATION 114

1  
2 COUNCIL MEMBER GJONAJ: Commissioner, ask for  
3 more. Help us so we can help you and again, I  
4 understand but this is the one area that we shouldn't  
5 be cutting. This yields a great return on every  
6 investment that we make. Every dollar that goes in  
7 actually yields a great return. It makes for a  
8 richer, more vibrant city. Thank you.

9 CHAIRPERSON DROMM: Thank you very much. Let me  
10 say we've been joined by Council Member Joe Borelli,  
11 Council Member Ydanis Rodriguez, Council Member  
12 Venessa Gibson, and we have also been joined by  
13 students from IS-187, the student government and they  
14 come from Council Member Rodriguez's district. So,  
15 hello to all of you out there.

16 Alright, now we have questions from Majority  
17 Leader Cumbo.

18 COUNCIL MEMBER CUMBO: Thank you. My colleagues  
19 have pretty much summed up many of the questions that  
20 I had, but I wanted to focus in on, as you know when  
21 it's coming, I wanted to focus on, is there a  
22 calculation that is made when these types of cuts are  
23 made to the Department of Cultural Affairs in terms  
24 of how it will impact the economy of New York City?  
25 Because we know that the arts are a vital part of the

1 city's growth. Do we understand how these cuts are  
2 going to impact employment, jobs, tourism. Are  
3 people going to be required to do more with less and  
4 in what ways?  
5

6 TOM FINKELPEARL: So, the answer is that we  
7 haven't done specific research. It says this exact  
8 amount of Cultural funding produces this exact number  
9 of tourists.

10 COUNCIL MEMBER CUMBO: And that needs to be done.

11 TOM FINKELPEARL: So, the research that we did do  
12 was something else, which is the social impact to the  
13 arts said that there are other things that happened  
14 which is that Arts and Culture are good for  
15 communities outside of tourism. They are good for  
16 communities and this is more relevant to let's say,  
17 organizations in underserved communities. Arts and  
18 Culture are very good for health, education, and  
19 safety outcomes. We know that to be the case.

20 So, we have done a lot of research. We haven't  
21 done the one to one correspondence between the city's  
22 cultural budget and tourism and those funds.

23 So, I am just saying that that kind of argument  
24 has been made over and over again. I think it has  
25 been very important to make the other argument which

2 is a better argument for smaller organizations in  
3 communities throughout the city.

4 COUNCIL MEMBER CUMBO: I think that, well I know  
5 that, what we really should be focusing on is really  
6 having an understanding, really defined of the impact  
7 of those cultural dollars on our community. Tourism  
8 wise, education wise, public safety wise, these are  
9 all issues that the arts have an impact on and the  
10 challenge with being an artist or being a creative is  
11 that you have to be that. The people that are that  
12 wired to be that, they will do it or die essentially.  
13 I know so many people who cannot afford to pay their  
14 bills, live in their homes, eat their food, sent  
15 their children to top schools and daycares and all of  
16 these different things and their families essentially  
17 fall apart, because these individuals are often so  
18 wired to do their God given talent. And if they are  
19 not supported, if they are not given the resources,  
20 families essentially fall apart.

21 So, this is really a very serious issue in terms  
22 of this particular sector. They were made and  
23 created and designed by the universe, by God, however  
24 you call it, and this is a challenge when they can't  
25 pay their basic food essentials etc.

1  
2       So, it's essential that we do this type of  
3 research to find out the impact that they have on all  
4 of these different areas and we keep saying it, but  
5 yet, the Administration is making arbitrary cuts to  
6 something that they have no idea of the impact that  
7 it has.

8       So, I want to fast forward in the interest of  
9 time. You know that a couple of hundred people have  
10 come out to support Weeksville Heritage Society.  
11 Now, this is a 50 plus year old organization as you  
12 know. It is on city owned property, brand new  
13 multimillion-dollar state of the art facility and  
14 that our budget has grown by over \$20 billion over  
15 the last six years. I can't understand how an  
16 institution like Weeksville would be at a place where  
17 now we are saying, we have to save Weeksville because  
18 it's about to close. Weeksville is not opened on the  
19 weekends, so a major cultural institution is not open  
20 on the weekends. They don't have late nights, they  
21 have limited staff, they don't even have a  
22 development director to be in a position to help them  
23 at this time.

24       So, I am just saying, on behalf of the Black,  
25 Latino and Asian caucus, myself, it will be

1 unacceptable if Weeksville is not approved as a CIG  
2 this year.

3  
4 We have had letters of support from the Brooklyn  
5 Children's Museum, BAM, the Brooklyn Museum of Art,  
6 the Brooklyn Botanic Garden, even organizations that  
7 are feeling the squeeze of these budget cuts have  
8 said, Weeksville now has to be a part of this.

9 TOM FINKELPEARL: So, if I could answer. I will  
10 get to Weeksville in one second. I 100 percent agree  
11 with you about artists have to be artists and that's  
12 why I am the Commissioner of Cultural Affairs and not  
13 an artist. I have an MFA, I didn't have to be an  
14 artist, and that's actually why. So, I 100 percent  
15 agree with you on that.

16 Weeksville, through our agency this year,  
17 Weeksville received \$456,000 of support. They are in  
18 a city owned facility. They don't pay rent; we pay  
19 their energy. So, we are 100 percent supportive of  
20 this organization. I have been talking to Rob Fields  
21 on a practically daily basis, the Director of the  
22 organization and you know, we are absolutely working  
23 towards stability for Weeksville. I think that's all  
24 I can say at this very moment, but I am very aware of  
25 what's going on there.

1  
2 I have to say that the way that 4,000 people came  
3 forward with an average \$63-dollar donation for  
4 \$256,000.

5 COUNCIL MEMBER CUMBO: \$250,000 in a weeks' time  
6 is impressive, which means that the community and  
7 people care about this institution greatly.

8 TOM FINKELPEARL: I agree.

9 CHAIRPERSON DROMM: Madam Majority Leader, we  
10 have to move along.

11 COUNCIL MEMBER CUMBO: I am going to close with  
12 one.

13 CHAIRPERSON DROMM: Okay.

14 COUNCIL MEMBER CUMBO: Here is the issue. The  
15 community in which Weeksville is situated in has been  
16 systemically been under resourced all across the  
17 board. Education wise, cultural wise, safety wise,  
18 this has been a community that has been under  
19 invested. We talk every year about the CIG process  
20 and next year will be the year that we get to it, but  
21 now we are going into our sixth budget, the issue  
22 with Weeksville has not been situated. We have to  
23 look at how these community based cultural  
24 institutions are fairing in this process. We have to  
25 open up the CIG process, in this process we have to

1 get Weeksville into this process because the CIG's  
2 that came forward in Brooklyn are not people of color  
3 led, they are not board majority wise, people of  
4 color.  
5

6 So, you are asking an organization like  
7 Weeksville in a community that is economically  
8 challenged to do more with less. And to put them  
9 through some rigorous process of how they are going  
10 to sustain themselves, are they eligible for the  
11 funding, are they going to still be sustainable after  
12 the funding is not fair when our other institutions  
13 have access to big donors, big pockets, deep pockets.  
14 All of these different aspects that they do have  
15 access to. Weeksville doesn't have any of that and  
16 they are not a CIG, and they're in the economically  
17 depressed community.

18 So, to look at them, to say, let's consider it  
19 and should we consider it. To me, it's a no-brainer.  
20 Weeksville now, Weeksville ready, it has to be in the  
21 budget and that's something that's important to me in  
22 this budget process.

23 CHAIRPERSON DROMM: Okay, thank you. Alright, we  
24 are going to move on to our last question from  
25 Council Member Borelli.



1  
2 COUNCIL MEMBER BORELLI: Hi Commissioner, how are  
3 you?

4 TOM FINKELPEARL: Greetings.

5 COUNCIL MEMBER BORELLI: Can you explain the  
6 diversity bonus policy?

7 TOM FINKELPEARL: So, I am not sure what you mean  
8 by bonus, but I can explain to you the diversity at  
9 creating inclusion plans.

10 COUNCIL MEMBER BORELLI: Thank you.

11 TOM FINKELPEARL: Yes, absolutely. So, what we  
12 have said is that the members of the Cultural  
13 Institution Group, which as you know, is a large  
14 percentage of the cultural budget of New York City.  
15 We have been working with them for each of those  
16 organizations develop diversity, equity inclusion  
17 plans. They have all sent those plans into us. They  
18 are under review by our staff. It has been a very  
19 collaborative process. We have worked the groups to  
20 push back the deadline a couple of times to allow  
21 them to work through this. I know that the groups in  
22 Staten Island collaboratively hired with some funds  
23 from the Department of Culture Affairs, a diversity,  
24 equity and inclusion consultant to help them define  
25

2 what they meant by diversity, equity and inclusion  
3 and how they were going to achieve the goals.

4 Another thing that I think is quite important is  
5 that is very different to think about a diversity  
6 equity inclusion plan when you are let's say, Staten  
7 Island Children's Museum versus the Wildlife  
8 Conservation society or Carnegie Hall. These are  
9 very different kinds of institutions and we recognize  
10 that, and they are going to have very different kinds  
11 of diversity equity inclusion plans.

12 COUNCIL MEMBER BORELLI: Is the plan meeting the  
13 criteria or is there a defined criteria?

14 TOM FINKELPEARL: Yeah, so we worked with them.  
15 So, this is one of the questions back to us, you  
16 know, how are you going to be judging these groups  
17 essentially. So, we set a set of criteria which is  
18 sort of the basic set of ideas. Like, here is what  
19 any diversity plan should probably include something  
20 about hiring, something about retention, something  
21 about board development. So, there are some basic -  
22 but we also very much recognize there will be quite a  
23 bit of difference between one group and the next.  
24 So, we left lots of room for them to come up with  
25 their own ideas and you know, right now in New York

COMMITTEE ON FINANCE JOINTLY WITH COMMITTEE ON  
CULTURAL AFFAIRS, LIBRARIES & INTERNATIONAL  
RELATIONS, COMMITTEE ON SANITATION & SOLID WASTE  
MANAGEMENT AND THE COMMITTEE ON TRANSPORTATION 123

1 City there is a very small handful, maybe only a one  
2 group that has a diversity equity inclusion plan  
3 adopted by their board in the cultural community.

4 Universities have these, businesses have these. So,  
5 it's really, really interesting to see which kinds of  
6 plans bear fruit the most and again, I hope, and we  
7 can ask the members of the Cultural institution group  
8 here, I hope that everybody agrees, it's been a very  
9 collaborative process.  
10

11 COUNCIL MEMBER BORELLI: Thank you.

12 CHAIRPERSON DROMM: Okay, thank you very much. We  
13 are going to stop here. I thank the Commissioner for  
14 coming in and now we are going to take a five-minute  
15 break. After that, we have the Department of  
16 Sanitation and the Metropolitan Transportation  
17 Authority coming in. Thank you very much.

18 [GAVEL] Okay, we will now resume the City  
19 Council's hearing on the Mayor's Executive Budget for  
20 Fiscal 2020. The Finance Committee is joined by the  
21 Committee on Sanitation and Solid Waste Management,  
22 Chaired by Council Member Antonio Reynoso.

23 We have been joined by Council Member Fernando  
24 Cabrera, Council Member Margaret Chin, Council Member  
25 Venessa Gibson, and others may be joining us shortly.

2 We just heard from the Department of Cultural  
3 Affairs and now we will hear from the Acting  
4 Commissioner of Department of Sanitation, Steven  
5 Costas. In the interest of time, I will forego an  
6 opening statement but before we hear testimony, I  
7 will open the mic to my Co-Chair Council Member  
8 Reynoso.

9 CO-CHAIR REYNOSO: Alright, I want to start  
10 applauding the work that the Chair has done over the  
11 last couple of weeks and the last couple of months  
12 actually and attending all these meetings. You are a  
13 tougher person than I am.

14 Good afternoon everyone I am Antonio Reynoso, the  
15 Chair of the Committee on Sanitation and Solid Waste  
16 Management. You will hear testimony from DSNY in its  
17 Expense Budget, Capital Plan, and general agency  
18 operations. The Department of Sanitations Fiscal  
19 Year 2020 Expense Budget totals \$1.76 billion, which  
20 is \$16.6 million more than the Fiscal Year 2019  
21 Adopted Budget. DSNY's commitment plan for Fiscal  
22 2019 through 2023 totals approximately \$2.1 billion,  
23 a decrease of \$16 million or 1 percent since the  
24 Preliminary Budget.

1  
2 The Committee looks forward to discussing such  
3 important issues as why the Council's saving proposal  
4 was included in DSNY's Executive plan but a number of  
5 our expense and capital recommendations were not.

6 DSNY's rational for reducing or cutting vital  
7 cleaning programs citywide and whether DSNY is truly  
8 committed to the city's zero waste by 2030 goal.

9 We will hear again from Acting Commissioner  
10 Costas, thank you for being here at the Department of  
11 Sanitation. I again want to thank the Chair and turn  
12 it back to him.

13 CHAIRPERSON DROMM: Okay, very good. I am going  
14 to ask Council to swear the panel in.

15 COUNCIL CLERK: Do you affirm that your testimony  
16 will be truthful to the best of your knowledge,  
17 information and belief?

18 PANEL: I do.

19 COUNCIL CLERK: Thank you.

20 CHAIRPERSON DROMM: Okay, you can begin.

21 STEVEN COSTAS: Good afternoon Chairman Reynoso,  
22 Chairman Dromm and members of the City Council  
23 Committee on Sanitation and Solid Waste Management  
24 and Finance. I am Acting Commissioner for the  
25 Department of Sanitation, Steven Costas. I joined by

Larry Cipollina, Deputy Commissioner for  
Administration and Financial Management and Gregory  
Anderson, Assistant Commissioner for Policy and  
External Affairs.

We appreciate this opportunity to testify on the  
Departments Fiscal Year 2020 Executive Budget. At  
the Department of Sanitation, our mission is to keep  
New York City healthy, safe and clean by collecting  
recycling and disposing of waste, cleaning streets  
and vacant lots and clearing snow and ice.

The men and women of this department provide  
critical services to all New Yorkers. Services that  
help make our city a thriving, vibrant place to live.

This budget maintains our ability to provide our  
core services but as I mentioned at the Preliminary  
Budget hearing two months ago, it also reflects the  
new realities and tough choices that we face together  
as a city.

The Departments Fiscal Year 2020 Executive Budget  
includes \$1.76 billion in expense funds that will  
allow us to deliver services across the city. These  
funds include \$771 million for the borough of  
Cleaning and Collection for household refuse  
recycling and organics collection, liter basket

collection, street cleaning and other core  
operational functions:

\$529 million for the Solid Waste Management  
operations including waste export contracts, the  
operation of city owned transfer stations and the  
closure of Fresh Kills Landfill; \$132 million for  
support services including building maintenance,  
engineering and fleet services; \$111 million for  
snow budget to support snow removal, planning and  
operations; \$55 million for recycling and zero waste  
programs including recycling, processing costs,  
education, outreach and operation of non-curb-side  
waste diversion programs; \$23 million for enforcement  
of street cleaning and recycling laws; and \$138  
million for administration centralized purchasing  
information technology and other programs.

The Fiscal 2020 Executive Budget includes some  
new funding items and readjustment to in the Expense  
budget. These include: \$1.6 million for additional  
metal, glass and plastic recycling processing fees  
resulting from an increase in the amount of metal,  
glass, and plastic recyclables collected; and \$1.5  
million for re-estimated vehicle toll expenses.

2 This budget also baselines the hiring of 115  
3 sanitation workers for curbside, organics collection  
4 program that was reflected in Preliminary Budget.

5 This funding will allow the department to replace  
6 overtime costs with actual headcount to maintain the  
7 same level of collection service under the program.

8 The Fiscal 2020 Executive Budget includes several  
9 saving items in Fiscal Year 2019 and 2020 as part of  
10 the program to eliminate the gap that the Mayor  
11 announced earlier this year. These include: \$6.7  
12 million in additional revenue associated with the  
13 sale of renewable natural gas and associated  
14 environmental credits generated at Fresh Kills  
15 Landfill; \$1.5 million in additional revenue from  
16 alternate side parking enforcement; and \$4 million in  
17 savings associated with the hiring freeze.

18 In evaluating potential areas for cost savings in  
19 this budget, the Department and OMB looked to service  
20 reductions as a last resort. However, in order to  
21 meet our target, certain service reductions were  
22 necessary. The Executive Budget includes \$1 million  
23 in savings over two years from the elimination of  
24 supplemental highway shoulder and ramp cleaning.



1  
2 It also includes, \$1.9 million in savings in  
3 Fiscal Year 2020 from a reduction in headcount for  
4 the Departments lot cleaning unit by 37 uniform  
5 positions. These staff will be reallocated to fill  
6 vacant positions elsewhere within the borough of  
7 Cleaning and Collection.

8 The Departments proposed capital plan for Fiscal  
9 2020 to 2029, is \$3.2 billion and includes the  
10 following: \$1.8 billion for capital equipment  
11 purchases including collection trucks, mechanical  
12 brooms, salt spreaders, and support equipment; \$1.3  
13 billion for garage rehabilitation and new garage  
14 construction; \$117 million for maintenance and  
15 construction of Solid Waste Management facilities;  
16 and \$49 million for information technology and  
17 communication systems including hardware.

18 In the four year plan, the Department is funded  
19 to advance several major facility improvement  
20 projects including begin the construction of the new  
21 Brooklyn district 3 garage this summer; construct a  
22 new Staten Island district 1 and 3 garage beginning  
23 in Fiscal Year 2020; design and construct a new  
24 Queens district 1 garage; and entirely reconstruct  
25

1 the Bronx districts 9, 10, and 11 garage complex; and  
2 rehabilitate the Queens districts 11 and 13 garage.

3  
4 The Queens districts 8, 10, and 12 garage  
5 complex, the Brooklyn district 6 garage and the Bronx  
6 district 6 garage.

7 Snow fighting is a critical function of the  
8 department. A snow budget for Fiscal Year 2019 was  
9 decreased from \$97.8 million as of Adoption last year  
10 to \$83.9 million in the Executive Budget.

11 This decrease reflects a lower total snow fall  
12 accumulation this past winter when compared to  
13 previous seasons; however, even though the total  
14 accumulation of 20.5 inches was less than the annual  
15 average. The Department issued 13 snow alerts and  
16 responded to at least 18 separate winter weather  
17 events.

18 In addition, the Department prepared numerous  
19 times for forecast precipitation that produced less  
20 snow fall than predicted or that changed to rain.  
21 Our snow budget for Fiscal Year 2020 is \$111.1  
22 million.

23 As we testified last month, the Department is  
24 very pleased that the state has taken legislation  
25 action to address single use carry bags. We thank

1 the Council for its swift action to enact a city  
2 paper bag reduction fee. In addition to the state  
3 plastic carryout bag ban, these policies both of  
4 which will take effect on March 1, 2020 are an  
5 important step towards our goal of sending zero waste  
6 to the landfills.  
7

8 We encourage all New Yorkers to avoid the paper  
9 bag fee by bringing a reusable bag with them to the  
10 store. We look forward to working with the City  
11 Council Members, Civic Leaders and Community  
12 Organizations to distribute reusable bags across New  
13 York City in advance of these policies taking effect.

14 On Earth Day, Mayor de Blasio released one New  
15 York City 2050 and made commitment to create a green  
16 new deal in New York City. This landmark report sets  
17 aggressive climate goals including a commitment to  
18 transition to mandatory organics collections  
19 citywide.

20 The Department looks forward to working with the  
21 City Council to establish the mandatory organics  
22 recycling citywide starting in low and medium density  
23 areas that already have access to organics  
24 collection. And then expanding overtime to include  
25 the entire city, so that all New Yorkers can

1 participate. Until then, the Department continues to  
2 focus on diverting organic material from landfills,  
3 where they generate harmful methane gases.  
4

5 The Departments curbside organics collection  
6 currently serves 3.5 million New Yorkers in 23  
7 districts, in the Bronx, Brooklyn, Queens and Staten  
8 Island.

9 Also, as of today, there are more than 2,000 high  
10 rise apartment buildings with nearly 118,000  
11 households enrolled in curbside organics collection  
12 services. The Department encourages owners and  
13 managers of apartment buildings in the Bronx and  
14 Manhattan to enroll with the Department so that New  
15 Yorkers residing in those buildings may also  
16 participate in the organics program.

17 In addition, today, more than 1,000 schools,  
18 institutions and city agency buildings are now  
19 receiving organic collection service. The Department  
20 will also continue supporting food scrap drop off  
21 sites across the city and promote the expansion and  
22 growth of new composting sites across all five  
23 boroughs.

24 Today, we support more than 160 drop off sites  
25 citywide including at green markets, commuter hubs,

1 community gardens, libraries and other locations. We  
2 continue to seek partners to host additional drop off  
3 sites. The Departments organics outreach team  
4 continues to leverage multiple strategies to engage  
5 with New Yorkers about the program. These include:  
6 Staffing informational tables in high traffic  
7 locations; giving presentations to community boards,  
8 civic associations, and other key stakeholders;  
9 conducting door to door canvassing and participation  
10 surveys; and hosting events for street tree care and  
11 free compost distribution events to community gardens  
12 and in parks.

14 To date, in Fiscal 2019, we had reckon  
15 interactions with approximately 41,000 residents in  
16 areas that receive organics collection service. This  
17 spring, we launched a make compost not trash, an  
18 intensive outreach effort in two community districts  
19 to test the full range of outreach strategies to  
20 drive participation in the program. We have been  
21 giving away composts, organizing street tree caravans  
22 and going door to door to encourage residents to make  
23 composts, not trash. The initial response on these  
24 efforts has been promising and the local elected  
25

officials have been key partners in helping us spread  
the word.

We look forward to working with the Council to  
advance efforts to make the organics collection  
program successful.

Our efforts to reduce organic waste also extend  
to New York City businesses. Earlier this year, the  
Department began enforcing the second round of  
commercial organics regulations. Today, large  
restaurants, food retailers, and certain food chain  
services establishments are required to separate  
their organic waste for composting or anerobic  
digestion. We are focused on giving businesses the  
tools they need to reduce food waste and save money.  
This March, we launch the DonateNYC online food  
donation tool to connect businesses interested in  
donating to local organizations that feed hungry  
people. This Thursday, May 23<sup>rd</sup>, the Foundation for  
New York Stronger will hold it's 2019 food waste  
fair. The fair is an interactive experience  
connecting food, beverage and hospitality professions  
with the resources and education they need to reach  
zero food waste in their businesses.

2 The 2019 Food Waste Fair will provide businesses  
3 with hands on workshops, skills training, and access  
4 to resources that only lead to more sustainable  
5 operations, but also save businesses money when less  
6 food goes into the waste.

7 To learn more about the fair and our exciting  
8 zero food waste challenge, please visit  
9 [foodwastefair.nyc](http://foodwastefair.nyc). We continue to advance efforts to  
10 reform the commercial waste sector, which is estimated  
11 to generate 3 million tons of waste per year. Last  
12 November, we released our implementation plan for  
13 commercial waste zones, a comprehensive reform of the  
14 commercial waste industry that will create a safe and  
15 efficient collection system for the commercial waste  
16 that provide high quality, low cost service while  
17 advancing the city's zero waste goals.

18 In February, the Department released the draft  
19 generic environmental impact statement for the  
20 implementation plan. And in March, we held two  
21 public hearings to receive comments on this comment.  
22 In the weeks ahead, we look forward to continuing our  
23 work with the City Council and stakeholders and the  
24 important process to reform and modernize private  
25

1 carting in New York City through the enhancement  
2 enactment of comprehensive legislation.

3  
4 Although our city is facing tough choices and  
5 tightening budgets during these uncertain Fiscal  
6 times, I assure you the proposed Fiscal Year 2020  
7 Executive Budget preserves the Departments ability to  
8 meet its core services, obligations to the public by  
9 keeping communities in New York City clean, safe and  
10 healthy while enabling us to advance our long-term  
11 strategic priorities.

12 I would like to thank you for this opportunity to  
13 testify today and for your continuing support of our  
14 programs and work. My staff and I are now happy to  
15 answer any questions. Thank you.

16 CHAIRPERSON DROMM: Thank you very much,  
17 Commissioner Costas. Let me start off by asking a  
18 few questions about Sanitation trucks.

19 Mac Trucks introduced its MAC LR, all electric  
20 refuse truck earlier this month, which have plans to  
21 test in the streets of New York City in 2020. This  
22 is exciting and we know that 20 percent of greenhouse  
23 gas submissions citywide are the result of vehicles,  
24 second to buildings, which omit 68 percent of  
25 greenhouse gas submissions citywide. So, what is



1 your plan to roll out the pilot in terms of areas of  
2 the city that would be serviced by the truck and  
3 anticipated timeframe of the trial?

4  
5 STEVEN COSTAS: So, the department is always  
6 looking for ways to reduce our greenhouse gas  
7 submissions. All of our heavy-duty fleet currently  
8 uses biodiesel and we have been looking at  
9 introducing renewable diesel that would also help on  
10 the front of greenhouse gases and submissions. We do  
11 plan on testing the Mac Truck when it gets here. The  
12 one challenge with that truck right now is that it  
13 does not have a plow jack assembly, so the truck will  
14 only be tested on collection purposes. So, right  
15 now, we don't have a truck that would be able to  
16 replace the existing fleet and it's current  
17 configuration.

18 We currently have over 4,500 heavy duty vehicles  
19 and we use approximately 10 millions gallons of  
20 diesel a year. So, every gallon of diesel burn  
21 produces about 22 pounds of carbon dioxide, so using  
22 those numbers we know that we are going to see how  
23 much exactly using the electric truck will be able to  
24 offset that.

CHAIRPERSON DROMM: Thank you. Vacant lot  
cleaning; DSNY cleans city owned vacant lots,  
removing garbage, bulk refuse, and weeds. The  
Department also addresses privately owned fenced and  
locked lots that are dirty. On average DSNY cleans  
approximately 3,000 lots per Fiscal Year. The  
executive plan includes a savings proposal that would  
reduce DSNY's headcount for vacant lot cleaning  
citywide.

I am never pleased to hear about a service  
reduction especially one that addresses quality of  
life issues in our neighborhoods.

How was it determined that it would be okay to  
use this as a way to save money to cut this critical  
service?

STEVEN COSTAS: So ultimately the lot cleaning  
reduction and headcount, there will be an impact in  
terms of the amount of lots we are able to clean  
within a year. What will happen is the current cycle  
which takes on average two to three weeks for a city  
owned lot to get cleaned will probably be extended by  
another ten days to two weeks to actually be able to  
get to. Btu it was unfortunate in terms of again,  
some of the tough choices that had to be made in

2 terms of where we could make a cut and still be able  
3 to achieve the goal.

4 CHAIRPERSON DROMM: How do you get access to  
5 privately owned lots?

6 STEVEN COSTAS: So, when we receive a complaint  
7 about a particular lot, we sent the inspectors out.  
8 In some cases, those lots are wide open. We do a  
9 block and lot search on the property to see if it's  
10 privately owned or a city owned lot and we take it  
11 from there. If it's a privately-owned lot that is  
12 secured, we still do a visual inspection and we  
13 generate a report and if the report in fact requires  
14 us to take action, we then have to get a work order  
15 through the Health Department to be able to access  
16 the property and that involves any other agency.

17 In terms of the city owned lots, then we do gain  
18 access to the lots and we clean them.

19 CHAIRPERSON DROMM: Okay, that's very  
20 interesting. At one time, I had an old graveyard  
21 that needed cleaning, but I didn't know the  
22 procedure, so thank you for that.

23 I know you mentioned in your testimony a lot  
24 about organics collection. So, one third of what New  
25 Yorkers throw away is yard waste and food scraps,

1 also known as organics. Most of this material ends  
2 up in landfills as opposed to beneficial reuse  
3 programs.  
4

5 On the campaign trail in Iowa, the Mayor said  
6 that he would ask the Council for legislation to make  
7 organics space collections mandatory; however, just  
8 this past Fiscal Year, program expansion was halted  
9 due to DSNY not capturing as much material as was  
10 anticipated from collections.

11 DSNY is currently servicing less than half of New  
12 Yorkers, via the existing program and no additional  
13 funding was included in the 2020 plan for citywide  
14 expansion. So, what is the path forward here and  
15 does the administration have an expansion plan?

16 STEVEN COSTAS: So, the Department is fully  
17 committed to achieving the zero waste by 2020 goal.  
18 Part of that is going to come through legislation.  
19 We look forward to working with the Council Members  
20 on the coming months to discuss a path on creating a  
21 mandatory path. Once we have a mandatory path  
22 obviously, we believe that that will increase  
23 participation within the 23 existing districts as  
24 well as then give us a path to continue rolling it  
25 out citywide.

CHAIRPERSON DROMM: Do you know when we could  
expect to see funding for the citywide expansion?

STEVEN COSTAS: Not at this time, no.

CHAIRPERSON DROMM: I am sorry?

STEVEN COSTAS: No.

CHAIRPERSON DROMM: Not yet. Some of the  
existing routes were funded in part by overtime,  
because they were longer than originally anticipated.  
How do we ensure a more efficient route structure to  
reduce overtime usage?

STEVEN COSTAS: So, the 115 bodies that were  
included in the budget, basically eliminate that  
challenge that we had with regards to the overtime.  
We continue to look at the 23 existing districts in  
the raw development that brought us to that point and  
that's the same methodology that we will be using  
forward. So, the headcount increased will offset the  
overtime that was being generated on that.

CHAIRPERSON DROMM: Okay, thank you. Food  
Donation Portal; in 2017, the Council enacted Local  
Law 176, which require the Department of Sanitation  
to develop a food portal that facilitate efficient  
hyper local food donations to reduce food waste and  
provide meals.

2 Food donors can post listings of available food  
3 and then algorithm then rapidly notifies the best  
4 matched and nearest registered CBO that food is  
5 available. Your portal launched just a few weeks  
6 ago, can you provide the Committee with an update on  
7 the number of organizations that have signed up this  
8 far?

9 STEVEN COSTAS: Yes, so as you mentioned, the  
10 portal just went live just over a month ago, but  
11 we've seen some promising interest in it. So far, we  
12 have approximately 125 organizations that are  
13 registered and we have been trying to create those  
14 relationships. So, we have about 41 primary donors  
15 and 84 primary recipients who are trying to meet up  
16 and see if what the donors are offering the  
17 recipients are interested in.

18 Additionally, we've successfully completed eight  
19 donations slash recipients and we have some more  
20 scheduled hopefully that will happen in the near  
21 future.

22 CHAIRPERSON DROMM: So, do you have any  
23 predictions on the amount of material in tonnage this  
24 portal will help divert from the landfills?

1 STEVEN COSTAS: I do not at this time, it is  
2 still very new.  
3

4 CHAIRPERSON DROMM: It sounds like a very  
5 interesting program though. Did I say something on  
6 New York One News on it?

7 STEVEN COSTAS: Yes, there was.

8 CHAIRPERSON DROMM: Yes, it was good. Thank you.  
9 I am going to turn it over to Chair Reynoso now.

10 CO-CHAIR REYNOSO: Thank you Chair. Zero Waste  
11 Outreach; of course, I am concerned that zero waste  
12 by 2030 is not something that we would end up  
13 accomplishing considering the progress we've made so  
14 far in the last five, six years. But I think the way  
15 we can turn that around is by educating the public on  
16 how to recycle and I feel like our budget for  
17 marketing is extremely low. I've been asking for  
18 three years now that we get an increase. This year I  
19 have asked for a \$2.5 million increase in the  
20 marketing budget.

21 I think it will save us money long-term by  
22 diverting trash from landfill. So, I just want to  
23 know why it is that DSNY just can't seem to get an  
24 increase in the marketing budget to educate New  
25 Yorkers about recycling.

1 STEVEN COSTAS: So, I think our BRS group  
2 continues to be as creative as possible in terms of  
3 leveraging all the opportunities they have. With  
4 this particular program, it seems to be gaining  
5 traction in terms of the messaging across the board,  
6 so along with the discussion on organics, that also  
7 is about changing the mindset in terms of people's  
8 perception. A behavioral change where we now, we  
9 start to see people are using DonateNYC. We see  
10 people going to ReuseNYC, where it's a different  
11 culture in the city where people don't want to waste.

12 So, we hope that continues to spread across all  
13 channels. Again, going door to door has been eye  
14 opening in terms of the information and feedback that  
15 we are receiving within the 23 districts. Sometimes  
16 leaving a post card on the door to say, thank you for  
17 participating or leaving a note that says, how come  
18 you are not using your brown bail. So, we continue  
19 to engage the public, the intense outreach that we  
20 have been doing and make compost not trash, both in  
21 Queens and Brooklyn, is giving us additional tools  
22 and information for us to continue how we go forward  
23 in terms of trying to meet the public and get them  
24 engaged.  
25



1  
2 CO-CHAIR REYNOSO: And I hear you, I don't think  
3 there is a cultural change happening. I am the Chair  
4 of Sanitation in the City Council, probably one of  
5 the more informed people related to trash and I still  
6 find something new related to how to recycle every  
7 single day. Whether it is not putting contaminated  
8 cardboard or paper inside the cardboard or paper bin.  
9 The fact that I got four cans now, I am happy to have  
10 four cans, but I don't think many people do have four  
11 different locations to throw the metal, glass,  
12 plastic, paper, general refuse and organics. So, I  
13 am just concerned about the education component. I  
14 don't think it's there. It's not strong enough.  
15 Vision Zero has done a great job of its education,  
16 everyone knows about Vision Zero. They see the  
17 commercials that come up on TV and I think it has  
18 been one of the more successful marketing campaigns  
19 by the City of New York. I am just upset that we  
20 can't have something close to Vision Zero for Zero  
21 Waste. And again, I just think that seems to be like  
22 a goal that was said, and we talk the talk, but we  
23 don't seem to be able to walk the walk in trying to  
24 get Zero Waste by 2030.

1 I do want to talk about the single stream study.  
2  
3 It is something that you put together. We spent  
4 \$717,000 on it for Fiscal Year 2020 on a single  
5 stream study that was completed the current Fiscal  
6 Year. When are we going to get that study and have  
7 that information?

8 LARRY CIPOLLINA: So, we completed that study  
9 over the last year and a half or so, and basically  
10 what it was is an engineering study looking at  
11 exactly what would be necessary from the city's  
12 perspective in terms of capital investment to move  
13 from what we have today, which is two different bins,  
14 the blue bin and green bin to one bin for all of the  
15 recyclables and we discovered, which we are not  
16 surprised by, that it would be a relatively  
17 significant capital investment that we would need.  
18 We need a bigger facility in Brooklyn at the South  
19 Brooklyn Marine terminal where Sims has their  
20 materials recovery facility today and so, the real  
21 focus of that study was understanding what kind of  
22 investment would be needed. What kind of equipment  
23 is out there to process single stream recycling  
24 because it's slightly different sorting equipment  
25 then what we have today.

1  
2       So, we'd be happy to share the results of that  
3 study with you to sit down with you and discuss it in  
4 more detail.

5       I think the challenge that we face with single  
6 stream recycling, because I know as you have said  
7 before Chair Reynoso, you know, it does offer the  
8 ability to go from those four bins in your kitchen,  
9 back down to three, which could make the program more  
10 convenient. The challenge that we face is last year  
11 at the beginning of 2018, China implemented The  
12 National Sword which basically closed their markets  
13 to mixed paper and mixed plastics from the US and  
14 elsewhere in the world, which had a really traumatic  
15 effect on the recycling markets.

16       So, we are actually better positioned in New York  
17 City today because we have those two separate bins.  
18 We can keep the material separate, we can keep it  
19 cleaner, we can make those processing costs lower.

20       So, I think for the time being, we are sort of  
21 putting the single stream recycling on hold until the  
22 markets recover and can sort of stabilize, but we  
23 would be happy to have those conversations with you.

1  
2 CO-CHAIR REYNOSO: Okay, so in the study there  
3 wasn't a look into a potential increase in diversion  
4 because of a single stream?

5 LARRY CIPOLLINA: We looked into that as well and  
6 looked at other cities, Boston, Denver, lots of other  
7 cities over the last two decades that have gone to  
8 single stream recycling and can share that with you  
9 as well.

10 CO-CHAIR REYNOSO: Okay, I will ask a couple more  
11 questions just to give my colleagues an opportunity  
12 to ask questions and give them the courtesy. Just a  
13 highway and ramp cleaning seems to be cut from the  
14 budget. I got extremely concerned where we make cuts  
15 to quality of life related issues. Are we saying  
16 that on an off ramps we'll be seeing the mattresses  
17 and the coffee cups and the cans, that those won't be  
18 something that you will take care of? I want to know  
19 what the alternative is and who will take care of  
20 that or whether we just are going to relegate the  
21 city to looking dirty and that's just kind of how we  
22 are living because we need to cut \$864,000 from the  
23 budget.

24 STEVEN COSTAS: So, Department of Traffic is  
25 ultimately responsible for highway sweeping. The

1 Department of Sanitation back in 2016, as a  
2 supplemental assist to Department of Traffic started  
3 doing some highway ramps specifically. Not shoulders  
4 for the full length of the highway, just the ramps on  
5 entrance and exit ramps. So, we were basically  
6 running on an overtime program and we were doing  
7 street dirt basically on the ramps. We were not  
8 picking up large pieces of debris in most cases.

9  
10 In the event that there is an accident or  
11 something specific when there is a large piece of  
12 debris, and we are still on call on occasion and we  
13 do go out and service it. So, ultimately the highway  
14 sweeping portion responsibility that we were doing on  
15 Saturdays has been eliminated but we did notify that  
16 DOT that we were stopping the portion of exit and  
17 entrance ramps that we were doing. Ultimately, they  
18 are the full-time, it does fall under their purview  
19 of jurisdiction.

20 CO-CHAIR REYNOSO: It's unfortunate that the  
21 Department of Sanitation is cutting things like this  
22 to gain \$864,000 in the budget. Like, when you look  
23 at the grand scheme of the budget, the fact that  
24 we've seen \$500 million extra dollars that you found  
25 since April, the city found since April, the fact

1 that the Council presented \$600 million worth of  
2 savings to the Mayor and also to the fact that we've  
3 increased the budget overall by almost \$2 billion  
4 because of the income tax and so forth. It just  
5 doesn't make any sense why we would be tightening how  
6 much we are spending on these programs that I think  
7 are essential. Including \$4.2 million for a seven-  
8 day waste basket pickup. We've actually seen an  
9 increase in a positive way in the cleanliness of our  
10 streets over the last year in the City of New York.  
11 I think we went to a 96 on average or something like  
12 that, street cleanliness and I want to say that the  
13 144,000 basket pickups that we've done on a seven-day  
14 service, contributes to that and now we are not going  
15 to do that anymore and probably go back to a lesser  
16 rating. I just don't understand where the value or  
17 where the city sees the value in cutting that  
18 program.

19  
20 So, I would like to ask, how are we supposed to  
21 deal with the amount of garbage we see especially on  
22 weekends in our streets if we don't have this extra  
23 basket pickup?

24 STEVEN COSTAS: So, when the \$3.5 million was  
25 added at adoption for basket service, what the

1 Department did was we looked across the city and we  
2 were able to add supplemental basket service in about  
3 35 different community boards to help level off and  
4 give everyone a slight increase in terms of basket  
5 service.  
6

7 With that reduction come July the Department  
8 hopes that they can continue to maintain exactly the  
9 service that we provide right now. We are always  
10 looking to be as efficient as possible and maximize  
11 what we can get out of the men and women when they  
12 are out there servicing those baskets.

13 CO-CHAIR REYNOSO: Yeah, I am extremely concerned  
14 about the quality of life in the City of New York  
15 when we can handle that trash pickup. We always see  
16 the terrible picture of an overflowing trash bin in  
17 our communities and we have very little to answer for  
18 it outside of these basket pickups happening  
19 frequently.

20 So, I am very concerned about that and I am  
21 asking for you to figure out a way to replace that  
22 service or find the money, but I don't think that's a  
23 cut that should happen.

24 My last question before I turn it over is  
25 organics. In this testimony, you stated the fact

1 that the communities that currently are voluntarily  
2 in the organics pilot, would be the first communities  
3 that would be introduced to the mandatory organics  
4 recycling. Should the law pass here in the City  
5 Council and the City of New York, I have a huge  
6 concern over equity. We are not going to expand the  
7 voluntary organics program citywide, but we are going  
8 to force the few people that have taken on the pilot  
9 now, the few communities that have taken on the  
10 pilot, to do mandatory recycling.

12 So, depending on where you live, you have to do  
13 it. In other places, you don't even need to  
14 voluntarily do it. I just don't see equity in that.  
15 I would prefer or appreciate that first we do  
16 voluntary organics recycling citywide and then start  
17 the process of expanding the mandatory portion of it  
18 in the places that we have piloted so far.

19 So, I just want to know where the logic comes  
20 from mandating it for some New Yorkers and others  
21 don't even need to do it voluntarily.

22 LARRY CIPOLLINA: So, I think the important point  
23 of clarification here is the Mayor's commitment and  
24 the Commissioners testimony both mention citywide  
25 mandatory organics. So, our goal is citywide



1 mandatory organics. That's the place that we'd like  
2 to get to. We are open to working with the Council  
3 to determine exactly what that looks like.  
4

5 If you go back to 1989 when we started  
6 implementing Local Law 19, which created the citywide  
7 mandatory recycling program, that allowed us a period  
8 of time to phase in recycling going neighborhood by  
9 neighborhood and actually going from one type of  
10 recycling to another and it really took us close to  
11 ten years until we had the same program offered  
12 universally on a weekly basis across the city.

13 So, I think you know, we hear your concern. We  
14 definitely think that this program should not be in  
15 some places and not others. It is just question of  
16 whats the right way to get there and what we've seen  
17 in terms of participation is there is, as  
18 Commissioner Garcia had mentioned previously, there  
19 is a chicken or egg situation here. Where we have a  
20 program that's voluntary. Some people are very  
21 committed to it, others aren't yet participating and  
22 really the way that we can drive that participation  
23 is by making it mandatory.  
24  
25

2 And so, we have to do both, we know that. We  
3 want to work with you to understand exactly what the  
4 right way to do that is.

5 CO-CHAIR REYNOSO: Yes, I am just very concerned  
6 for two reasons. I think it's a good talking point  
7 if somebody is traveling nationally saying that we  
8 want to do mandatory organics in the City of New  
9 York, but it is unfunded and the plan right now I  
10 think is under welling.

11 So, I can say a lot of great things. If I don't  
12 have a plan and I don't have the money behind it,  
13 then it's for not. So, right now, it's just a  
14 talking point and it's hard for me to see that the  
15 Department of Sanitation or the Mayor's office is  
16 actually taking this seriously.

17 Again, would love to see a more robust plan and  
18 we'd love to see money in the budget that speaks to  
19 the fact that you actually want to do this. Two  
20 things that don't exist.

21 So, yes, we can have a conversation because it's  
22 something I really want to do the right way, but I'm  
23 not going to just talk about it, I'm actually going  
24 to ask for plans and data and information as to how  
25

1 we are going to get that done. And right now, that  
2 just doesn't exit.

3 I have a couple of other questions, but I will do  
4 that in the second round to allow for my colleagues  
5 to ask questions. Thank you.

6 CHAIRPERSON DROMM: Okay, we have been joined by  
7 Council Members Deutsch, Espinal and Vallone, and we  
8 have questions from Council Member Deutsch followed  
9 by Chin.

10 COUNCIL MEMBER DEUTSCH: Thank you. So, my first  
11 question is - good afternoon Commissioner. There was  
12 a pilot program on manual street cleaning in Staten  
13 Island I think it was in Council Member Borelli's  
14 district and Council Member Matteo district, where  
15 there were two people from each garage assigned for  
16 manual street cleaning. Now, the local bids, they  
17 don't get any supplemental street cleaning beyond the  
18 regular street sweeping that comes down provided by  
19 sanitation. So, how did that pilot program go, and  
20 will it be expanded?

21 STEVEN COSTAS: I am not familiar with the pilot  
22 program that you are discussing on Staten Island, to  
23 be honest with you. I would be more than happy to go  
24

1 back and get all the information and then contact you  
2 directly, so that we can discuss it further.

3  
4 COUNCIL MEMBER DEUTSCH: Okay, and then secondly,  
5 the Chair mentioned before about the \$4.2 million  
6 regarding picking up all the corner waste baskets.  
7 So, I know in the last budget, I was instrumental in  
8 being BNT working with the Chair to get that \$4.2  
9 million in the budget and I know in my districts that  
10 I had seven days a week and things went pretty well.

11 So, what are we looking forward to now in this  
12 new budget and in particular my district now that  
13 there is going to be cuts in corner waste baskets?

14 STEVEN COSTAS: So, the Department will be  
15 discussing with both the Council Members as well as  
16 the Administration in terms of trying to have the  
17 minimalist impact on basket service. We know that  
18 that is one core functions. That's all we do; we  
19 provide service and we want to provide service.  
20 Again, we were faced with difficult choices in terms  
21 of having to reach the PEG and when you look across  
22 the board at what services would hopefully have the  
23 least amount of impact, those are the ones that we  
24 want to. And in terms of the basket money, that was  
25 put into the budget for one year.

1  
2 COUNCIL MEMBER DEUTSCH: Yeah, I understand that.  
3 So, with a \$92.5 billion budget and this was last  
4 year was a one time shot at \$4.2 million out of this  
5 year, it's \$92.5 billion. The main complaints we  
6 get, and I know in my district and several other  
7 districts, I know last year you just mentioned you  
8 did 35 community boards. So, why can't the  
9 Administration make that commitment to restore the  
10 corner waste basket pickups coming from the  
11 Administration saying, we need to keep our city clean  
12 by making sure we get those few million dollars in  
13 the \$92.5 billion budget?

14 STEVEN COSTAS: Again, difficult choices.  
15 Ongoing conversations with OMB in term of where we  
16 can achieve the PEG as well as they will be able to  
17 provide our core services and functions to the city.

18 COUNCIL MEMBER DEUTSCH: Who makes those choices  
19 from the Administration? Like, who gives the  
20 information to the Commissioner to say, okay, we have  
21 to make these cuts.

22 STEVEN COSTAS: Those are ongoing conversations  
23 between OMB and ourselves.

24 COUNCIL MEMBER DEUTSCH: So, it's OMB who makes  
25 the ultimate decision? I can't imagine Sanitation is

1 going to say cut out funding because every agency  
2 wants to get the funding that they need. So, I can't  
3 imagine Sanitation is going to say, oh, you know, we  
4 don't need that.

5  
6 STEVEN COSTAS: Well, again, we looked across the  
7 board at all the operations that we run, and we had  
8 to come up with what was going to be the least amount  
9 of impact.

10 COUNCIL MEMBER DEUTSCH: So, is anyone here from  
11 OMB?

12 STEVEN COSTAS: No.

13 COUNCIL MEMBER DEUTSCH: Do we have OMB here? No  
14 one is here from OMB, okay.

15 So, the corner waste baskets, it's a big issue  
16 and we need that restored and we have to make sure  
17 that all those districts that's needed gets the seven  
18 days a week. We are not going to stop and if you  
19 could get me the information on OMB of who I can  
20 contact. Who makes this decision. You will get it  
21 to me, right?

22 STEVEN COSTAS: Absolutely.

23 COUNCIL MEMBER DEUTSCH: And finally, I have one  
24 other question. You have the lot cleaning units.

1 So, why has all the staff been reassigned from the  
2 lot cleaning units?  
3

4 STEVEN COSTAS: So, lot cleaning, not the entire  
5 staff was reassigned. What's happening is there has  
6 been a reduction in 38 individuals which is 31  
7 sanitation workers and seven supervisors, and they  
8 are going to either through attrition or be  
9 reassigned back into Borough of Cleaning and  
10 Collection. So, the overall headcount for lot  
11 cleaning is being reduced. It's not being  
12 eliminated.

13 COUNCIL MEMBER DEUTSCH: So, why is it being  
14 reduced? To what reason?

15 STEVN COSTAS: Again, in an effort to offset  
16 overtime on the Borough of Cleaning and Collection  
17 side as well as be able to achieve savings where  
18 reducing the headcount in that unit which will have  
19 some unfortunate impact in terms of our ability to  
20 clean lots in the timeframe that we currently were  
21 doing.

22 COUNCIL MEMBER DEUTSCH: So, how long does it  
23 take from when DSNY, when Department of Sanitation  
24 inspects a dirty lot or when it gets cleaned?  
25

COMMITTEE ON FINANCE JOINTLY WITH COMMITTEE ON  
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1 STEVEN COSTAS: It can take up to approximately  
2 40 days for a city owned lot.  
3

4 COUNCIL MEMBER DEUTSCH: 40 days and if this  
5 workforce gets reduced, how long do you anticipate it  
6 would take then?

7 STEVEN COSTAS: The impact will probably be an  
8 additional 10 days.

9 COUNCIL MEMBER DEUTSCH: Additional 10 days. You  
10 did mention in your testimony, Fiscal Year 2020  
11 Executive Budget preserves the Departments ability to  
12 meet its core service obligations to the public by  
13 keeping communities across New York City clean, safe,  
14 and healthy. So, you just mentioned that you are  
15 going to try doing more with less. And you just  
16 mentioned that you are eliminating 37 staff and seven  
17 employees and then, you are not looking to restore  
18 the corner waste baskets.

19 So, how is sanitation keeping communities across  
20 New York City clean, safe and healthy with these  
21 budget cuts?

22 STEVEN COSTAS: Budget cuts are unfortunate, but  
23 they are difficult choices.

24 COUNCIL MEMBER DEUTSCH: So, budget cuts are  
25 unfortunate, but you are taking away services.



COMMITTEE ON FINANCE JOINTLY WITH COMMITTEE ON  
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CHAIRPERSON DROMM: Council Member, we are going  
to have to move on.

COUNCIL MEMBER DEUTSCH: I am sorry?

CHAIRPERSON DROMM: We have to move on to the  
next Council Member.

COUNCIL MEMBER DEUTSCH: Yeah, I just want to end  
off with this.

STEVEN COSTAS: Sanitation Department provides  
services; we are a service-oriented agency.

COUNCIL MEMBER DEUTSCH: Do you agree that with  
this reduction, the funding could possibly provide  
less services and less cleaner streets?

STEVEN COSTAS: Excuse me?

COUNCIL MEMBER DEUTSCH: Do you believe that with  
these budget cuts on sanitation that services will be  
impacted and there will be corner waste baskets  
overflowing, lots will take a lot longer to actually  
get cleaned if not never?

STEVEN COSTAS: I think we will have to wait and  
see exactly what the impact is. Hopefully, the  
service that we are currently providing, we will be  
able to keep up with in terms of all the flowing  
back.

1  
2 COUNCIL MEMBER DEUTSCH: So, we can't say now  
3 that everything is going to be good, so we are  
4 hoping. Thank you.

5 CHAIRPERSON DROMM: Okay, thank you Council  
6 Member. Council Member Chin.

7 COUNCIL MEMBER CHIN: Thank you Chair. Hi  
8 Commissioner. Well, the plastic ban is coming,  
9 right? It's going to start next year and also the  
10 Council passed imposing a fee on paper bags. So, do  
11 you anticipate in terms of an estimate of reducing  
12 the tonnage of plastics and paper that we are going  
13 to be putting into the way stream and also do you  
14 anticipate savings? Because we have been saying that  
15 every year, city spends you know \$10 to \$12 million  
16 just shipping this plastic to the way stream and so,  
17 now that the ban is going to be in place, do you have  
18 any preliminary estimates?

19 LARRY CIPOLLINA: So, as we discussed at the  
20 hearing last month, what we've seen from other  
21 jurisdictions that have put these kinds of policies  
22 in place, is around a 60 to 75 percent reduction in  
23 the number of bags used. So, we think that's a huge  
24 opportunity for New York City. Obviously, there are  
25 some exemptions to the ban, bags from restaurants for

1 example are exempt. Produce bags, bags from the meat  
2 counter. So, there are some things that I think we  
3 are still looking at in terms of that.

4  
5       Regarding savings, you know I think that there is  
6 a cost to disposing all of these things. It's sort  
7 of baked into our larger export budget, so I don't  
8 think that we are anticipating savings. We will be  
9 definitely relieved if we see them actually  
10 materialize. But you know, it's one part of our  
11 export budget that's several hundred million dollars.

12       COUNCIL MEMBER CHIN: Well, I hope you do  
13 anticipate some savings and that's what we are  
14 looking for and what ever money that we can save, I  
15 hope that it will go into education, to the public,  
16 reproducing more reusable bags that we can give out  
17 in the community and really help every New Yorker  
18 understand the importance of recycling, in terms of  
19 the education budget.

20       So, I hope that whatever saving that is from you  
21 know, the plastic ban that you would put back into  
22 the recycling efforts.

23       The other question that I have is that you know,  
24 we try to implement that rat mitigation zone and the  
25 good thing that we got out of it was the big belly.

1 And that helps a lot in the neighborhood, but we  
2 still can't get to a point of getting the garbage put  
3 out later. Because right now, residents put out  
4 garbage very early. Sometimes even though like 5  
5 o'clock, 6 o'clock, especially in lower Manhattan my  
6 district, people have to walk through garbage to go  
7 to the subway station or to go home.

8  
9 I know that you are looking at some proposal  
10 working with DOT to help containerize but is there a  
11 way to find some creative solution but also to  
12 mandate that you can't put out the garbage that  
13 early?

14 STEVEN COSTAS: So, we are happy to look at that  
15 as an option in the district. There are challenges  
16 that come along with that.

17 As you mentioned as a rat zone, we found that the  
18 additional service that we were providing at the  
19 baskets and with the big belly's, with definitely an  
20 improvement in terms of the conditions around it.  
21 But we also found that some of the residential  
22 building were not taking full advantage of the  
23 additional service. So, it was an interesting mix.

24 CHAIRPERSON CHIN: I know we still couldn't get  
25 the negotiation done, but we are going to continue to

1 do that but overall, all of us need to kind of cut  
2 down on producing so much waste. So, I think all the  
3 recycling effort is really critical. Thank you,  
4 thank you Chair.

5  
6 CHAIRPERSON DROMM: Okay, thank you. Council  
7 Member Cabrera.

8 COUNCIL MEMEBR CABRERA: Thank you so much to  
9 both of the Chairs for your dedication and welcome to  
10 the panel.

11 Just curious as to as a trend that I see  
12 happening worldwide started the biggest nation that I  
13 saw who got this trend going was China. Where they  
14 are no longer accepting waste. We are talking about  
15 plastics and other critical recyclables and then  
16 recently, as I recall two weeks ago, there was  
17 another 100 nations where they signed an agreement,  
18 it does not include United States, not to upset any  
19 waste from other countries.

20 My concern is that, and when I talk to the people  
21 who deal with waste in the city, is that where are we  
22 going to put all of this waste since it's not being  
23 accepted or being bought by other countries and are  
24 we starting to have some of these things that we  
25 recycle in the city being placed in landfill already?

2           Because that's the message that I keep getting  
3 from different vendors.

4           LARRY CIPOLLINA: So, I think the situation  
5 varies based on where you are in the country and  
6 there has been a lot reported in the national media  
7 about recycling markets.

8           As I mentioned before, that's one of the things  
9 we are taking into account when we look at single  
10 stream recycling and you know, our recycling program  
11 is celebrating its 30<sup>th</sup> birthday this year which is  
12 very exciting for us. We are one of the only cities  
13 left in the country that has or at least major  
14 cities, that has dual stream recycling and that means  
15 that our recyclables are actually cleaner, they are  
16 easier to sell and so, we're slightly better off than  
17 other places.

18           We've also made significant investments in  
19 additional processing equipment. We generate just a  
20 lot of recyclables, 600,000 plus tons a year. So, we  
21 are better off than other places.

22           We are able to use domestic markets for a lot of  
23 our plastics for example, which some places,  
24 especially on the West Coast are having a lot of  
25 problems getting rid of their plastics.

2           So, we are weathering the storm better than  
3 others, but I definitely think that, and you are  
4 seeing this conversation happen a lot across the  
5 state and across the region. We really need to  
6 invest in infrastructure and industry here in the  
7 United States to be able to recycle the products that  
8 we generate and ultimately, what we need to look at  
9 is what Council Member Chin just mentioned, we just  
10 need to have less waste to begin with.

11           So, rather than focusing on how to recycle the  
12 plastic, we need to focus also on, how can we just  
13 use less plastics? How can we ban things like bags?  
14 How can we look to reduce the use of single use  
15 plastic products, straws, etc.

16           COUNCIL MEMEBR CABRERA: Thank you but that kind  
17 of didn't answer my question.

18           LARRY CIPOLLINA: We don't send any of  
19 recyclables to the landfill, I assure you.

20           COUNCIL MEMEBR CABRERA: Do you see a projection  
21 in the trend that we are going, because I know you  
22 have contracts right now. When those contracts  
23 expire, so they are obligated to absorb it, do you  
24 see that we are going to face the same problems that  
25 LA and other big cities are facing? Is it

1 inevitable? I just want us to be honest with that  
2 question. It's not a reflection of the Sanitation  
3 Department, it's a reflection of the science of the  
4 time and how we can start working towards that end  
5 that you are talking about in making investments or  
6 incentivize the private sector to do so.

8 LARRY CIPOLLINA: I really don't think it's  
9 inevitable. I think this is definitely a challenge  
10 that the market is facing. Definitely a challenge  
11 unlike any that we have seen before in the recycling  
12 industry since recycling came in to being in the late  
13 1970's early 1980's. I think that the real promising  
14 element is that you are seeing major corporations  
15 that don't have the best name, Walmart, McDonald,  
16 lots and lots of others, that are making commitments  
17 to investing in recycling technology, investing in  
18 recyclable packaging, investing in curbside recycling  
19 collection.

20 So, I think we are seeing those investments  
21 counter act some of the international trade policies  
22 that we as New York City have no power over. And I  
23 think there is a lot of talk right now about how  
24 recycling is failing. We don't believe that  
25 recycling is failing in New York City. Recycling is



1 working just fine. Nationally, I think what we need  
2 to think about is, where do we want to be in ten  
3 years and unfortunately, we don't have the kind of  
4 leadership in this country at the national level to  
5 think about recycling the way that do in the EU or in  
6 Japan, other Asian countries. So, I think that we do  
7 have an obligation as New York City, the largest  
8 recycling program in the country to be that leader  
9 and we are always looking for ways to step up and  
10 work with other cities, corporation states to fill  
11 the gap that the federal government is leaving.  
12

13 COUNCIL MEMEBR CABRERA: I appreciate that answer  
14 because that's the direction that I think we should  
15 all be moving, and I sure hope that we could come up  
16 with some innovative ways to incentivize any effort  
17 that goes towards that end. Because otherwise, I  
18 think we are going to find ourselves at a point,  
19 everyone is going to do their part at home but it's  
20 going to end up in the same place.

21 And with that, I want to thank you for the work  
22 that you are doing. You guys are doing a fantastic  
23 job and I want to turn it back to our wonderful Co-  
24 Chairs that are our leaders in this issue. Thank  
25 you.

CHAIRPERSON DROMM: Thank you. Chair Reynoso.

CO-CHAIR REYNOSO: I just have two more questions. The Manhattan Six garage, it seems to be delayed again. It's like a never-ending issue that we have. I have talked to the Council Members of the district and they are asking for a study to be done to identify locations for the Manhattan Six Garage. I know that we had a location, they think it's unsatisfactory. They don't like the location that was chosen, so what process are we taking to try to come to a place where we are just concluding of where the Manhattan Six Garage is going to go, so we can finally get these trucks off the streets and the Sanitation workers from having to take showers and get prepared in a storefront as opposed to like a legitimate building. So, I just want to know what's the idea with Garage Six?

STEVEN COSTAS: So, we continue to look for real estate and options. We recently looked at to this point, over 20 different locations to see if they might be able to accommodate the Garage and the trucks. M6 is not uncommon in terms of trucks being out on the street and other locations as well, but ultimately, we hope that Brookdale you know, is the

1 final solution. Brookdale is ultimately where we  
2 hope to eventually wind up. So, in the meanwhile,  
3 again, we are more than willing to look at any  
4 location at City Council or any of the local elected  
5 officials thinks might be able to accommodate it, we  
6 are more then happy to see if it fits our needs.  
7

8 CO-CHAIR REYNOSO: Is it easier to find an  
9 alternate location for Brookdale then it is to find a  
10 new spot for a garage?

11 STEVEN COSTAS: I don't know because of the  
12 limitation right now in Manhattan in terms of real  
13 estate. So, again, similar to the other question.  
14 Chicken or the egg, which ever we can first, we would  
15 be happy to accommodate.

16 CO-CHAIR REYNOSO: There is a new building, JP  
17 Morgan just got a new building in Midtown, there is  
18 just so many new buildings going up, maybe there is a  
19 space for them in Brookdale. I just want you guys to  
20 look into it.

21 My last one is Save As You Throw. I really want  
22 to start that study as soon as possible. I have  
23 talked to the Speaker, who also didn't abject to the  
24 study and it happening, so I just want to know when  
25 DSNY is going to move forward with the largest

1 potential contribution towards achieving the goal of  
2 zero waste.  
3

4 So, I just really want to talk about getting that  
5 completed.

6 GREGORY ANDERSON: I think we would be happy to  
7 sit down with you and talk about how we can move that  
8 forward. Right now, we are not funded to advance  
9 that study, but we have had a number of conversations  
10 especially with some experts in the recycling  
11 community here in New York City who are interested in  
12 helping out as well. So, I think there are ways that  
13 we can definitely investigate the potential there.  
14 The potential to incentivize people to recycle and to  
15 compost and to reduce waste overall.

16 CO-CHAIR REYNOSO: We get rid of the politics if  
17 we inform people with data. So, if we get that  
18 study, it will make it easier for us to make the  
19 case.

20 So, that's just me advocating for it to happen.

21 GREGORY ANDERSON: We appreciate your advocacy.

22 CO-CHAIR REYNOSO: Alright, I'm done with  
23 questions. Thank you so much. I just want to thank  
24 you for coming and for Acting Commissioner Costas,  
25 thank you as well.

Talking about Manhattan Six Garage.

CHAIRPERSON DROMM: Council Member Powers.

COUNCIL MEMBER POWERS: I am sorry for the late  
entrance, but I came to a Reynoso hearing, you know.

Thank you guys and I am sorry I missed your  
testimony. You know, I was on New York One this  
morning actually. Or a tweet of mine was on New York  
One this morning, Pat Keernez[SP?], they were  
discussing different areas where there is a high need  
for trash pickup and improvement around trash and you  
know, I have a number of notable areas around subway  
stations in Midtown and other high pedestrian areas  
where I'll just be frank, like, we get complaints all  
the time about trash cans that are broken and lack of  
service, lack of clean streets. And wondering if the  
Council funds this, this is a fight that the Chair  
and the Speaker have talked about is so important but  
again, I get them all time.

And I guess the question here is, you know, just  
trying to get an honest read on how we address sort  
of high trafficked areas where we either don't have  
enough trash cans there. They are getting broken  
into; they are not getting enough service because I  
am getting calls from constituents everyday and it's

1 a repeat question around upper East Side and Midtown  
2 and down to even near Union Square and I don't have  
3 an honest answer for them.

4 We fund clean up stuff, I fund the sanitation  
5 cleanup and we need you know; they are sort of high  
6 trafficked areas that are problem spots. And I am  
7 wondering if there is a way that whether it's through  
8 funding or through you know, better connection,  
9 communication we can address some of these high  
10 trafficked areas where we are getting a lot of you  
11 know, frequent calls around cleanliness?

12 STEVEN COSTAS: If you have specific areas, we  
13 are more than happy to look at them on a one on one  
14 basis. Many of the Council Members are extremely  
15 supportive of the Department in terms of lending  
16 additional funds for supplemental service.

17 There are some instances where a basket is being  
18 tipped multiple times a day and tends to still  
19 fill up. So, that's when a lot of that supplemental  
20 service comes in. We try to make it specific to the  
21 area in terms of — in some cases, a second basket can  
22 solve the problem and other cases, if it's being  
23 improperly used, sometimes it means removing the  
24 basket. But if it's just based on heavy use in terms  
25

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of it being an overflowing situation, please let me  
know the area and we will try to take a look at it  
specifically and see how we can address it.

Big bellies, high end baskets, there are lots of  
options. If you have a particular basket, you  
mentioned that you thought was not holding up, please  
let us know.

COUNCIL MEMBER POWERS: 1421<sup>ST</sup> Avenue but I will  
send it to you anyhow.

STEVEN COSTAS: We are in the process of  
replacing some of our damaged baskets from this past  
winter.

COUNCIL MEMBER POWERS: And when does big belly  
come into effect? I know they are expensive, but you  
mentioned big belly's. So, when would you put a big  
belly into an area if they are based on complaints?

STEVEN COSTAS: Big belly was a pilot that we ran  
in Brooklyn. We found that in itself had its own  
challenges. They tend to be expensive, the  
maintenance contract on them is also expensive.

What we have found is that in areas that have  
bids, they do tend to work a little bit better  
because they have more of a white glove treatment in  
terms of the bid being able to keep it clean,

2 graffiti free and pull a liner out when it's full.

3 Whereas, if you start to spread that out, it also  
4 impacts the Department to bill to your service. It  
5 starts to impact in terms of how many were able to  
6 service on a route.

7 COUNCIL MEMBER POWERS: Got it and thank you for  
8 that answer. And my last question, respect of all  
9 the Chairs time, especially Chair Dromm, who was here  
10 all day.

11 I live in Stuyvesant Town-Peter Cooper, I think  
12 you are doing organics recycling there. I think it's  
13 one of your proud places where you are doing it. As  
14 I understand it, the City hasn't done the expansion.  
15 I know, I'm certain this has come up already, but  
16 where I live, they are doing it. I mean it's a  
17 unique place because there are 25,000 people who live  
18 in one place and you have a sort of centralized  
19 management but is there a reason you are not  
20 expanding that to other areas that would be at least  
21 similarly situated where you have, they themselves  
22 own other properties that are somewhat like it.  
23 Where you have a willing partner, Kips Bay Court for  
24 instance, Parker Towers out in Queens, where you have  
25 a property owners who is willing to do it?



1  
2 STEVEN COSTAS: If we have property owners who  
3 are willing to it, management companies in districts  
4 that have existing organics collection, we are  
5 welcome to meet with them and see if we can actually  
6 incorporate them into a route.

7 COUNCIL MEMBER POWERS: And is that your hardest  
8 challenge right now? Is finding property managers  
9 that are willing to do it?

10 STEVEN COSTAS: It is interesting right now, we  
11 actually have, I won't call it a waiting list, but we  
12 do have interested parties. So, we are welcoming  
13 that and our BRS group will go out, meet with them,  
14 meet with the management group, train the management,  
15 the maintenance staff within the building and we will  
16 figure out how we can incorporate it onto an existing  
17 route.

18 COUNCIL MEMBER POWERS: Okay, thank you.

19 CHAIRPERSON DROMM: Thank you very much and I  
20 think that is it then for this panel. We thank you  
21 for coming in and for providing testimony. We will  
22 start again at about 3 pm with MTA.

23 [GAVEL] Okay, good afternoon and welcome to our  
24 hearing. We will now resume the City Council's  
25 hearing on the Mayor's Executive Budget for Fiscal

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2020. The Finance Committee is joined with the  
Committee on Transportation, Chaired by Council  
Member Ydanis Rodriguez. We are joined by Council  
Member Keith Powers, Council Member Fernando Cabrera,  
and I think others will be joining us shortly.

We just heard from the Department of Sanitation  
and now we will hear from Patrick Foye, Chairman and  
CEO of the Metropolitan Transportation Authority.

In the interest of time, I will forego an opening  
statement but before we hear testimony, I will open  
up the mic to my Co-Chair Council Member Rodriguez.

CO-CHAIR RODRIGUEZ: Thank you Chair. Good  
afternoon and welcome to the City Council joint  
hearing with the Finance Committee and the  
Transportation Committees. Today, we will be looking  
at the MTA's calendar year 2019 Adopted Budget. In  
the calendar year 2015, 2019 Capital program.

I am Council Member Rodriguez and I have the  
privilege to share the Transportation Committee.  
Before I begin, I would like to thank Council  
Chairman Dromm for his literacy that he holds on this  
Committee on Finance.

24  
25

Two weeks ago, the Committee's heard testimony from the Department of Transportation and the Taxi and Limousine Commission.

Today, we will continue the budget process and we will hear testimony from the Metropolitan Transportation Authority. The MTA's calendar 2019 Adopted Budget is balanced and included more than \$1 billion in city subsidies.

The Authorities proposed 2015, 2019 \$33.1 Capital Program is fully funded. We look forward to having the Chairman of the Committee on the Transit system in the future. We hope to hear about some of the MTA's ongoing project including the city's \$418 million contribution to the subway action plan as well as phase 2 of the second avenue subway. East side access, station access, expansion of the selectable service and the proposed fast forward plan.

In addition, we hope to hear details about the upcoming 2020, 2024 Capital program including its funding sources.

On April 1<sup>st</sup>, the state authorized MTA to establish a congestion tolling program in the city. The congestion zone include areas of Manhattan, south

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of and including 60<sup>th</sup> Street. This plan is expected  
to affect in 2021. We hope the MTA will elaborate on  
the details of this congestion tolling program  
including confirming how much drivers will be  
expected to pay for driving within the zone.

I want also to highlight that today before the  
hearing we stand with the Yellow Taxi Medallion  
owners recognizing that they already have been paying  
a type of congestion price when riders jump into the  
car and they made a \$.50 contribution. So, we hope  
again, that we can continue conversation and look  
into accent the Yellow Taxi Medallion owner from the  
congestion price.

With that, we go back to Chairman Dromm.

CHAIRPERSON DROMM: Okay, very good. I am going  
to ask Council to swear in the panel.

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

PANEL: Yes.

COUNCIL CLERK: Thank you.

CHAIRPERSON DROMM: Okay, you may begin.

PATRICK FOYE: Good afternoon Chairman Dromm,  
Chairman Rodriguez, and members of the City Council.

I'm MTA Chairman and CEO Pat Foye, joined today by my  
colleagues to my left MTA Managing Director Ronnie  
Hakim, to my right, New York City Transit President  
Andy Byford, and to the far-left MTA CFO Bon Foran.

We are here at the Committees' invitation to  
discuss the state of the MTA and our transit network.

As you may know, Council Members, I was confirmed  
as MTA Chairman and CEO about six weeks ago, and as  
you most certainly know, the MTA faces significant  
challenges right now. We have a great deal of work  
ahead to bring truly innovative and meaningful reform  
to the agency, and to provide New Yorkers with the  
transportation system they deserve.

To rebuild not only our system but our agency,  
I've laid out a series of priorities for the MTA.  
First, we must continue to improve safety, service,  
and the customer experience, and continue to turn our  
system around for the millions who depend on us.  
Over the past year, we've made real, demonstrable  
progress through our Subway Action Plan. As Chairman  
Rodriguez mentioned, paid for by the city and the  
state, thank you, and smart, effective management  
from my colleague Andy Byford and his team. We  
reported a couple of days ago, that on time

1 performance in April was nearly 80 percent. The  
2 highest it's been since October 2013. Weekday delays  
3 in April decreased 35 percent from last April,  
4 reaching the lowest level since December 2013. Major  
5 incidents are also declining steadily, and almost all  
6 our new customer-focused metrics improved in April  
7 and were better than their 12-month averages. These  
8 numbers of course will fluctuate from month to month,  
9 but it is our job to ensure that they continue to  
10 trend in the right direction.  
11

12 Despite the success of the Subway Action Plan and  
13 the improved performance on the Subways I have  
14 reported; we also realize that we have substantial  
15 work ahead of us.

16 Second, we must transform the way we work and  
17 fundamentally rethink how we do business to create a  
18 far more streamlined, efficient, and effective  
19 organization. Toward that end, by the end of June,  
20 we will deliver to our Board and make public a  
21 personnel and reorganization plan. We're also  
22 revamping our FOIL and open data processes. We have  
23 a number of new board members. We will soon undergo  
24 a legislatively required independent forensic audit,  
25 to be completed no later than January 2020 and

1 subsequently presented to the MTA board and made  
2 public. And it is now required by law that any new  
3 MTA capital project over \$25 million use the design-  
4 build method of delivery. These are just a few of  
5 the many reform efforts currently underway.  
6

7 Recent reports of overtime abuse at the MTA  
8 illustrate the critical need for fundamental reform.  
9 Overtime is an important and useful tool as we  
10 urgently seek to modernize our entire system, but we  
11 must be sure it is being used effectively,  
12 accurately, and appropriately. I have asked the MTA  
13 Inspector General to conduct an investigation of our  
14 timekeeping and attendance systems and overtime  
15 abuse. We owe the taxpayers and our customers an  
16 explanation of both management failures and how some  
17 have abused the system, so this never happens again.

18 As we streamline MTA operations, we must also  
19 continue to drastically cut costs out of our  
20 organization. In this regard, I'm proud to say we're  
21 making progress. We set aggressive and mandatory  
22 savings targets totaling \$500 million for all MTA  
23 agencies. This is on top of the previously realized  
24 \$2 billion in annual cost reductions that our CFO and  
25

1 his team Bob Foran, working with the agencies has  
2 already achieved.

3  
4 We are applying the same scrutiny to outside  
5 consultants and vendors to achieve savings of 10  
6 percent on each contract and a total savings target  
7 of \$75 million. And we're working to consolidate the  
8 number of back office functions, within operations  
9 and enterprise wide. All of this represents a real  
10 and tangible start, but there is much more  
11 fundamental and radical work to be done.

12 Next, we must rebuild our credibility, because  
13 the harsh truth is, many of our customers and elected  
14 officials such as yourselves in Albany, City Hall and  
15 here at the New York City Council don't trust the  
16 MTA. For too long, you've heard this organization  
17 make commitments only to miss deadlines or not follow  
18 through. We must work together, tirelessly and  
19 steadily, to earn back your trust.

20 Finally, we must increase accountability and  
21 transparency. Gaining back trust will take time,  
22 responsible management, and improve performance. We  
23 must hold ourselves accountable to our goals and  
24 honestly communicate what and how we're doing,



1 including the challenges we face and the steps we are  
2 taking to tackle them.

3  
4 As you may remember, Council Members, the MTA  
5 testified before this body in March to discuss our  
6 budget. At that time, we said we were at a historic  
7 crossroads, where desperately needed funding must be  
8 secured to ensure successful future for mass transit  
9 in New York. Fortunately, for our transit system and  
10 our city, one of those funding sources has come to  
11 fruition after decades of false starts and failed  
12 attempts. Central Business District Tolling,  
13 otherwise known as congestion pricing, the first such  
14 program in the nation.

15 While the Governor and our partners in the State  
16 legislature have shown tremendous leadership in  
17 passing Central Business District Tolling to help  
18 fund the next MTA Capital Program, no new funding for  
19 operations has been provided. As a result, the MTA  
20 continues to face steep fiscal challenges and a bleak  
21 future forecast, with projected operating deficits of  
22 nearly \$1 billion in 2022. In the next 12 months, we  
23 must reduce expenses by half a billion dollars.  
24 State law requires that the MTA break even each year.

1 The consequences of not breaking even would be  
2 severe.

3  
4 On the capital side of our budget, funding for  
5 the upcoming 2020 MTA Capital Program went from zero  
6 dollars to \$32 billion overnight at the beginning of  
7 April. Thanks to the historic passage of CBD,  
8 Central Business District Tolling and additional  
9 revenue sources in the 2019 State budget. These  
10 include: \$15 billion from Central Business District  
11 Tolling; \$5 billion from the real estate transfer  
12 tax; \$5 billion from an internet sales tax in New  
13 York City; and an assumption of roughly \$7 billion  
14 from the federal government, assuming a similar  
15 commitment that the federal government made to the  
16 2015 to 2019 Capital Plan.

17 These funds can and will serve as the foundation  
18 for a robust MTA Capital Program. But Central  
19 Business District Tolling will do far more than  
20 improve our transit network. This informative  
21 initiative will also first improve Manhattan's air  
22 quality by dramatically reducing carbon emissions,  
23 while mitigating the existential threat of climate  
24 change to our region and our planet; remove cars from  
25 the road, allow buses to move faster, increase

1 mobility, and create safer streets for cyclists and  
2 pedestrians.  
3

4 Thirdly, alleviate New York City's stifling and  
5 economically draining traffic congestion; which the  
6 partnership for New York City some number of years  
7 ago estimated it was approximately a \$20 billion a  
8 year economic drag on the New York City economy and  
9 lastly, bolster New York State's economy.

10 Now that we have the green light for CBD Tolling,  
11 we are wasting no time to implement this vital  
12 initiative. We are working with New York City on an  
13 MOU, required by the legislation and meeting  
14 regularly with New York City DOT Commissioner and MTA  
15 Board member, Polly Trottenberg and her team.

16 Last month, we issued a Request for Expressions  
17 for Interest for firms to indicate their willingness  
18 to respond to an RFP for the program. We are hoping  
19 to draw a wide array of interest from multiple  
20 entities, including new partners and new entrance.

21 We are casting a wide net, so we can bring the  
22 world's best technology and innovative solutions to  
23 this project. Many details about CBD Tolling are to  
24 be determined, but we know that a six-person  
25 commission, the Traffic Mobility Review Board, will

1 make recommendation to the MTA's Triborough Bridge  
2 and Tunnel Authority on tolls and charges and other  
3 issues, such as potential credits, discounts, and  
4 exemptions.  
5

6 The Traffic Mobility Review Board's  
7 recommendations are due by November 15, 2020, and the  
8 new law provides that tolls much generate a net \$1  
9 billion annually for the 2020 to 2024 MTA Capital  
10 Program. And again, when you factor in additional  
11 revenue from federal funding formula and the 2019  
12 state budget, we are up to \$32 billion. The bold  
13 modernization plans at New York City Transit, the  
14 Long Island Railroad, and Metro-North are the main  
15 drivers of the increase in capital expenditures for  
16 the next five years.

17 I will note that the state budget passed on April  
18 1<sup>st</sup>, requires that 80 percent of the proceeds from  
19 these funding sources be dedicated to New York City  
20 Transit subways and buses and the remaining 20  
21 percent be split between the Long Island Railroad and  
22 Metro-North on an equal basis.

23 If fully funded, the 2020 Capital Program will  
24 modernize our transit system from top to bottom. We  
25 will bring our customers and our region state of the

1 art signal programs systems, increasing safety,  
2 reliability, and throughput on our subways. We will  
3 buy new rail cars, subway cars, and buses. We've  
4 allocated more than \$2.5 billion towards  
5 accessibility improvements and we will make 50  
6 additional subway stations ADA accessible. That  
7 means that by 2024, no customer will ever be more  
8 than two stations away from an accessible station.  
9 But we're not stopping there. Our ten-year goal is  
10 to make more than 100 additional stations ADA  
11 accessible. And in 20 years, we hope to achieve  
12 maximum possible systemwide accessibility on the  
13 subway.  
14

15 The MTA's partnership with the City and with  
16 community leaders is critical to delivering the  
17 Capital Program and improving operations. We have a  
18 strong record of successful collaboration with the  
19 City, on a wide variety of initiatives from the SBS  
20 Select Bus Service program to the L Project. As we  
21 modernize the system, we will be working closely with  
22 all of you and your constituents to minimize  
23 disruption and inconvenience, but a strong  
24 partnership with the city is essential, particularly  
25 as we identify locations for elevators to improve

1 accessibility and importantly to power substations to  
2 increase capacity.  
3

4 I remain hopeful that we will fill budget gaps in  
5 our operating and capital budgets, and we are  
6 aggressively pursuing additional federal support to  
7 fund our Capital Program. Because while we are  
8 grateful for the significant past contributions to  
9 our transit network for the federal government, the  
10 truth is, we deserve more.

11 The New York Metropolitan regions \$1.7 trillion  
12 economy is the largest in the nation, and it's no  
13 coincidence that we have the nation's largest  
14 transport network as well. What's more, on a per  
15 capita basis, the federal government subsidizes the  
16 MTA's transit network less than any other system in  
17 the nation. New York is the largest donor state in  
18 the nation, contributing nearly \$36 billion more to  
19 the federal government than we get in return. Our  
20 robust transit system has substantial needs that must  
21 be met to maintain and grow the prosperity that we  
22 create and enable.

23 To wrap up Council Members, I want to once again  
24 thank Chairs Dromm and Rodriguez for the invitation  
25 to join you today. The MTA very much looks forward

1  
2 to working with you, and with all the members of this  
3 Council to build on the progress we have made to  
4 date. There is no doubt in my mind that with funding  
5 for a robust Capital Program, the support of New York  
6 City, New York State, and the Federal government, and  
7 the MTA's new leadership team. We will transform the  
8 MTA to give New York the world-class transit system  
9 it deserve. Now, at this point, my colleagues and I  
10 are happy to answer you questions. Thank you.

11 CHAIRPERSON DROMM: Thank you very much and I  
12 want to thank you Chairman Foye and your whole team  
13 for coming in and providing testimony today.

14 Let me start off by talking a little bit about  
15 something that you did mention in your testimony and  
16 that's overtime spending. As has been widely  
17 reported in the media an employee of the MTA Long  
18 Island Railroad is being investigated for having  
19 logged in 3864 hours of overtime last year, earning  
20 \$344,000 in overtime and bringing his total pay to  
21 \$461,646. The MTA has stated that five employees at  
22 Long Island Railroad were being disciplined for  
23 overtime abuse and has called for an independent  
24 investigation of the problem.

1  
2 Who is responsible for assigning overtime at the  
3 MTA? Is it the responsibility of management to  
4 ensure that all employees are working efficiently,  
5 effectively, and safely.

6 PATRICK FOYE: Chairman, the answer to your  
7 question is the responsible of management. No union  
8 member, no union generates its own overtime. I think  
9 it's important to say that overtime is an important  
10 management tool. In the event of an emergency, a  
11 snowstorm, superstorm Sandy, or the extremely high  
12 level of work going on, on the subways and Long  
13 Island Railroad, overtime is of course a necessary  
14 tool.

15 When overtime is abused, obviously we have a  
16 responsibility to the taxpayers, to the city, to the  
17 state and the federal government to act upon learning  
18 of these amounts of overtime. I asked for an  
19 investigation by the MTA Inspector General. That  
20 investigation is ongoing. I am not going to comment  
21 on the status of the investigation or any details for  
22 reasons I know you will all understand.

23 And beyond that, we are engaged in a program to  
24 install at New York City Transit, at the Long Island  
25 Railroad in Metro-North modern 21<sup>st</sup> Century time



1 keeping, and attendance systems and that process  
2  
3 Chairman is underway.

4 CHAIRPERSON DROMM: Are there any investigations  
5 that you are aware of into the lack of appropriate  
6 oversight by managers or has there been any  
7 discipline of managers that you are aware of for  
8 allowing overtime abuse?

9 PATRICK FOYE: The Inspector General is  
10 investigating the systems that were in place. The  
11 systems that could have been in place and abuses or  
12 failures of employees at every level of the MTA  
13 Chairman.

14 CHAIRPERSON DROMM: Is it safe for a worker to  
15 log in 3864 hours of overtime and does the MTA keep  
16 track of the employee injuries while working  
17 overtime?

18 PATRICK FOYE: Chairman, I don't believe that any  
19 human being can work that number of hours and  
20 frankly, forget about operating Long Island Railroad  
21 equipment. I think one question, whether that  
22 employee should drive his or her car home. There are  
23 federal rules that apply to certain classes employees  
24 on the Long Island Railroad in Metro North. They  
25 don't apply to Maintenance of Way employees.

1 Tragically, as I reported to the board a couple of  
2 weeks ago, a Long Island Railroad Maintenance of Way  
3 employee was killed. Literally, two years ago,  
4 around this time, it was on Belmont Stake Stay, so it  
5 would be the first Saturday in June. The NTSB is  
6 investigating that tragic fatality. It appears at  
7 this point that high levels of overtime and  
8 exhaustion were contributing factors. I've informed  
9 the board and the public that if the federal  
10 government doesn't act with respect to creating  
11 reasonable caps on overtime of Maintenance Way  
12 facilities and we are in discussion with the federal  
13 authorities, parts of U.S. Department of  
14 Transportation that I will act.

16 CHAIRPERSON DROMM: This month in an emergency  
17 meeting the MTA Board determined that the majority of  
18 overtime costs were for workers making urgent  
19 repairs. Were these overtime costs related to the  
20 Governors declared state of emergency on the transit  
21 system or for work related to the Subway Action Plan?

22 PATRICK FOYE: Chairman, that work related to -  
23 well, do you want to talk about the subways, and I  
24 will talk about the Long Island Railroad?

1  
2 ANDY BYFORD: Good afternoon everyone.

3 Certainly, for transit, the vast majority, in fact,  
4 it's something like 95 percent of overtime for New  
5 York City Transit for this calendar year, 2019 is  
6 related to the Subway Action Plan. And no real  
7 surprise, it's a huge undertaking. There is a huge  
8 amount of work to do. It's an efficient use of  
9 people to get the bow wave if you will, the main  
10 blitz of this work done through overtime rather than  
11 either recruit additional people, although we have  
12 done that as well. Or wait for those additional  
13 people to be recruited, onboarded etc., etc. The  
14 imperative is to get the work done.

15 Now clearly, you have to have controls on that  
16 and that is something that we are very closely  
17 monitoring. But certainly, for transit, the majority  
18 of overtime incurred last year and the year to date  
19 this year, 2019, has been the Subway Action Plan  
20 related.

21 PATRICK FOYE: And Chairman, I would just add the  
22 following, I noted in the first couple of paragraphs  
23 in my comments, the results for the month of April,  
24 the Subway Action Plan. So, on time performance is a  
25 result of the Subway Action Plan and the work of Andy

1 Byford and Sally Librera and the whole team has gone  
2 from 65 percent on time performance to nearly 80. I  
3 have every confidence that Andy and his team will  
4 push it past 80 and higher. And the point that I  
5 wanted to make is the funding that the state and the  
6 city put into the Subway Action Plan \$836 million in  
7 total, has paid real dividends for New York City  
8 commuters.  
9

10 CHAIRPERSON DROMM: Okay, thank you. What are  
11 the MTA's plans for an independent investigation?  
12 Who has the MTA contracted with to investigate  
13 overtime spending and is the investigation limited to  
14 the LIRR or will it encompass all of the MTA?

15 PATRICK FOYE: So, let me take Chairman, your  
16 last question first. It is not limited to the Long  
17 Island Railroad, it's an agency wide review. The MTA  
18 Inspector General is taking the lead. You may have  
19 read that we hired a nationally known restructuring  
20 firm called Alex Partners, that was pursuant to a  
21 provision of the state budget passed on April 1<sup>st</sup>,  
22 that required that such a firm be required — it was  
23 a firm with which the MTA did not have a prior  
24 relationship and Alex Partners is looking at these  
25 issues including overtime Chairman.

CHAIRPERSON DROMM: Okay, thank you. On the  
Subway Action Plan, the MTA released the Subway  
Action Plan to address the need to modernize the  
Subway system and to reduce delays.

Phase 1 called for approximately \$1.8 billion  
over five years. And Phase 2 calls for an additional  
\$8 billion in Capital investments to repair the  
subways tracks, signals, stations and cars. The city  
has been called upon to contribute one half of the  
first \$836 million of the Subway Action Plan funding  
or \$418 million. During Preliminary Budget hearing,  
follow up, the MTA reported that approximately 84  
percent of the \$836 million Subway Action Plan Phase  
1 investment has been invested. Can you please  
provide the committee with an update on Phase 1 of  
the Subway Action Plan and how does the MTA plan to  
spend the remaining \$136 million of the Subway Action  
Plan funding?

RONNIE HAKIM: So, just in terms of the dollars.

CHAIRPERSON DROMM: I don't know if your mic is  
on.

RONNIE HAKIM: Oh, better?

CHAIRPERSON DROMM: Yeah.

1  
2 RONNIE HAKIM: In terms of the Subway Action Plan  
3 dollars, as you noted at the end of the year 2018, we  
4 had spent about – we had left over, I should say,  
5 about \$140 million. That money has continued to be  
6 spent. The work that Andy's team has paring on and  
7 if you are in the system, you have seen the benefits  
8 of it in terms of work going on, nights and weekends.  
9 The amount of track that has been cleaned. The  
10 amount of high priority defects that have been  
11 repaired, thousands, literally thousands. The number  
12 of cars who have improved their running time between  
13 failures. We've touched actually 2,700 cars already.  
14 All of this work continues. You've continued to see  
15 us perform signal repairs, cleaning tracks, grates,  
16 drain boxes, drain lines.

17 The system itself has benefited and Andy Byford's  
18 performance metrics, bear this out because in fact,  
19 things as connected as trash, by removing trash out  
20 of the tracks and the system fires come way down.  
21 And so, that improves reliability and the safety of  
22 the system.

23 Andy, I don't know if you want to –

24 ANDY BYFORD: If I might, just to put some meat  
25 on the bones for you Chair. So, the most recent

1 performance statistics, we just announced at the  
2 Transit Committee just yesterday in fact, showed the  
3 on-time performance across the whole network now has  
4 reached just shy of 80 percent. So, if you think  
5 back, that was 60 percent at the beginning of 2018.  
6 So, the Subway Action Plan and its complimentary  
7 program which we call Safe, Safe, Seconds, which is  
8 about getting the operations disciplines right as  
9 well as fixing things. It's having a real impact.  
10

11 So, 80 percent punctuality as the Chair said, I  
12 aim to take that higher. I think the existing system  
13 can be made to get to at least 85 percent before we  
14 even re-signal. In terms of the number of trains  
15 delayed for the month of April, that is down 35  
16 percent. In terms of the number of major incidents,  
17 that down 30 percent. These are all weekday  
18 statistics.

19 In terms of the weekend, because obviously, the  
20 weekend is important as well. That is the time when  
21 we do most work, but there again, we've seen  
22 improvement, 15 percent reduction. 15 reduction saw  
23 an increase, 15 percent increase in punctuality, 50  
24 percent reduction in the number of trains delayed, 50  
25 percent reduction in the number of major incidents.

1  
2 And then a couple of other statistics, a 40 percent  
3 year over year decrease in delays for the first four  
4 months of this year. Major incidents attributed to  
5 track. We've done a lot of work on track, down  
6 nearly 40 percent. Response times to incidents, 29  
7 percent faster. And time to resolve those incidents  
8 when we get there, down 37 percent.

9 So, lots more to do, but the indicators are all  
10 showing in the right direction and proving that we're  
11 doing the right things.

12 CHAIRPERSON DROMM: So, when talking about the  
13 \$140 million that you have mentioned, do you expect  
14 that - what is the timetable for spending the rest of  
15 that money?

16 RONNIE HAKIM: The plan is to complete many of  
17 the Subway Action activities through the summer. And  
18 then, we had always intended for the Subway Action  
19 itself to morph and into an enhanced maintenance  
20 program and we've budgeted for that in order to  
21 continue the good efforts and continue the work  
22 that's been going on just to bring up all of our  
23 maintenance standards.

24 Subway Action was intended to be a surge to get  
25 us to the place we are now, but we know we have more



1 to do and we are going to continue our maintenance  
2 efforts.

3  
4 CHAIRPERSON DROMM: Can you describe for the  
5 Committee what the Phase 2 program looks like and  
6 give us an update on that?

7 ANDY BYFORD: Yeah, so it's continuing a lot of  
8 what we were doing in terms of finishing of finishing  
9 off clearing the remaining trains that need to be  
10 unblocked. It is further work on the maintenance of  
11 cost to make them more reliable. We are doing more  
12 work on making escalators and elevators more  
13 reliable. We are deep cleaning stations at the  
14 moment. We are undergoing a deep clean of 100  
15 stations and we are finishing off that amount. We  
16 are deep cleaning train cars. We are doing more work  
17 on fixing the existing signaling system, replacing  
18 what are called insulated block joints, we are  
19 replacing train stops. There is technical bits of  
20 equipment that can go wrong and that can cause delay.

21 That goes hand and hand with again our Safe,  
22 Safe, Seconds Campaign where we are relentlessly  
23 removing redundant speed restrictions safely and  
24 following proper scrutiny and analysis. Where we are  
25 making sure that signals are properly calibrated.

1  
2 And we are in the next phase of work, we are looking  
3 across the whole system to see where we can further  
4 safely speed up the system by reviewing the  
5 prevailing standards that we use.

6 CHAIRPERSON DROMM: Thank you and Mr. Byford,  
7 when you talk about being on time, how many minutes  
8 late is on time?

9 ANDY BYFORD: Four minutes 59. So, that's a  
10 fairly standard measure that's used across most  
11 international systems that I've worked. We are also  
12 now beginning to track time to two minutes. In other  
13 words, one minute 59. And what that means, is the  
14 train has to arrive at its terminal within 4 minutes  
15 59 of the planned time, of the scheduled time. And  
16 in doing so, it cannot skip a station because  
17 otherwise that would delay, it might encourage you to  
18 perversely skip stations in order to hit the end  
19 date. So, it must stop at all of the booked stations  
20 and it must arrive within 4 minutes 59.

21 Now that might seem like a lot, but a couple of  
22 points on that. Number one, most people don't go end  
23 to end. So, most people wouldn't go right from the  
24 Bronx down to Brooklyn.

1  
2       So, to me, the most important thing on a subway  
3 is to have relentless service. To have very evenly  
4 spaced headways, because most people wouldn't know  
5 whether it was their specific train, the one that  
6 they catch or whether or not it's on time or not.

7       And secondly, and I think it's of equal  
8 importance, 4 minutes 59 may seem like a long run.  
9 On a 100-minute run from the Bronx to say to  
10 Southeast Queens, you only need a few short delays to  
11 soon miss that target. So, it is a tough target, we  
12 aim to make it better.

13       CHAIRPERSON DROMM: Okay, thank you. How is the  
14 MTA making use of the Governors Executive Order  
15 declaring a state of emergency for the subway system?  
16 Are any projects directly related to the service  
17 reliability awarded under the Executive order and  
18 what safeguards are in place to ensure that contracts  
19 are being awarded appropriately and fairly?

20       RONNIE HAKIM: When awarding contracts under the  
21 Executive Order, we still go through an informal  
22 competitive bidding process. So, we do continue to  
23 canvas for multiple sources of whatever the thing is  
24 that we are procuring.

2 And we also continue to monitor the expenses for  
3 whether it's buying signal equipment or buying  
4 additional maintenance equipment. We continue to  
5 monitor the quality of the equipment that we are  
6 buying. The source that we are buying it from,  
7 making sure that they are a good contractor or a good  
8 vendor and don't have any marks against them from  
9 other sources or any prior history with us as well.

10 PATRICK FOYE: And Chairman, I would add to,  
11 thanks to that. I agree with all that Ronnie said.  
12 First, is that we report to the Board in public and  
13 to the public as to contracts that have been procured  
14 under Executive Order 168. The other thing I did, is  
15 I became Chairman CEO five or six weeks ago, I asked  
16 the agency presidents to come up with a list of  
17 EO168, transactions that they may need through the  
18 end of the year to continue the work on the Subway  
19 Action Plan. And I also asked them, gave them the  
20 challenge of coming up with minimizing as much as  
21 possible the use of EO168 because as some point it  
22 will no longer be in effect.

23 And the agency presidents have responded to that.  
24 I don't believe and correct me if I am wrong, that  
25 there was any EO168 Procurement reported in the last

1 meeting. I believe the same is true of this meeting.

2 We are beginning to minimize and move away from it.

3 EO168 played an important role in the success of the

4 Subway Action Plan but we are looking to a future

5 without it.

6 CHAIRPERSON DROMM: Thank you for that also. The

7 L Train repair closure. The MTA changed course and

8 is no longer shutting down the L Train line between

9 Brooklyn and Manhattan to facilitate the Hurricane

10 Sandy related repairs. Can you please provide an

11 update on the status of the L Train tunnel repairs.

12 ANDY BYFORD: Ronnie is going to talk about the

13 construction, but I might just talk about how we are

14 managing the service in the meantime. So, when the

15 plan was changed, building on the existing plan, we

16 revised the alternate service plan to make sure that

17 it now fits the new Paton.

18 So, just to refresh your memory, the tunnel

19 remains open, or one of the tunnels remains open

20 throughout what would have been otherwise a closure.

21 However, on nights and on weekends, we go to 20-

22 minute headways gaps between trains on one of the

23 lines and that's how that service operates. So, so

24 far so good. We have put huge amounts of effort into

1 training people. Into contingency planning, into  
2 scenario planning and into making sure that everyone  
3 knows what their specific job is. So, we've received  
4 a lot of positive comment for that. We've had people  
5 out and about, we've all been out and assisted and I  
6 think the staff should be commended for the great job  
7 they've done.

9 In terms of the effect, we've not really  
10 experienced any chronic overcrowding. We've had  
11 minimal instances of people not being able to get on  
12 trains or being held outside stations and that's  
13 because the message to New Yorkers has clearly got  
14 through. What we've been saying is, yeah you can  
15 still use the L, it's better to use an alternative  
16 such as the Seven line, the M line the J and that  
17 message has really resonated. We got very high-  
18 profile publicity to say to use a different line, use  
19 the M14 bus if are going along 14<sup>th</sup> street or use the  
20 Williamsburg link bus that we put in specially.

21 I think we are not out of the woods; the big  
22 challenge is going to come in the summer as people  
23 flock to Williamsburg, but we will rise to that  
24 occasion.

1  
2 RONNIE HAKIM: I would add in terms of the  
3 construction work, that the most recent phase began  
4 at the end of April. That's the work that is really  
5 being undertaken nights and weekends in the tunnel  
6 itself as well as in the adjacent stations at 1<sup>st</sup>  
7 Avenue and Bedford.

8 This is an addition to the substation work and  
9 the other work related to the L. It has been going  
10 quite well. Because of the new approach and the  
11 ability to avoid 93 percent of the concrete  
12 demolition that would otherwise have been required  
13 under the original phased approach, we were able to  
14 utilize a structural fiber polymer or wrap that  
15 really was able to safely and securely line the bench  
16 wall and keep it intact. So, we avoid all of that  
17 noisy and demolition work that had otherwise been  
18 planned.

19 The work has been going on schedule. The  
20 contractor is doing very well. The revised contract  
21 provision do include penalties for delay or  
22 incentives to try and get them to move a little  
23 faster. We are maintain what is the original 15 to  
24 18-month schedule and we hope to bring it in even  
25 sooner.

1  
2 CHAIRPERSON DROMM: And I think the original cost  
3 was \$477 million. So, what is the contracted amount  
4 based on now with the partial shutdown?

5 RONNIE HAKIM: So, we think just on the contract  
6 cost, we're going to be saving about \$10 million, not  
7 withstanding the fact that the contractor now has to  
8 work premium time in terms of nights and weekends,  
9 but it's still an overall cost savings.

10 CHAIRPERSON DROMM: Okay, so then I know you  
11 mentioned the demolition part and originally you had  
12 said that one of the concerns that you had was the  
13 dangerous silica dust as a reason for the fully  
14 shutdown of the tunnel. So, is the plan to partially  
15 shutdown the tunnel safe now for New Yorkers?

16 RONNIE HAKIM: It absolutely is and in terms of  
17 dust management, we've challenged ourselves, our  
18 design team and the contractor to develop an  
19 extraordinarily conservative approach to dust and  
20 dust management.

21 So, we monitor the dust, we use special tools.  
22 The contractor works within an air controlled,  
23 locked, controlled environment. So, as to minimize  
24 any release of dust. This part of the work is  
25 something that we are monitoring extremely carefully.



1 We have dust monitors at Bedford within the tunnel in  
2 multiple locations as well as first avenue. Every  
3 place where the public would be to be able to monitor  
4 that. We've included in our website information  
5 about dust levels.  
6

7 We've held ourselves to what I would call an  
8 extraordinarily conservative health protective  
9 standard, one that was developed by the American  
10 Council of Governmental Public Hygienists and we have  
11 no where near approached any of those trigger levels.

12 CHAIRPERSON DROMM: Okay, after New York City  
13 Transit Authority Andy Byford, called for an  
14 independent review of the Governors new construction  
15 approach, including at a January 2019 Transportation  
16 Committee meeting of Manhattan Community Board 3 and  
17 identified at least one such independent consultant  
18 who reportedly would have done such a review for  
19 \$350,000. However, controlled, the project was  
20 reassigned to MTA capital construction and no  
21 consultant should review the project and advance was  
22 retained. Instead, the MTA retained JMT to monitor  
23 the work including safety and environmental  
24 consideration.  
25

2 So, why was the consultant to evaluate the  
3 project prior to construction not retained?

4 RONNIE HAKIM: Right, I think JMT's retention was  
5 at the request of our board and felt that the scope  
6 of the work and the fact that they were going to  
7 continue the work in monitoring and periodically  
8 bring reports back to the board is seen as a  
9 positive. And the original discussion with that  
10 \$300,000 number that you mentioned was not really the  
11 result of a formal proposal but just, who do we know  
12 in the industry and who should we talk to about this  
13 opportunity and what the board wanted was somebody  
14 who had a true independence without a prior working  
15 history with New York City Transit or capital  
16 construction.

17 PATRICK FOYE: I would also add that JMT was  
18 selected by a three-member panel of the MTA Board,  
19 then share Freddy Ferrer, Scott Rechler and New York  
20 City DOT Commissioner Polly Trottenberg and the  
21 recommendation as I understand it was unanimous.

22 CHAIRPERSON DROMM: So, you feel confident that  
23 the decision to hire a monitor to monitor the work is  
24 sufficient to guarantee the appropriateness and  
25

1 durability of the new engineering solution and the  
2 safety of city residence?

3  
4 RONNIE HAKIM: Yes, and as you highlight in their  
5 scope, safety and environmental monitoring are key  
6 elements of that work.

7 CHAIRPERSON DROMM: Okay, thank you. Let's talk  
8 a little bit about ridership decline and fare  
9 evasion. Subway and bus ridership peaked in 2016 and  
10 has since fallen off. Last year the MTA, a November  
11 forecast predicted that subway ridership would return  
12 to 2016 levels by 2019. However, the most recent  
13 Adopted budget for calendar year 2019 indicates that  
14 ridership levels are not expected to reach 2016  
15 levels even by 2022.

16 In the MTA's response to the Council's  
17 Preliminary Budget hearing follow up letter, the  
18 authority blamed this decline on several factors  
19 including fare evasion.

20 So, historically, how has the MTA measured fare  
21 evasion?

22 ANDY BYFORD: Fare evasion is measured by doing a  
23 sample across buses and also on the subway system, so  
24 we have a team who go out and they can't see, the  
25 can't ride every bus every day, they don't observe

1 every station every day, but they have a methodology  
2 which is statistically valid, which is consistent  
3 with best practice whereby they hypothecate what the  
4 fare evasion rate would be based upon a sufficient  
5 sample size to observe what goes on.

6  
7 So, the deploy to stations. They deploy to buses  
8 and in plain close they observe peoples behaviors and  
9 they can extrapolate a fare evasion rate based upon  
10 what they observe.

11 CHAIRPERSON DROMM: So, you reported a  
12 substantial decline in ridership between 2018 and  
13 2019 Adopted Budgets. How much of this decline does  
14 the MTA attribute to decliner ridership or to fare  
15 evasion?

16 ANDY BYFORD: The main cause of decline in  
17 ridership on the buses in my opinion is the streets  
18 are so congested that people find that the bus is not  
19 a reliable alternative, which is what this document  
20 fast forward Planning's to tackle and I was just in a  
21 meeting this morning with DOT Commissioner Polly  
22 Trottenberg where we were reviewing the City's bus  
23 action plan, which we very much welcome and that is  
24 designed to reverse this statistic line in bus  
25 ridership by providing clear ways for the buses to

1 get through crowded streets by providing technology  
2 to assist buses to get through intersections through  
3 traffic lights and also the bus redesign work that  
4 this plan is predicated around.

5  
6 In other words, designing a bus network that's  
7 fit for purpose. In terms of fare evasion, there is  
8 an element of that. If people are evading the fare,  
9 they are also not being counted towards the fare, but  
10 we have not said, and we have never said that that is  
11 the predominant factor.

12 CHAIRPERSON DROMM: Can you provide us with the  
13 amount of money revenue lost to fare evasion between  
14 2016 to the present?

15 RONNIE HAKIM: I don't have that number here, but  
16 we can certainly give you that number. In 2018, the  
17 revenue loss was approximately \$225 million. \$97  
18 million from the subway side of the house and about  
19 \$128 million from the bus fare evasion that A&D just  
20 discussed.

21 CHAIRPERSON DROMM: Okay, thank you. Student  
22 Metro Cards; tomorrow the MTA board is expected to  
23 vote on a proposal to give full fare metro cards to  
24 New York City students who presently receive only  
25 half fare bus only cards. Students with the half

1 fare bus only cards currently pay the second half of  
2 the fare using coins, which slows down bus boarding.

3 How many students currently have the half fare  
4 bus only metro cards?

5 ANDY BYFORD: We think it's about 100,000, I'm  
6 just checking the facts. What we do know is that  
7 this will cost New York City Transit around \$200,000.  
8 I think that's money well spent, because it does then  
9 mean that you have got equity across the city in  
10 terms of what the students receive by way of travel.  
11 It means they don't have to dig around to try and  
12 find the coins, so that's another way of speeding up  
13 the buses, which I would argue would make bus travel  
14 more attractive. It's another factor in getting  
15 people to ride buses because the speed it up again.  
16 We believe the figure is around 100,000 recipients at  
17 the moment.

18 RONNIE HAKIM: And I would add that it's also  
19 good for use in the subway unlike the existing.

20 CHAIRPERSON DROMM: I don't think your mic is on.

21 RONNIE HAKIM: Oh, sorry. I would add that it's  
22 also good for use in the subway unlike the existing  
23 half fare card which was only available on the bus.  
24

1 CHAIRPERSON DROMM: Good, thank you. Is the MTA  
2 going to absorb the full cost of expanding the  
3 program or is there an exception that the city will  
4 be required to contribute to it.  
5

6 RONNIE HAKIM: No, this is an MTA born cost as  
7 Described in the board action that we are bringing  
8 tomorrow.

9 CHAIRPERSON DROMM: Okay, and before I turn it  
10 over to Chair Rodriguez, take a little bit of Chair  
11 privilege to just ask you know, in the Victor Moore  
12 Arcade in the Roosevelt Avenue Subway Station, we've  
13 seen the closure of a number of retail stores on both  
14 the mezzanine level and on the 75<sup>th</sup> Street and  
15 Roosevelt Avenue side. The Pizzeria Famiglia closed,  
16 it took us many years, like 11 years to get them in  
17 there and we finally got them in.

18 I hope that moving forward, we can get a new  
19 tenant in there as soon as possible because it really  
20 caused a lot of blight in that corner of the  
21 neighborhood.

22 PATRICK FOYE: So, Chairman, let me start, I  
23 spent many hours waiting for the Q47 when I lived in  
24 Jackson Heights and know that facility well. I can  
25 tell you; I have personally spoken with Janet

1 Liber[SP?] who is the Chief Development Officer about  
2 the 74<sup>th</sup> Street and Roosevelt Station vacancies. He  
3 has put one of his people on it. We are also  
4 considering a pilot program for small entrepreneurs;  
5 immigrant entrepreneurs and we think that 74<sup>th</sup> Street  
6 and Roosevelt maybe a good location for that loss.  
7

8 The loss of the Pizzeria was unfortunate  
9 obviously it generated a lot of traffic and we are  
10 focused on this.

11 CHAIRPERSON DROMM: I think one of the issues  
12 there by the way was that it was two floors and I  
13 think that they were supposed to install an elevator  
14 as well and that was part of the lease requirement.  
15 I know that I have a meeting with real estate coming  
16 up next week, we will talk about it more there, but I  
17 just wanted to bring it to your attention.

18 ANDY BYFORD: Mr. Chair, if I might just add, as  
19 you said this, I was just checking some facts. The  
20 RFP for the tenancy will be issued in June. So, we  
21 are actively on the case and I might just offer  
22 correction to my previous answers, 100,000 recipients  
23 at that half price student fare is 27,000 apologies,  
24 I got a lot of numbers buzzing around in my head.  
25



1  
2 CHAIRPERSON DROMM: Okay, that's fine. Don't  
3 worry, I know the feeling after doing four hearings  
4 today. So, thank you very much for your answers and  
5 I am going to turn it over to Chair Rodriguez.

6 CO-CHAIR RODRIGUEZ: Thank you Chair. Thank you  
7 for the literacy and the great work that all of you  
8 and the rest of the team provide running one of the  
9 largest transportations system in the whole nation.  
10 One of the few also that is 24 hours and that  
11 connects so many municipalities.

12 So, we know that we expect more, and we know that  
13 in order to be in the literacy position where you  
14 are, you have to a strong team because you are New  
15 Yorkers and you have been here knowing that you have  
16 to deal with certain opinions. You know, and all New  
17 Yorkers, we have a solution of how to make things  
18 better. So, with that, of course, we also have the  
19 responsibility to take our society and our city to  
20 the next level, to the 21<sup>st</sup> Centuries.

21 And with that in mind, I hope that you can go  
22 back and look at the accessibility plan, as you refer  
23 to. You are saying that by 2024, no customer will  
24 ever be more than two stations away. I think that if  
25 we put together an MTA Council Committee, you will be

1 able to find a lot of support from Council Members  
2 that will be open to allocate some of our capital  
3 dollars to make a stations in our district  
4 accessible.

5  
6 I feel that if we can work together as we saw on  
7 how with the governors and you at the MTA, you are  
8 able to cut the time for the air train tunnel  
9 construction.

10 I would like to see a more aggressive plan where  
11 we can say that in ten years, by 2030, we want to  
12 make all the stations accessible. And I feel that as  
13 we have many big plans as a Vision Zero by 2030, we  
14 want to accomplish this goal. I know it is not easy  
15 and I know that you had to deal with a lot of  
16 procurement and we had to deal with being in a place  
17 where it's more expensive to build, but I also feel  
18 that if we work together and we get support from  
19 Albany to the City, we can cut some of the red tape.

20 And having elevators or any other way of bringing  
21 accessibility to a station, is not a luxury. It's a  
22 1 million New Yorkers who are disabling our city and  
23 the rest, many of them include parents. That they  
24 have to be navigating with a stroller and I think  
25 again that, and I don't want to put you in a spot,

2 but at least I would like to know if we can be able,  
3 if you can be open to look back and look to your team  
4 and even looking at the possibility. You know, it's  
5 not a hearing, but just like a round table  
6 conversation between your team and the Council and  
7 see how we can cut the time to make all train  
8 stations accessible.

9 RONNIE HAKIM: So, one of the things that we are  
10 doing that is relevant to your point sir, is we are  
11 looking at how do we specify the need for an  
12 elevator? They are very customized in the transit  
13 system. How do we stop that? How do we make this a  
14 more standardized, bring the cost down per unit?  
15 Bring the maintenance cost down per unit? How can we  
16 do it faster to your very point? How can we install?  
17 How can we design an elevator faster? If they are  
18 not all one offs, and if we develop a good standard  
19 elevator design, we will be on the road to making  
20 improvements faster and more cost effective and  
21 that's an important part of what we are working on  
22 right now.

23 ANDY BYFORD: And if I might just add to that.  
24 So, this is a passion of mine, Mr. Chairman. There  
25 is a reason why accessibility is one full quarter of

1 this document. Which a commitment I made when I  
2 first got here on the 16<sup>th</sup> of January 2018.

3  
4 What we said was, we can't be proud of a system,  
5 neither us as the Transit professionals nor you as  
6 elected officials, we can't be proud of our system  
7 until and unless it's fully accessible. I think we  
8 would all agree with that.

9 At the moment, we have 16 stations in  
10 construction and another 9 in design and planning.  
11 What this plan will deliver is by making 36 more  
12 stations accessible by targeting the gaps in the  
13 current system, within just five years, customers  
14 will be no more than two stops away anywhere from an  
15 accessible station which is light years ahead of  
16 where we currently are. But we want to go beyond  
17 that. So, what I have committed to with the Chair  
18 and my MD support is that we will actually within the  
19 next five years make 50 stations more accessible  
20 which is doubling of the current rate.

21 In the following five years, we'll make more than  
22 100 more stations accessible. So, this is pretty  
23 unprecedented in terms of the actual scale of the  
24 program.

2       Having said that, I very much welcome, I love the  
3 idea that you floated of shared funding. I think  
4 that's great. It's not just about the dollars  
5 though, what we also need is your support, your  
6 active support to help us politically with what is  
7 often the very charged environment where people want  
8 accessibility but they don't necessarily want the  
9 elevator in a certain place and I've said before and  
10 I will say again, fast forward is a plan. We are  
11 growing to a halt. If we have a six month stand off  
12 with every single element of what we want to do.

13       So, to have your support for things like utility  
14 diversions, obviously following the democratic  
15 procedure, but expediting that, that will help us  
16 enormously. And incidentally, final point, we are  
17 not just looking at elevators, we are also looking at  
18 ramps where they make sense and we are also looking  
19 at elevators that will go straight from the street,  
20 straight to the platform as opposed to having to go  
21 by the mezzanine which adds costs. We are on the  
22 same page.

23       CO-CHAIR RODRIGUEZ: Okay, so let's follow with  
24 some conversation with that. And again, I think  
25 also, you will make big change and I know, I can see,

1 well we can see at the Council that there is more  
2 effort to connect more with the community boards,  
3 with the Council Members. And it's not just about -  
4 you know, I can say for the whole team, you are being  
5 transferred to the best but at the end of the day,  
6 you know, we need to follow a leadership and I think  
7 that that is important you know, to see how we can  
8 connect with the local Council Members.  
9

10 I can give you a sample, like a document, one  
11 train. Like someone who live in 96<sup>th</sup> street that  
12 needs to go to 231<sup>st</sup> and Broadway. They had to take  
13 the elevator because the elevator only goes down. To  
14 take the elevator going down to 96<sup>th</sup> street in order  
15 to change and go north again to 231<sup>st</sup>, when in the  
16 same station at this moment, there is a developer who  
17 owns the land. Who has a proposal in front of us,  
18 who wants to build and that's like a street level.  
19 It's about how can we work and that's a typical  
20 sample and as I know that in many communities, this  
21 is an innovative idea on how to make it more  
22 accessible. And I will go with accessibility even  
23 though it's not in my district. I hope that the Van  
24 Cortlandt Station, the 242<sup>nd</sup> is included as one of  
25

2 the top priorities to put elevator to make it  
3 accessible.

4 Van Cortlandt Park is one of the largest ones.  
5 In that area, it's not in the residence of Riverdale.  
6 But it's also those people who are leaving Yonkers or  
7 who work from the Manhattan to the Bronx.

8 And thinking about the nice weather that we have  
9 right now, someone who is a senior citizen, who rely  
10 on wheelchair, cannot go down in that station. I am  
11 not putting you on the spot right now and say, can  
12 you do it now, but I just hope that you look at the  
13 station as many others that you hear about  
14 accessibility is critical.

15 ANDY BYFORD: Can I just make one more comment.  
16 We are looking at every station. So, one of the big  
17 steps forward that we've made in the past year and  
18 half and I would in lieu of my colleague Alexander  
19 Gudon, who is my Senior Advisor for Accessibility; a  
20 role we previously did not have but one that reports  
21 directly to me to show that we are serious about this  
22 issue. He and his team are probably two-thirds of  
23 the way now, maybe more two thirds of the way through  
24 serving every remaining location to see what it will  
25 take, what it will cost, what are the complexities of

2 making each remaining station accessible. So, we are  
3 serious about this. That's why it's in that plan.

4 CO-CHAIR RODRIGUEZ: Okay, so we will continue,  
5 and I think that we share interest on doing better at  
6 making that station accessible in a short period of  
7 time.

8 Can the MTA put together the MTA Homeless Action  
9 Plan? Like, we want to support, wish you had  
10 compassion to support our homeless population. But I  
11 feel and again, this is about, is it city? Is it  
12 MTA? Who is responsible for what? But I feel that  
13 with the increase of homeless in the stations,  
14 doesn't make it safe neither for the homeless or for  
15 the riders.

16 So, can you describe what have you today, what is  
17 the number? Do you have a number of how many  
18 homeless are in train stations every day? Does the  
19 MTA, working with the city have a plan to relocate  
20 and connect those individuals who need help and we  
21 should be supporting, but to relocating in places  
22 where they can get the help that they need?

23 PATRICK FOYE: I am going to defer to Andy,  
24 Chairman on the details. I think this point is  
25 important. I think responsibility for creating a



2 Homeless Action Plan and for funding it should lay  
3 with local municipalities. In this case, the state  
4 of New York and it's not a charge or a responsibility  
5 that ought to be placed on the MTA.

6 Obviously, everybody feels badly when they see a  
7 homeless person in distress with emotional issues,  
8 etc., but I do think it's important at the outset  
9 that responsibility for creating such a plan and  
10 funding it lay with the city, sorry Andy.

11 ANDY BYFORD: So, to reinforce that point, here  
12 is my view. I feel strongly about this. I mean  
13 absolutely start from a position of empathy for  
14 homeless people. A lot of them are vulnerable. A  
15 lot of them have quite severe mental illnesses. But  
16 I take an issue with anyone who says this is an MTA  
17 problem. I believe it's a societal problem until and  
18 unless we have sufficient safe hostiles, refugees.  
19 The people want to go to, we as the MTA will  
20 constantly be seeing people coming into the system  
21 either to warm up or to cool down. We will try our  
22 damndest to remove them from the system and they  
23 will keep coming back in because the overwhelming  
24 evidence is, that the reason they come in and they

1 spend time in the subway, quite often, they don't  
2 feel safe in the hostile.

3  
4 So, it's something that as a collective, working  
5 with the Residence Committee, working with the NYPD,  
6 working with City counselors, working with the DAS,  
7 working obviously with other agencies, we have to  
8 solve this as a collective. Just asking people to  
9 leave, will not solve the problem. They have to have  
10 somewhere safe and secure to go.

11 Having said that, I equally know, I feel strongly  
12 that I have an absolute responsibility to provide my  
13 customers, fair paying customers, with decent, clean,  
14 safe accommodation. So, a decent, safe traveling  
15 environment and I also have a responsibility to  
16 provide my staff, my employees with a safe working  
17 environment and at the moment, you know, every day,  
18 we ask people to leave the system. People are being  
19 spit at; people are being assaulted. You know, to me  
20 it really is an issue.

21 To me, it really is an issue that we must address  
22 collectively. My view is that obviously these are  
23 vulnerable people, they come in to warm up or cool  
24 down, but there should be clear boundaries as to what  
25 is acceptable behavior and what isn't in creating a

1 fire risk, creating a safety and security risk,  
2 laying down, throwing stuff around, defecating,  
3 urinating, vomiting, whatever, that is not  
4 acceptable.  
5

6 So, it's certainly something that is on my radar.  
7 I feel strongly about it. I am trying to get the  
8 balance right between treating this people  
9 empathetically and getting them the help, they need  
10 but equally sticking up for my employees who deserve  
11 a safe working environment and sticking up for my  
12 customers who deserve to get decent, clean, public  
13 transit and stations.

14 CO-CHAIR RODRIGUEZ: Again, so how often do you  
15 any assessment on the numbers of homeless in the  
16 station?

17 ANDY BYFORD: There is a meeting that happens  
18 once a month with the Barry Residence Committee. I  
19 think the next meeting is actually tomorrow, where we  
20 go through with the BRC and with other partners, how  
21 many regular people there are. If there is an  
22 approximation made as to how many people are in the  
23 system at any particular time. It tends to  
24 fluctuate. At times, it's hundreds of people. It  
25 times it's tens of people. There is a lot of regular

1 customers or regular homeless people that come into  
2 the system. Then, we also meet regularly with NYPD  
3 to go through different alternatives on how to handle  
4 these vulnerable people.  
5

6 CO-CHAIR RODRIGUEZ: So, look, we are saying that  
7 the plan should be to tell people to leave the  
8 stations, but I feel again, as a city, make  
9 contribution to the MTA, great contribution. I think  
10 that to also have - to train the staff that we have  
11 in the stations, to have a plan not only to tell any  
12 homeless people to leave the station, but to connect  
13 them with the services that they need.

14 That's what I say about what is the plan? Is  
15 there a plan?

16 RONNIE HAKIM: So, that is the roll that the  
17 Barry Resource Center, we contract with them and we  
18 in the city collectively fund their work to come into  
19 the system to connect the social service system, the  
20 available social service system to people but they  
21 have to want to take advantage of it.

22 They are very good at trying to get people to  
23 take advantage of available services. But obviously,  
24 not everybody agrees to do that.

1  
2           ANDY BYFORD: My group station managers of whom  
3 there are 22, they have been assigned across the  
4 system. They have clear direction from me to call in  
5 the staff, the station staff, to call in any  
6 instances of homeless people on either the trains or  
7 the stations, so that we can get them the help that  
8 they need.

9           I stress we are not saying that we need people to  
10 be arrested, what we are saying is we need to get  
11 them the help that they need, and we are not going to  
12 give up in that endeavor.

13           CO-CHAIR RODRIGUEZ: Okay, so in the MTA Capital  
14 2024, right. MTA will give investment from the city,  
15 the state, but the MTA will also have to continue  
16 getting into debt in order to balance the budget.  
17 Can you talk on what is the projection or how much  
18 will the MTA most get into debt and how do you see  
19 that increase of debt effecting the institution?

20           PATRICK FOYE: Yes, the amount of debt that would  
21 be sold for the 20-24 capital program right now is  
22 anticipated to be somewhere close to \$25 billion.  
23 The numbers that were put out, the billion dollars  
24 for the tolling, the Central Business District  
25 Tolling, will generate \$15 billion worth of proceeds

1 from debt and then the two other revenue sources were  
2 to generate five billion of debt for each.

3 Any access would go into the next capital  
4 program.

5 CO-CHAIR RODRIGUEZ: Is it accurate to say that  
6 the MTA will continue operating projects we gap in  
7 the next few years?  
8

9 PATRICK FOYE: Yes, we are going to continue to  
10 issue debt over the next few years to finish out this  
11 capital program. We are retiring debt though at a  
12 pretty significant level, about a billion dollars a  
13 year of debt is being repaid.

14 So, we are adding debt, but we're also retiring  
15 debt.

16 CO-CHAIR RODRIGUEZ: Do you share the outcome of  
17 the last order made by the State Comptroller on the  
18 projection that the operating gap by 2022?

19 PATRICK FOYE: Yes.

20 CO-CHAIR RODRIGUEZ: It's like \$634 million debt?

21 PATRICK FOYE: By 2022, the operating debt is  
22 almost \$1 billion as the projection that we had in  
23 February and debt service is a significant piece of  
24 that. Incremental debt service I should say is a  
25 significant piece of that.

1  
2 CO-CHAIR RODRIGUEZ: So, what we are saying is  
3 that even with the congestion price, increase of  
4 revenue, the reality that we should be looking the  
5 city and the state for additional sources of revenue,  
6 so the MTA will have the position in the future at  
7 the same time again, that the MTA and as you know,  
8 we've been clear from the beginning. It should be  
9 expected that first, to bring more transparency, to  
10 control the cost and deal with some waste that has  
11 happened in this situation. So, I am not just  
12 blaming one individual, but I am talking about the  
13 culture and how we have been operating.

14 PATRICK FOYE: I would say the biggest challenge  
15 for us right now, is getting our cost down and that  
16 is what we are focusing on.

17 Before we ask for additional operating revenue,  
18 again, we do appreciate the additional capital funds  
19 that are available because that means that the  
20 capital funds are being provided by someone else and  
21 aren't a burden on the fare box. But the first thing  
22 we have to do is we've just got to make sure that we  
23 are as lean and efficient as possible, and we've just  
24 announced a \$500 million target for annual operating  
25 savings.

1  
2 If we hit that target, that will give us a long  
3 way toward addressing next years projected deficit of  
4 almost \$500 million. The next year projected deficit  
5 was about \$800 million and then as you mentioned \$1  
6 billion for 2022.

7 But that's not going to be enough. We are going  
8 to have to continue to find savings and part of the  
9 work that's being done by Alex Partners is to  
10 identify a structure that is more efficient, where we  
11 can eliminate savings by not having duplicative  
12 services provided at each of the agencies but try to  
13 combine the services so that we can reduce cost.

14 So, the first thing we want, is we want to try to  
15 find out how we can reduce our cost as much as  
16 possible before we ask for additional operating  
17 revenue.

18 CO-CHAIR RODRIGUEZ: Great, and the business  
19 opportunity for Women in Minority, in a, I should say  
20 a big corporation that has a value of \$1.7 trillion.

21 Like, how much more can you do? Because what we  
22 have in the city and the state is not enough and we  
23 all have to recognize that we can do better to  
24 provide opportunity for Women and Minority including,  
25



1 as I also brought to the DOT, opportunity to include  
2 local media.

3  
4 And when you advertise you know, from job  
5 opportunity to any other experience that you have  
6 with media, like, how much more can you do on  
7 creating a better system for Women and Minority to be  
8 able to take advantage of all those contracts that  
9 you open IFP?

10 PATRICK FOYE: So, Chairman Governor Cuomo set a  
11 state goal of 30 percent for the state of New York  
12 and for state agencies.

13 We are proud of our record. The MTA last year,  
14 was about 27 to 28 percent. The WWBE program is run  
15 by Michael Gardner who I think it's fair to say has  
16 probably been the most effective MWBE leader and  
17 Executive in the United States of America.

18 There is clearly more that can be done, but I  
19 think the record of the MTA on these issues has been  
20 a strong one and one that we are proud of.

21 CO-CHAIR RODRIGUEZ: As you had to instructed to  
22 open investigation on the possibility of abusing of  
23 the overtime, we are not addressing or proving that  
24 we have on the business on Women and Minority  
25 Opportunity. If you look through the different

1 community, it doesn't go to our communities. There  
2 is a lot of red tapes on how the big one doesn't have  
3 the expense omission to build, hasn't been able to  
4 make the numbers. Those numbers are not real. Big  
5 one, it can be a family, it can be their friend, it  
6 can be someone but if we want to really address to  
7 create more opportunity for Women and Minority  
8 through the different local community in the city.  
9 If we put together Town Hall, if we also get a sum  
10 summit together, and we know who are taking advantage  
11 of those opportunities, still there is a red tape  
12 that we have to cut because those numbers are not  
13 bringing the effect in the local, especially minority  
14 communities in the City of New York.

16 PATRICK FOYE: So, Chairman, I say respectfully,  
17 those numbers are real. I asked Ronnie to give me  
18 her phone because Michael Gardner's phone number is  
19 646-252-1385, if you or any of your staff or  
20 constituents have issues with respect to the MWBE  
21 program or cutting red tape, call or email Michael.  
22 He is responsive. If he doesn't respond to you and I  
23 know that's not going to happen, call me. I would  
24 say two things, we reported yesterday on the MWBE

1 results at a public meeting which is on our website  
2 about the numbers for 2018.

3  
4 Thirdly, the numbers are reviewed and audited,  
5 and I am confident that the numbers reported are  
6 real. I would be happy to meet with any of you or  
7 your staffs on how we can make the program more  
8 effective or better known in certain communities in  
9 the City of New York, but I think it's fair to say  
10 that there are scores of small business owners in the  
11 MWBE community, the DBE community service disabled  
12 veterans that are operating businesses, paying their  
13 mortgage, sending their kids to college and  
14 importantly employing other people as a result of the  
15 MTA's MWBE programs at all the agencies.

16 CO-CHAIR RODRIGUEZ: Thank you.

17 CHAIRPERSON DROMM: Okay, thank you. We have  
18 been joined by Council Members Koo, Miller, Rose,  
19 Adams, Cabrera, Levine, Lander, Gjonaj and Deutsch.  
20 And we have questions to start off with Council  
21 Member Adams and then followed by Rose.

22 COUNCIL MEMBER ADAMS: Thank you Chairs Dromm and  
23 Rodriguez. Thank you, Mr. Chairman, for being here  
24 today. President Byford, good to see you again.  
25 Sara, good to see you again.

2 Well, you know this already Andy, I am a daily  
3 commuter. To and fro from Jamaica Station right  
4 here. So, needless to say, I have seen things kind  
5 of change a little bit. The situation with the  
6 escalator, that was very prevalent over the past few  
7 months and at one-point last month, I said, why don't  
8 they just take it out of service all together because  
9 it's pretty useless. So, thank you for taking it out  
10 of service all together because it has been pretty  
11 useless.

12 And hopefully, we will be getting a brand-new  
13 escalator in there. My concern of course is the ADA  
14 accessibility at this point for those that are not as  
15 mobile as myself, getting up and down the stairways  
16 safely. In addition to that, I just wanted to make  
17 that point.

18 Also, I wanted to find out, you mentioned your  
19 group station managers and I have seen mine, I won't  
20 mention her name, but I have seen mine around doing  
21 her job. How is the progress of that program going  
22 along for you? Can you let us know how that is  
23 going, not just for me in my area but across the  
24 board and what is your metric, your stick, to manage  
25 that and to let us know?

2 ANDY BYFORD: Well, thank you for the question.

3 It is nice to see you. Well, just a quick comment on  
4 escalators. We are really blitzing our escalator  
5 fleet at the moment. We are increasing the amount of  
6 maintenance that we do. So, in the short term, you  
7 will see across the fleet, a slight decline in  
8 escalator availability precisely because we are  
9 trying to get ahead of maintenance and to be more  
10 proactive in how we maintain machines. So  
11 ultimately, they stay in service more frequently and  
12 more reliably.

13 Having said that, there is also a lot of very old  
14 machines and some of them are almost impossible to  
15 maintain parts for now. They are so old, and they  
16 are unique. Actually, we have one fleet of  
17 escalators, there is only five in the whole country.

18 So, again, fast forward will address that.

19 Station Managers, I am very proud of them, there is  
20 22 of them as I have said plus four who do special  
21 projects. It's a very timely question because at  
22 next month's Transit Committee, we are putting  
23 together a video to show what they have been up to  
24 actually. And they have been extremely busy, they  
25 are undertaking special cleans of their stations.

1 So, each of them is undertaking a particular focus on  
2 one of their stations in their respective group a  
3 month and that's both front of house activity and  
4 behind the scenes.  
5

6 So, we're upgrading staff accommodation, but we  
7 are deep cleaning platforms, we are scrubbing stairs,  
8 we are cleaning the walls of the stations and you  
9 know, giving them, a really good cleanup and I think  
10 customers are already seeing a difference.

11 In terms of their effectiveness, we measure them  
12 on customer satisfaction, and I am very pleased to  
13 see that customer satisfaction scores across the  
14 system are increasing.

15 We measure them in terms of staff attendance as a  
16 proxy for other encouraging and motivating their  
17 staff. We manage them in terms of safety incidents.  
18 In terms of maintaining the revenue stream that  
19 should come into the stations.

20 So, they are actually targeted with a number of  
21 measures. And again, it's based on the job I used to  
22 do, I am very familiar with it and it critically  
23 gives you and your colleagues in Council a one stop  
24 shop person to raise concerns on your particular  
25 areas. No more being passed around the system. You

1 just talk to the JSM and they will service your  
2 request, whatever it is.

3  
4 COUNCIL MEMBER ADAMS: I appreciate that. Thank  
5 you very much. I know my time is up. Just something  
6 to leave on your mind as well as Mr. Chairman and Mr.  
7 Foye on your mind. You've heard at nauseum, the  
8 expression transit desert. I would love to one day  
9 hear a sustainable plan that will dismantle that  
10 expression completely in the City of New York.

11 South East Queens has been painfully, painfully  
12 neglected as far as our transportation is concerned.  
13 I would love to be able to take an express bus  
14 instead of the E Train right there on a daily basis.  
15 Thank you.

16 CHAIRPERSON DROMM: Council Member Levine  
17 followed by Lander.

18 COUNCIL MEMBER LEVINE: Thank you Chairs Dromm  
19 and Rodriguez. It's great to see you Chairman Foye  
20 and you President Byford. In past errors, it was  
21 very rare that the leadership of the MTA came to the  
22 Council and it really means a lot that you are here  
23 to take our questions and I know the public  
24 appreciates it as well, so thank you for that.

1 I want to ask you about bus service and Mr.  
2 President, you have from your first day on the job,  
3 spoken passionately about how essential you see bus  
4 service to transit in the city, 2 million riders a  
5 day approximately and I have heard you speak about  
6 the danger of falling ridership that's driven by  
7 slower speeds and when people get off the bus, they  
8 often get into cars, which only makes congestion  
9 worse, which makes buses slower, which means you have  
10 less revenue and then the scary part, you make cuts  
11 in service.  
12

13 And you, I think, have described this as death  
14 spiral because cuts in service means buses come less  
15 frequently and that means buses become a less  
16 attractive option. We need to get this going in the  
17 other direction. We need this to be a virtuous  
18 circle, not a vicious circle.

19 And so, I was really alarmed to see that you all  
20 have recommended now cuts on I believe 13 lines.  
21 Citing a budget shortfall which we are well aware of  
22 and a few of these lines are very important to my  
23 district and to Councilman Chairman Rodriguez's  
24 district, the M3 and the M4 are extremely important  
25 lines for Washington Heights, West Harlem, etc. I



1 don't think they could be described as underutilized.

2 Any time I am on them, it is standing room only for  
3 the most part.  
4

5 So, I wonder if you could explain the logic and  
6 why we shouldn't be so alarmed at this being the  
7 start of the death spiral?

8 ANDY BYFORD: Thank you. The real solution here  
9 is what we are doing as again, part of fast forward.  
10 That is to redesign the bus network in all five  
11 boroughs, and we have already done that in Staten  
12 Island for the express buses and we are already  
13 seeing an increase in average speed and a decrease in  
14 journey time. So, that's two ways that we can get  
15 people back on to riding those buses.

16 We are now in the Bronx, we are redesigning the  
17 Bronx network and we just launched in Queens and  
18 Brooklyn is next and then obviously we've got  
19 Manhattan left to do, and the purpose there is to  
20 give the community the bus network that they want and  
21 they will be attracted back to and that does take a  
22 little of time, we've said that we will do all five  
23 boroughs, all 321 routes within three years of the  
24 Fast Forward Plan and we are seeing if we can speed  
25 that up.

2 But in the meantime, I have been here long enough  
3 to learn that there are also tough choices to be  
4 made. So, precisely because we are faced with a  
5 tough financial situation, every summer we do just  
6 the bus service to add service where it is inadequate  
7 and to refine service where we can make some slight  
8 adjustments without, we believe, not without losing  
9 ridership.

10 So, the changes that we've made, yes, there were  
11 13 routes where the head weights were slight  
12 elongated, what wasn't really commented upon was  
13 conversely for about the same amount of money.

14 So, it wasn't really a cost savings exercise  
15 ultimately. We did improve service on a number of  
16 other routes. We will monitor very closely those  
17 routes that say, an eight-minute headway to a ten-  
18 minute headway. The last thing I want is to see  
19 further degradation in ridership.

20 So, it's something that we feel we need to do to  
21 be responsible, but I wouldn't be alarmed by it.

22 COUNCIL MEMBER LEVINE: I appreciate that, and my  
23 time is up. Could you just explain why such crowded  
24 lines going to uptown Manhattan would make the list?

2 ANDY BYFORD: Because there are even more crowded  
3 bus services that needed more service. So, what we  
4 are trying to do, certainly, while we are in the  
5 process of reorganizing the whole bus network is  
6 shuffling the available buses, the available dollars  
7 and the available operators that we've got to  
8 optimize the offer that we make across the whole  
9 city. So, that where there are other service that  
10 were even more crowded, they got more service.

11 COUNCIL MEMBER LEVINE: Okay, I am not sure who  
12 the winners are in that scenario.

13 ANDY BYFORD: I can give you the list. I mean we  
14 did look carefully, and we've tried not to make those  
15 changes so severe that we would lose ridership. We  
16 will monitor it very closely and I will talk to you  
17 offline about how we came up with your routes.

18 COUNCIL MEMBER LEVINE: Okay, I would like that.  
19 We share the goal of revitalizing ridership and I  
20 just worry that you add to the wait time and  
21 ridership is only going to go in one direction. But  
22 I appreciate your perspective and I will pass it back  
23 to the Chairs. Thank you.

24 CHAIRPERSON DROMM: Thank you very much. Council  
25 Member Lander followed by Miller.

1  
2 COUNCIL MEMBER LANDER: Thank you very much to  
3 the Chairs. Thank you President Byford, and to your  
4 team for being here and I want to you know, give you  
5 praise as I have done in the past on the Fast Forward  
6 Plan on restoring enough confidence that it was  
7 possible for congestion pricing to happen and on  
8 taking us out of a real doldrums to something where I  
9 think you can see progress that means an enormous  
10 amount and my constituents in participatory budgeting  
11 just voted as the top vote getting project ever in  
12 our district, \$250,000 down payment on the 7<sup>th</sup> Avenue  
13 F Train elevator and we hope to be able to work with  
14 you as part of that plan to get that elevator done.

15 So, a lot of good progress. Two areas of  
16 frustration that I am hearing from my constituents.  
17 One is on paratransit, where the shifts from advance  
18 reservation E Hill to Enhanced Broker Service have  
19 caused a lot of dismay and also where many people had  
20 hoped for expansion of the genuine E Hill service.  
21 Which my understanding is, the reason you are not  
22 expanding it from the 1,200 riders is it's working so  
23 well that those riders are taking more rides and that  
24 has raised the cost. But Boston has a program where  
25 they ration how many rides you can have past a point.

1  
2 If that service is working, there has got to be a way  
3 to make it available to more people and I am just  
4 hearing a lot of frustration about both the freezing  
5 of the 1,200 and on the changes to the brokerage  
6 service. So, Para Transit 1, big area of frustration  
7 and the other as you know, is the Rogue F Express.  
8 It is, and we sent you a letter with some data. As  
9 far as I can tell you guys are running an F Express,  
10 but it's not on the schedule. It's not transparent,  
11 but it happens every day, and you know, that has just  
12 become a frustration. If you are running an F  
13 Express, even though I don't want you to run an F  
14 Express, which is just skipping local stops with  
15 every other train. At a minimum, you owe it to the  
16 riders to tell them you are running it and to provide  
17 some schedule information and we really, I think are  
18 in a bad black hole where a poor service is being  
19 provided without transparent information about it.

20 So, those are my two areas of frustration.

21 ANDY BYFORD: So, mindful of time, I will  
22 summarize really quickly. We will take another look  
23 at what's going on on the F Line, I mean obviously, on  
24 occasions, we do skip stations in order to try to  
25 mitigate service problems, but that certainly

1 shouldn't be done to access, and I will personally  
2 follow up on that point.

3  
4 COUNCIL MEMBER LANDER: Thank you.

5 ANDY BYFORD: In terms of the Access A Ride  
6 issue, we heard that loud and clear at the Transit  
7 Committee just yesterday, and there is a number of  
8 things that we are doing to make the, what's called  
9 the Enhanced Broker Service better. And Alex  
10 Alligood[SP?] listed off a whole lot of initiatives  
11 that will make that Enhanced Broker Service better to  
12 stop the rides around the borough. To stop excess  
13 journey times, to improve communication with  
14 customers etc., etc.

15 But on the bigger picture, it is true, in a way  
16 we are victim of our own success. The E Hail is  
17 extremely popular. That does mean that although the  
18 unit cost is less, the overall cost is a huge  
19 increase actually. So, we are looking at different  
20 ways to solve the problem. We have not yet finalized  
21 our thinking on that point. You made reference to  
22 Boston and to what they do, which is to ration the  
23 number of rides or to cap the number of rides that  
24 you can get for the subsidized amount. That is

1 highly contentious with the advocacy community, but  
2 we are looking at all options.

3  
4 COUNCIL MEMBER LANDER: And is there a timeline  
5 that I can go back to my frustrated constituents with  
6 and tell them when there will be more, that the MTA  
7 will have more to say about next steps?

8 ANDY BYFORD: Well, we made a clear commitment  
9 that the 1,200 person E Hail trial will continue  
10 until the end of the year. I would expect over the  
11 summer; we will have some more information and I will  
12 make sure that we give you a heads up on that.

13 COUNCIL MEMBER LANDER: Okay, I would appreciate  
14 that. As you know and I know you saw it yesterday at  
15 the hearing, it's an area of real passion. I am  
16 enthusiastic about getting subway service on many  
17 more subway - elevator service on many more subway  
18 stations but that's going to take a long time. So,  
19 in the meantime, let's invest what we need to expand  
20 good Access-A-Ride E Hail service. Thank you.

21 CHAIRPERSON DROMM: Thank you very much. Council  
22 Member Miller followed by Gjonaj.

23 COUNCIL MEMBER MILLER: Thank you to the Chairs  
24 and Chair Foye. Welcome again and to Andy and

1 Ronnie. It certainly has been a pleasure to work  
2 with you all over the years.

3  
4 So, I want to start, and I will just try and get  
5 it all in and you can address it. First on congested  
6 pricing what would be done differently from others  
7 and past dedicated funding means and how would these  
8 new source of resources impact transportation deserts  
9 as was mentioned by my colleague, South East Queens  
10 and other portions of the City of New York. Then I  
11 want to talk about very specifically, the budget and  
12 the upcoming Capital Budget.

13 And in addressing those transportation deserts,  
14 we talked about what is the freedom ticket initially  
15 introduced as transportation equity whereas commuter  
16 rails, wherever they stopped in the City of New York,  
17 would be consistent with the price of a metro card.  
18 Obviously, a freedom ticket is \$5 dollars. What is  
19 the plan to invest or to continue and expand that  
20 program? I know is a pilot, we want to see it come  
21 out of MTA, but we also want to see it in other parts  
22 of the city, service and Metro North as well.

23 And then, I would be remiss if I did not put on  
24 my labor hat and talk briefly about the overtime, so  
25 called overtime, that we have been experiencing. I



1 know as a past President and business agent, I had a  
2 responsibility and opportunity to negotiate overtime  
3 caps to address necessary service needs. Whether it  
4 was GO's or whether it was Super Storm Sandy and  
5 thing like that.  
6

7 So, there are absolutely mechanisms in place and  
8 so, how this narrative gets driven about - I just  
9 don't see it and I would hope that there is some  
10 clarification, so that workers aren't really taking a  
11 beating, that they have been taken. And then on  
12 that, there is a place that we've talked about in the  
13 past where I think there is significant opportunity  
14 for some real savings and that is around workers  
15 compensation.

16 It had been in my experience a number of things  
17 that go along that we are not, or the authority has  
18 not focused on, number one, getting people back to  
19 work. Servicing them as soon as possible so that  
20 they can continue to serve **[Inaudible 34:00-34:19]**  
21 incidents of workplace injury continued to occur.

22 On top of that, there is a significant,  
23 significant long-term course to Workers Comp., and I  
24 dare say in the billions over the next decade. How  
25 do we plan to address that?

1  
2 And then finally, do you ever talk about being  
3 ADA compliant. We are talking about the MTA, why is  
4 it that the Long Island Railroad and Metro North  
5 where they are in the City of New York, they are not  
6 providing accessibility. Are they not required to  
7 meet the same mandates. Thank you.

8 PATRICK FOYE: Council Member, let me start with  
9 some of this. One, your point on Workers  
10 Compensation is one that I agree with. We have hired  
11 New York City Transit and the MTA has hired an expert  
12 on the Workers Compensation issue in the last several  
13 months. I do believe that a reasonable concerted  
14 effort there would be in the best interests of the  
15 MTA, taxpayers and our customers.

16 Putting my labor hat on for a second. I went to  
17 college on a \$32B scholarship. I was a \$32B Union  
18 Member in a prior life. I started as a janitor, so I  
19 have a great deal of empathy for labor unions.

20 The overtime issue as I noted before, the abuse  
21 of overtime is a very small number of people. When  
22 you think about the MTA, it's a city or village of  
23 72,000 people. And most of those people, like most  
24 of the people in the City of New York are law abiding

1 reasonable people and it's a very small number of  
2 people who abuse it.

3  
4 We have a responsibility to be responsible  
5 stewards of every dollar that whether it's someone  
6 riding subways or buses in Long Island Railroad or a  
7 New York City taxpayer or a state taxpayer, we take  
8 that responsibility seriously.

9 I will turn the Freedom ticket question over to  
10 Ronnie Hakim in a second, but I wanted to address  
11 your transit desert question the following way.

12 So, this April Phase 2, April of this year, Phase  
13 2 of congestion pricing, was passed and that will  
14 begin no earlier than January 1, 2021. But you all  
15 will recall that Phase 1 of congestion pricing was  
16 passed by the legislature over a year ago and went  
17 into effect for practical purposes on February 1<sup>st</sup>  
18 when that began to be collected.

19 The Phase 1 of congestion pricing revenues are  
20 trounced. The first \$300 million goes into  
21 continuing the good work of the Subway Action Plan.  
22 Which in the first 18 months was split between the  
23 City of New York and the State of New York on a 50/50  
24 basis.

1  
2       The second trounce is \$50 million which is  
3 dedicated by state law for outer borough. So, the  
4 four boroughs excluding Manhattan, Transit desert in  
5 other uses whether it is Council Member Adams or your  
6 or some of your other colleague and we will be  
7 announcing and rolling out the use of the first \$50  
8 million from the Phase 1 of congestion pricing. And  
9 then, I will turn it over to Ronnie for Freedom  
10 Ticket.

11       RONNIE HAKIM: Sure, so your referencing the  
12 Atlantic Field Study, which was our ability that we  
13 launched last summer to offer Long Island Railroad  
14 ridership to folks that travel in the seven Queens  
15 and three Brooklyn stations to take advantage of  
16 capacity that we actually have on the Long Island  
17 Railroad going to Atlantic Terminal.

18       The point of the study is to see whether or not  
19 with pricing variability we can in fact influence  
20 people's choices to use the Railroad where we have  
21 capacity.

22       The challenge that it presents is where we don't  
23 have capacity particularly in the peak hours going to  
24 Penn for example or coming down on Metro North going  
25 to Grand Central. So, our planners are also taking a

2 look of where there may be opportunities to expand a  
3 field study to broaden the scope, but currently, we  
4 are still gathering data and, on the ridership,  
5 traveling through Queens and Brooklyn into the  
6 Atlantic terminal.

7 I do want to mention; you had asked about Metro  
8 North and the Long Island Railroad in ADA compliance.  
9 While they have much fewer stations obviously. Their  
10 percentage of ADA compliance, they are required to  
11 comply and it's actually high. We can get you the  
12 specific numbers, but they too invest as part of  
13 their capital program, in ADA compliance for their  
14 stations.

15 PATRICK FOYE: And that's true of course with  
16 respect to Long Island Railroad and Metro North  
17 station in the City of New York.

18 COUNCIL MEMBER MILLER: Yeah, the ones we see in  
19 the city don't. And just one more, in terms of  
20 Jamaica Depot, which was in the past Capital Plan,  
21 what is the status of that? That is actually  
22 responsible for about 75 percent of the ridership in  
23 South East Queens and has been operating at about 80  
24 percent of capacity for the last two decades. And  
25 then finally, on the Workers Comp, I know I had

1 mentioned before at another hearing very specifically  
2 that there was a provider who happened to be an MWBE  
3 who had not been paid in nine months and at that  
4 point, they were beginning to stop service clients  
5 and that doesn't help people to get back to work. And  
6 I think everybody knows my experience, my workers  
7 comp experience and the three discs that was removed  
8 here last year and my subsequent recovery, you know,  
9 this is something that we can change. I think as I  
10 look back, for the next generation, they shouldn't  
11 have to go through this and that when people leave  
12 and they retire and they serve, that they should be  
13 able to leave with dignity and a quality of life and  
14 not be crippled because of things like that. And by  
15 being able to get timely medical treatment, I think  
16 that enhances everybody's experience. Most  
17 importantly the Authorities experience.

18  
19 PATRICK FOYE: Council Member before I end, to  
20 address the Jamaica Depot issue, if you provide me  
21 offline the information about the Workers Comp  
22 provider that wasn't paid for nine months. I will  
23 have someone look into it and come back to you next  
24 week.

1  
2       ANDY BYFORD: Sure, and quickly, Council Member,  
3 you want to make a Depot rebuild, so do I. I really  
4 want to push on with this project and the good news  
5 is we have a draft environmental impact statement  
6 that is going to be released to stakeholders May the  
7 22<sup>nd</sup> which might even be – it's tomorrow. With a  
8 public hearing that will follow at the end of June.

9       So, we have already received permission to begin  
10 drilling test pits from York College starting on June  
11 the 3<sup>rd</sup> and the site agreement is being finalized as  
12 we speak. We know that you are keen to get on with  
13 it, so are we. What I would ask is that we really  
14 need same as some of these other projects we have  
15 been talking about, to have you on side and standing  
16 shoulder to shoulder with me because not everyone  
17 will like the construction. There will be  
18 controversy around it. Some people won't want it.  
19 That will be invaluable. So, let's stay very close  
20 and talk about it and let's make this project a  
21 reality.

22       CHAIRPERSON DROMM: Thank you very much. Council  
23 Member Gjonaj.

24       COUNCIL MEMBER GJONAJ: Thank you Chairs. So, as  
25 we strive to make transportation cleaner, safer,

1 better, and more reliable, there are a few issues  
2 that I want to talk about. Specifically, the Metro  
3 North stations coming into the Bronx. Which is  
4 something that's been long awaited and with  
5 enthusiasm. We are not looking at the infrastructure  
6 in and around the Metro North stations including  
7 parking as well as roadways and ramps that would be  
8 needed to offset any congestion coming into an area.  
9

10 Cameras on platforms, something that we are not  
11 focused on. Making sure that our riders feel safe  
12 and our criminals know that there is someone  
13 watching.

14 My questions on the Bronx redesign plan, to make  
15 sure that the transportation desert hubs that we have  
16 are adequately serviced but also, the effects or the  
17 impact of this administrations Vision Zero. The road  
18 dieting plan and what that does to your ridership and  
19 the time added to their commute. And that's two  
20 lanes being made into one lane which slows down  
21 traffic and creates more congestion. As well as  
22 Pelham Bay Station in the borough of the Bronx. We  
23 have a train station, an active roadway, very limited  
24 travel lanes, buses are stopping there as their  
25



1 layover or on their breaks making more congestion and  
2 less travel lanes available to our motorized.

3  
4 And the last thing I want to bring up that I hope  
5 you can give me a real good explanation to because I  
6 think it's warranted. In and around our train  
7 stations, who is responsible for maintenance?  
8 Cleanup? Sweeping? Snow Removal? My understanding,  
9 the MTA takes the approach, we only do the only first  
10 three feet from the structure. Who does the rest of  
11 the sidewalk? And it's been a battle between the  
12 city and the state for far to long.

13 ANDY BYFORD: Pelham Bay Station sir, I will  
14 follow up on that. We certainly shouldn't be  
15 blocking the road. So, I will take that on  
16 immediately and talk to my SVP for buses to make sure  
17 that where the buses are laying over doesn't impede  
18 traffic, that shouldn't be happening. So, I will  
19 find out whats going on and I will get back to you.

20 COUNCIL MEMBER GJONAJ: Thank you for that.

21 RONNIE HAKIM: On the Penn Access Program for the  
22 Bronx, you are right, it will bring direct rail  
23 service to the east Bronx communities at Hunts Point  
24 at Parkchester Van Nest, Morris Park, Co-Op City, we  
25 think it's an incredibly important project and one

2 that is currently begun because we have preliminary  
3 engineering underway which is sort of our first step  
4 to getting shovels in the ground as well as working  
5 through funding sources for this important project.  
6 But one that we think is a game changer and we are  
7 fully committed to it.

8 COUNCIL MEMBER GJONAJ: Part of the plan should  
9 take into consideration the needs and there is  
10 commuter parking as well as the Morris Park station  
11 where we have the Hutch Metro Center. Thousands of  
12 people work there, thousands visit daily. There is a  
13 request for a ramp, so there is a second means of  
14 egress from this area which is going to butt the  
15 Metro North.

16 We still don't understand the implications of the  
17 traffic that would be brought in because of the Metro  
18 North. We do a great deal of exercising, that you  
19 will be in Manhattan in 17 minutes. Well, where are  
20 those cars going to be coming from? Where are those  
21 commuters coming from that are going to take  
22 advantage of this 17-minute trip into Manhattan.

23 If they are from the borough of the Bronx, that  
24 means they are driving in. This is going to be a  
25 three-fare zone and that's car to bus, bus to train,

1 train to Metro North and I don't think that's the  
2 intent.

3  
4 RONNIE HAKIM: So, at this point, we've just  
5 recently executed an MOU between Amtrak, who actually  
6 owns the right of way there and ourselves in order to  
7 run the commuter service along the hell gate line.  
8 We have awarded the initial general engineering  
9 contract and are working on an environmental review  
10 process. A lot of the comments that you are raising  
11 will be part of what we consider as the environmental  
12 process informs the design.

13 So, a lot of moving parts when you begin a  
14 project of this scope. But one that we think will  
15 have a lot of community engagement. We've had a  
16 number already, and that will continue with a public  
17 process to get as many of these thoughts out.

18 COUNCIL MEMBER GJONAJ: I want to prioritize the  
19 need for commuter parking.

20 RONNIE HAKIM: Yeah, I made a note.

21 COUNCIL MEMBER GJONAJ: It's a non-starter. That  
22 component is not part of it and if you can continue  
23 with some of the other questions in particular the  
24 Vision Zero effect on bus routes.

1  
2           ANDY BYFORD: Yeah, let me just comment upon  
3 that. We do work very closely with the city namely  
4 Commissioner Trottenberg and her team. And again, I  
5 was just talking about that this morning where we are  
6 putting together an overall master plan that will  
7 combine the bus elements of Fast Forward with the bus  
8 elements of the City's recently released bus plan,  
9 bus forward, which I talked about things like  
10 priority routes. Working with the NYPD for towing to  
11 keep routes clear. Which routes will receive traffic  
12 signal priority equipment and also, the road measures  
13 that Vision Zero anticipated and is delivering to  
14 make sure that we have joined up thinking. So,  
15 Vision Zero obviously has a laudable objective but it  
16 should not be at the expense of bus speeds and so,  
17 that's why we are working very closely to create this  
18 master plan. To make sure that we achieve the  
19 reduction in fatalities without slowing the buses  
20 down.

21           COUNCIL MEMBER GJONAJ: I am so glad you brought  
22 that up. Morris Park is going to be receiving the  
23 Metro North Station. Morris Park, by this  
24 Administration has been dubbed for the Vision Zero  
25 plan, going from two lanes into one, without an

1 understanding of the impact that Metro North is going  
2 to have on this area for a route that will connect  
3 two Metro North Stations and that is the Morris Park  
4 and Van Nest. The only thoroughfare that we have. I  
5 had to start a court action against the  
6 Administration to prevent that coming in against the  
7 wishes of the entire community. But I also reached  
8 out to your office to see if this is part of the  
9 Bronx redesign plan and the study and the effect that  
10 it will have.

12 ANDY BYFORD: Well, the Bronx redesign is not yet  
13 finalized. We have issued what's called the current  
14 conditions report and we have just put together a  
15 draft proposed plan for which is the combination of  
16 the input from the various stakeholders and members  
17 of the public from whom we've heard. We are just  
18 finalizing that at the moment. We will be going  
19 through a further consultation process.

20 I can't talk directly to Vision Zero, as you  
21 know, that's a city initiative, but we do take that  
22 into account when we design the new routes as part of  
23 Fast Forward.

24 COUNCIL MEMBER GJONAJ: And the last question I  
25 had was maintenance in and around our train stations.

1  
2           ANDY BYFORD: If there are specific locations  
3 about which you are concerned, if you just give them  
4 to my team or I, we will take them away. But the  
5 general rule is - I couldn't speak to specifically  
6 three feet, but obviously, we have a boundary. There  
7 is a boundary that MTA responsibility and we do clean  
8 that up and we do remove snow within that boundary.

9           Beyond the boundary, there shouldn't be sort of a  
10 no man's land, that will be the responsibility of the  
11 city or some other agency.

12           COUNCIL MEMBER GJONAJ: But that's what we have.  
13 So, what is our understanding of responsibility? How  
14 is this boundary defined? Because it should be  
15 applied citywide.

16           ANDY BYFORD: Well, again, I'd have to check the  
17 specifics. If there is a specific geographical  
18 distance, but there are boundaries around stations.  
19 In other words, there is bits of land that belong to  
20 the MTA and outside that area, typically belongs to  
21 the city.

22           So, in every case, one of the agencies should be  
23 cleaning up garbage, keeping the place clean,  
24 removing snow, etc., etc. I am pretty confident we  
25 do what is our responsibility but if you want to

1 raise some specifics with me to challenge that, you  
2 are more than welcome.

3  
4 COUNCIL MEMBER GJONAJ: And I prefer that we come  
5 up with a unified approach, because this boundary  
6 isn't the same at every train station, and it's not  
7 uniformly applied throughout the city.

8 ANDY BYFORD: But it is determined, if I might  
9 have one last go at this. It's not that there is a  
10 standard approach. It's determined by what is our  
11 property and what isn't. So, that by definition  
12 varies between location.

13 In some cases, we are more space on a station  
14 than others. In some case we own a very close  
15 proximity to the station and that's it. In others we  
16 own more space. So, there is no standard as such;  
17 however, there is clear responsibility for who does  
18 what and where.

19 COUNCIL MEMBER GJONAJ: Chairman, if you will  
20 indulge me please.

21 So, in New York City, property owners are  
22 responsible for the entire sidewalk including 18-  
23 inches into the street. This is for all property  
24 owners. That should apply to our train stations as  
25 well. It becomes this unknown maintenance problem

1 and depending on who is at the site and which  
2 supervisor you can get in touch with will determine  
3 the outcome. And this is standard in New York City.  
4 So, why should there be a separate carve out for our  
5 train stations? There is no one else there.

7 PATRICK FOYE: So, Council Member, you ask a  
8 reasonable question, you are entitled to an answer.  
9 We will come back to you with an answer especially  
10 tailored to the subway stations in your district. We  
11 will come back to you.

12 COUNCIL MEMBER GJONAJ: Thank you.

13 CHAIRPERSON DROMM: Okay, thank you. Let's go to  
14 Council Member Rosenthal to close us out.

15 COUNCIL MEMBER ROSENTHAL: Thank you so much. I  
16 appreciate your patience Chairs. Nice to see  
17 everyone here. Thank you for coming to the Council  
18 and trying to help out here. So, we really  
19 appreciate that.

20 I have two questions. First, in terms of people  
21 with disabilities, I am wondering, you mentioned that  
22 you are going to come back with an alternative to the  
23 pilot, yes, possibly. And so, I am wondering if you  
24 would consider including representatives of people  
25 with disabilities community in coming up with that



1 pilot. And similarly, as you think about congestion  
2 pricing exemptions, whether or not you would consider  
3 publicly including members of the disabilities  
4 community as you discuss the exemptions for them.  
5

6 I think my two question about people with  
7 disabilities and then secondly, I have been reading  
8 about your improvements or proposed improvements to  
9 procurement to try to understand better how to get  
10 costs under control and I am wondering if we can't do  
11 here if we could set aside another time to hear what  
12 you have learned as you've started to uncover the  
13 details of procurement where you think there might be  
14 savings or where you think that there are  
15 opportunities to get the cost under control? And let  
16 me give you an example because I study this for New  
17 York City contracts and one of the things that we  
18 learned is the criteria in the RFP has become so  
19 burdensome that we have fewer and fewer bidders.

20 And so, the city has agreed to look harder at  
21 that and reduce the number of hurtles in order to  
22 create opportunity for more competition, which I am  
23 hopeful about. Another one is given the very slow  
24 repayment processing system that we have in the city,  
25 that ends up costing the construction companies of

1 course, more money. So, as we look at implementing,  
2 what we are using, which is passport, that's the  
3 procurement mechanism that we are working on now. As  
4 we are working to expedite procurement, construction  
5 bidders are now considering bringing down the cost of  
6 the bid given the fact that we could get the whole  
7 process moving faster. I am wondering if you are  
8 exploring that? What are you finding as you are  
9 looking at procurement?  
10

11 ANDY BYFORD: So, we will do them in the order  
12 that you raised Council Member. So, with the pilot,  
13 I am not sure if you were in the room.

14 COUNCIL MEMBER ROSENTHAL: No but I heard about  
15 it.

16 ANDY BYFORD: Okay, so over the summer, we will  
17 be coming back with an answer. So, specifically,  
18 with input from the community, I mean we already  
19 consult with the community on a regular basis. We  
20 are just interviewing candidates.

21 COUNCIL MEMBER ROSENTHAL: That's a great  
22 assertion. I am hearing directly from - this  
23 question, I will be honest with you, it is coming  
24 from my heart, but I am being fed it by the  
25 advocates. So, please let's at least - it's hard for

1 me to accept the assertion that the community is  
2 being involved if the question comes from some very  
3 prominent people in the community.  
4

5 ANDY BYFORD: And I hadn't finished my answer  
6 Council Member. What I was going to say is that we  
7 recognize that we need to do better on that. And so,  
8 for that specific reason, because we want to improve  
9 consultation with the community, we are just in the  
10 process of doing interviews for an advisory committee  
11 on accessible transit which we have never previously  
12 had.

13 So, it's precisely because to your point, that we  
14 are taking this proactive action to do that. And so,  
15 that's happening at the moment. We just interviewed  
16 candidates that body will meet three to four times a  
17 year and provide feedback on all accessibility  
18 initiatives underway at transit. It will be Chaired  
19 by my colleague Alexander Gooden who is the Senior  
20 Advisor on Accessibility and that will enable us to  
21 directly solicit input from transit users with  
22 disabilities and community advocates.

23 The first meeting will be held this summer, I  
24 will make sure you get the date.  
25

1  
2 COUNCIL MEMBER ROSENTHAL: I appreciate that and  
3 the total number in the Committee?

4 ANDY BYFORD: I think it's ten, but I would have  
5 to check my facts on that.

6 COUNCIL MEMBER ROSENTHAL: Okay, thank you.

7 CHAIRPERSON DROMM: Thank you very much and I -

8 COUNCIL MEMBER ROSENTHAL: No, no, no, sorry. I  
9 apologize, procurement. Sorry Chair, I know it's the  
10 end of the day and we can talk offline, just if you  
11 could address procurement.

12 PATRICK FOYE: I am happy to do it if it okay  
13 with the Chairman and your colleagues.

14 CHAIRPERSON DROMM: Sure.

15 PATRICK FOYE: Okay, good. So, Council Member,  
16 on procurement, a couple of things. We mentioned  
17 before you joined us that the state legislation, the  
18 budget passed April 1<sup>st</sup>. Requires that the MTA hire  
19 and independent reform and restructuring firm. That  
20 firm that's been hired is Alex Partners, AOIX, which  
21 is a leading firm mostly, frankly, advising for  
22 profit corporations.

23 One of the major areas of their review, frankly,  
24 I think it's fair to say it was one of the first  
25 areas of their review was procurement. In terms of

1 consolidating it, making it more efficient and making  
2 the MTA a better buyer.

3  
4 In addition to that, so the question is what have  
5 we been doing to make the MTA a better, more  
6 effective buyer. So, you mentioned the city's  
7 experience with construction contracts, so my  
8 colleague Jenna Liber who is a Chief Development  
9 Officer, it sounds like you know Jenna has done some  
10 terrific work together with Scott Rechler and a  
11 construction course task force. Among the things  
12 that they have achieved is no east side access and  
13 other projects. A. Significantly reducing the time  
14 it takes for a vendor to get paid. They have taken  
15 literally weeks and months out of that.

16 Second, is they have reduced the time, internal  
17 time, that the MTA capital construction and other  
18 agencies have taken to turn around change orders, to  
19 deal with additional workorders etc. And I think  
20 those things Council Member as examples, have two  
21 important consequences. One is they make us a more  
22 effective buyer and procurer of goods and they also  
23 send a message to the construction community, the  
24 vendor community that doing business with us will be  
25 quicker and less expensive.

1  
2 Thirdly, just finally, having said that, I want  
3 to acknowledge that we have a great deal of work to  
4 do to further these enhancements throughout the  
5 entire agency and to continue to take time and cost  
6 out of the process.

7 But we have been very focused on this and have  
8 some successes to announce.

9 COUNCIL MEMBER ROSENTHAL: Great, I look forward  
10 to talking with you more about it. Thank you very  
11 much. Thank you Chair.

12 CHAIRPERSON DROMM: Okay, so just one for me and  
13 then I think a couple from Ydanis.

14 The Astoria Station renovations. The MTA is in  
15 the process of renovating the Astoria Subway  
16 Stations, these renovations do not include the  
17 installation of elevators, as we pointed out during  
18 the preliminary hearing. Can you just update the  
19 Committee on how much the MTA has spent renovating  
20 the Astoria elevator subway stations and how much  
21 would it cost to install elevators retroactively at  
22 these same renovated subway stations?

23 RONNIE HAKIM: So, we are spending \$345 million  
24 renovating the six stations and adding four ADA  
25 elevators.

CHAIRPERSON DROMM: And that's included in -

RONNIE HAKIM: It's included in the total number.

CHAIRPERSON DROMM: Okay, thank you. Chair  
Rodriguez.

CO-CHAIR RODRIGUEZ: Thank you Chair, and I would  
just like to say thank you to New York City Transit,  
Andy Byford, and the whole team for being supportive  
on the car free day. Hopefully, we can look for 2020  
and look as an LA that also provide free ride on  
Earth Day. So, we will be starting planning with the  
Speaker, my colleague, the 2020 car free day and  
hopefully we can increase the level of participation.  
Because it's about having conversation, incentivizing  
New Yorkers to use more public transportation. So,  
thank you again.

When do we expect that the pilot project that  
already has been in place to happen that will  
transform how New Yorkers pay their fare by using  
their phone will be established? When will the pilot  
project finish and when do you expect - and if you  
can share who are the private contractors who wanted  
RFP to put on this analogy and what is the plan?  
When do you expect that the pilot project will be  
done and based on that pilot project, is there any

1 expectation on what year do we expect that all train  
2 stations will have those technologies to provide the  
3 option for the individual to pay using their phone?  
4

5 PATRICK FOYE: So, Chairman, this is a timely  
6 question because the capital program oversight  
7 committee got a report on the latest – the project is  
8 called OMNE, it will allow customers to pay with  
9 contact, with credit cards, with their cell phones,  
10 apple watch, etc., but importantly we will always  
11 give customers the option of buying a metro card for  
12 the next three years and then an OMNE card following  
13 that. So, customers will always be able to use cash.

14 A pilot will begin this month on May 31<sup>st</sup>, on both  
15 subways and buses. On the subways, it will be  
16 Lexington Avenue Stations from Grand Central to  
17 Barclays and all buses in Staten Island. That pilot  
18 will start May 31<sup>st</sup>. The system will be rolled out  
19 across the subway system and the bus system by  
20 October of 2020.

21 Yesterday, the project leader reported in the  
22 presence of a senior representative from Cubic, which  
23 is the company that was hired in a competitive RFP  
24 Cubic, I think it's fair to say is a national leader  
25 in the installation and management of new fare



1  
2 payment systems. And we reported to this Committee  
3 of the MTA board, that the project is on time and on  
4 budget. I have been very focused on it personally.  
5 These CPOC meetings, Capital Program Oversight  
6 Committee meetings are quarterly. I have required  
7 the Cubic Chairman and CEO and President, and the  
8 people involved in the project to get on the phone  
9 with me with some of Andy's colleagues and with the  
10 people who run the OMNE program about a couple of  
11 weeks before each CPOC meeting. So, that when we  
12 report to the board and the public, and our customers  
13 that the projects on time and on budget. That we  
14 have a 100 percent degree of assurance that that is  
15 the case.

16 So, that is a Chairman, a brief outline of where  
17 we are on that important project.

18 ANDY BYFORD: May I just make one addition to  
19 Council Member Rosenthal. Council Member, it's 18  
20 actually. Actually 18 members of the Committee and  
21 they will be drawn from people with all forms of  
22 disability. So, 18.

23 COUNCIL MEMBER ROSENTHAL: Thank you. I am  
24 getting one question. Will the meetings be public?

2 ANDY BYFORD: I believe so, again, I will check  
3 my facts on that.

4 COUNCIL MEMBER ROSENTHAL: Thank you so much.

5 CO-CHAIR RODRIGUEZ: So, in which year do we  
6 expect, if everything goes well and the pilot project  
7 is working, that all the stations in the City of New  
8 York will be able to -

9 PATRICK FOYE: Yeah, Chairman, October 2020.

10 CO-CHAIR RODRIGUEZ: 2020.

11 PATRICK FOYE: Yes, sir.

12 CO-CHAIR RODRIGUEZ: With the transit signal  
13 system, how are we doing, and we also know that a lot  
14 has to do with a plan moving forward. As you know,  
15 the oldest, like 2040 and that was of course before  
16 you guys came onboard. Many of you in this literacy  
17 position but before you came on board, it was like by  
18 2040 the year when all the stations will have the new  
19 transit signal system. I know that you have a more  
20 aggressive plan. What do you expect keep happening  
21 in months and years with stations. When do you  
22 expect it will be completed? And what should we  
23 expect to see in the schedule to address the  
24 replacement knowing that there is a lot of challenges  
25 with the transit signal system?

1  
2           ANDY BYFORD: Okay, so, where we are with  
3 signaling, is as you know already, the L Line is on  
4 Martin signaling communications-based train control.  
5 The good news is the L Line project among many other  
6 improvements will receive new power stations to  
7 enable us to run more trains. So, L Line will see  
8 further improvement.

9           The second line that we have converted to CBTC  
10 just went live end to end with CBTC in the last  
11 couple of months. That's the seven line, the  
12 Flushing line and that has seen a 56 percent jump in  
13 punctuality since we rolled the new signaling system  
14 out. We've just switched on what's called automatic  
15 train control which better spaces the trains.

16           We are currently implementing CBTC on the Queens  
17 Boulevard line, next after that, will be Cover, next  
18 after that will be the eight-avenue line. And then  
19 the Fast Forward plan a total of five lines converted  
20 to CBTC or elements of the line converted over the  
21 next five years. Potentially a further six in the  
22 following five lines.

23           So, by the end of the ten year if you like, or  
24 the ten-year currency of the Fast Forward Plan, we

2 will have moved to 90 percent of riders will be on  
3 Martin Signaling.

4 We may be able to do it more quickly. We will  
5 shortly be trialing a system called UWB, it's not  
6 itself a signaling system, but it's the  
7 communications element of CBTC, which in tandem could  
8 mean we can do this thing more quickly, more cheaply  
9 and less intrusively.

10 So, I am very excited about it and it's one of  
11 the reasons I brought in a world class signaling  
12 expert namely Pete Tomlin to help me get this thing  
13 across the line.

14 CO-CHAIR RODRIGUEZ: Okay, how much does the MTA  
15 expect to spend every year on advertising on media?  
16 On job opportunity, I have seen also some advertising  
17 on the train for opportunity for Women and Minority  
18 to. Like how much of the budget is dedicated for  
19 advertising?

20 PATRICK FOYE: Whats the dollar amount, Chairman,  
21 just so I understand the question of communications  
22 to customers per year. I don't have that in my  
23 fingertips and rather than make it up, we will come  
24 back to you with a number.

1  
2 CO-CHAIR RODRIGUEZ: Okay, and if you can look at  
3 it and again, I also push on the DOT on also using  
4 local medias, because you know, the city has changed.  
5 And 30 percent of New Yorkers like myself being born  
6 and raised in another country. So, we have the  
7 Bengali, we had many Asian communities. They have  
8 their own newspaper; they have their own TV and radio  
9 program and I feel that we have relied to much only  
10 on putting any apps for any purpose that we do  
11 through all city and state only to the mainstream.  
12 So, if you can look at it to see how are you doing on  
13 also spending the local medias and see how much more  
14 you can do.

15 PATRICK FOYE: Chairman, we will do that.

16 CHAIRPERSON DROMM: Okay, thank you very much for  
17 coming in. I really, really, appreciate you spending  
18 so much time with us and answering all of our  
19 questions. Good luck and we will be talking to you  
20 very soon.

21 Alright, and with this, this concludes are  
22 hearing for today. The Finance Committee will resume  
23 Executive Budget hearings of Fiscal 2020 tomorrow,  
24 Wednesday, May 22, 2019 at 10 am in this room.  
25 Tomorrow the Finance Committee will hear from the

COMMITTEE ON FINANCE JOINTLY WITH COMMITTEE ON  
CULTURAL AFFAIRS, LIBRARIES & INTERNATIONAL  
RELATIONS, COMMITTEE ON SANITATION & SOLID WASTE  
MANAGEMENT AND THE COMMITTEE ON TRANSPORTATION 278

Department of Social Services, the Office of Civil  
Justice, the Administration for Children Services and  
the Department of Parks and Recreation.

As a reminder, the public will be invited to  
testify on Thursday, May 23<sup>rd</sup>. The last day of the  
budget hearings at approximately 2 pm in this room.

For any member of the public who wished to testify  
but cannot make it to the hearings, 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.

[GAVEL]

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 April 1, 2018