

CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

COMMITTEE ON ENVIRONMENTAL  
PROTECTION

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December 11, 2019  
Start: 10:08 a.m.  
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HELD AT: Council Chambers - City Hall

B E F O R E: Costa Constantinides  
Chairperson

COUNCIL MEMBERS: Costa Constantinides  
Rafael Espinal, Jr.  
Stephen T. Levin  
Carlos Menchaca  
Donovan J. Richards  
Eric A. Ulrich  
Kalman Yeger  
Adrienne E. Adams

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

Ian Kendall

Kari White

Bina Barbouin

Loran Harmon

Vincent Sapienza  
Commissioner  
Department of Environmental Protection

Deanne Criswell  
Commissioner  
New York City Emergency Management

Jeff Hunter  
Assistant Commissioner  
Division of Environmental Health  
Department of Health and Mental Hygiene

Ben Krakower  
New York City Emergency Management

Lisa George  
Representative for  
State Senator James Sanders

Christine Apah  
New York Lawyers for the Public Interest

Judith Gomez  
Human First

Dale Lynch

Grace Johnson

Winston Horseford

Khalil Anderson

Olive Haralal

Ronald Johnson

Pastor James Works, Jr.

Ricardo McKenzie

Kermit McKenzie

Yvette Taylor

KEITH POLITE: Testing one, two, one two. Today is December 11, 2019. Today's meeting is on Environmental Protection, being recorded by Keith Polite.

CHAIRPERSON CONSTANTINIDES: Sergeant at Arms, if you'll just let me know when we're ready to roll. All right, let me know when we're good, when the tape is rolling and all the good stuff. Ready to go, all right. [gavel] All right, Good morning. I am Costa Constantinides, chair of the Environmental Protection Committee, and I'm joined today by my colleague Council Member Adrienne Adams. And today we'll be holding an oversight hearing on the challenges in managing the Department of Environmental Protection waste water infrastructure. During the early morning hours of Saturday, November 30, a blockage in a sewage line at 150th Street near Kennedy Airport to cause raw sewage to back up into basements in South Ozone Park and South Jamaica resident neighborhoods. The blockage affected an area of approximately 40 square blocks, bounded by Baisley Pond Park and Van Wyck Expressway to the east and west, and Rockaway Boulevard and the Belt Parkway to north and south. The severity of the flooding

1 ranged from a few inches of raw sewage to several  
2 feet in some homes. Residents were informed by DEP  
3 officials that their potable water supply was not  
4 contaminated by the backup, but were asked to curtail  
5 water usage until the blockage could be bypassed in  
6 order to avoid further compounding flooding already  
7 exasperated by heavy rains on Sunday, December 1.  
8 The residents were also ask to turn off their heat,  
9 hot water, and electricity while the problem was  
10 addressed. A temporary above-ground bypass system  
11 was completed on December 1, was expected to prevent  
12 further backup issues while the affected sewer line,  
13 located 40 feet below ground, is repaired. As of  
14 Monday, December 9, the cause of the block-up had yet  
15 to be determined. But a blockage caused by grease or  
16 potential collapse had been suggested as causes.  
17 Untreated sewage contains bacteria, viruses, organic  
18 matter, parasites, toxins, and metals, all which may  
19 cause illnesses when humans come in contact with them  
20 and require costly clean-ups. Sensitive populations,  
21 including children, the elderly, and those with  
22 weakened immune systems can be at higher risk for  
23 illness from exposure of the sewage. Many of the  
24 department's sewer backups have been found to recur  
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at the same location within the same year. The ongoing occurrence of thousands of backups per year, including repeat backups at the same location, indicates inadequate operation and maintenance. Southeast Queens lies largely in areas where the water table is shallow, less than 11 feet below the surface, and where potential substructure flooding may occur and many structures were developed without infrastructure in place. While the department is replacing a number of sewer segments, that work is not completed and as an interim clogged sewer line or broken pipe may be the rule rather than the exception. The department has a protocol to follow with respect to broken and sewer lines that protect the community, inform the correct parties, and ensure the community it is not going to be blamed when DEP infrastructure fails. While DEP works to address this issue, steps should be taken to assure that residents are not burdened with debris and sewage from failure to properly maintain waste water infrastructure. Actions need to be taken to protect residents from the potential negative health effects associated with the damage of this incident. We have to do better. At a time of year when families are

1 supposed to be home together celebrating the  
2 Thanksgiving weekend they were sleeping in their  
3 cars. People lost their treasured memories while  
4 they sludged through sewage and exposed themselves to  
5 harmful toxins. To add insult to injury, the blame  
6 was initially placed on them with the allegation that  
7 is all too often assumed that grease poured the drain  
8 en mass. That's not how we should be responding to a  
9 crisis. I look forward to hearing from DEP and from  
10 the residents to really ascertain what happened here,  
11 how it can be prevented in the future, and how we  
12 make these families whole once again. With that, I  
13 will turn it over to my colleague, Council Member  
14 Adrienne Adams, whose community was impacted, and I  
15 want to thank her for her strong leadership and  
16 fighting for her neighborhood. Thank you, Council  
17 Member Adams.

19 COUNCIL MEMBER ADAMS: Thank you so much,  
20 Mr. Chair, and good morning. Good morning everyone.  
21 I'm Council Member Adrienne Adams and I would like to  
22 thank you all for attending today's hearing. I want  
23 to thank Council Member Costa Constantinides for  
24 holding this very important oversight hearing. On  
25 Saturday, November 30, just after the Thanksgiving

1 holiday, residents of South Ozone Park and South  
2 Jamaica woke up to a nightmare. They encountered  
3 foul smells and sewage flooding their homes. Much to  
4 their horror, these residents were forced to wade  
5 through sewage in an effort to try to save their  
6 precious belongings. From approximately 1:00 a.m. to  
7 1:00 p.m. desperate calls for help from numerous  
8 residents went out to 311, which were summarily  
9 ignored. At approximately 1:40 p.m. a call from the  
10 president of the 149th Street Civic Association was  
11 made to my office to alert us of this emergency and  
12 my chief of staff immediately headed over to the  
13 affected site. At that time it was noted that  
14 several city agencies were there, including the NYPD,  
15 FDNY, and Con Edison. From all indications, the  
16 assumption was that DEP was on the way. At  
17 approximately 3:00 p.m. I personally made a call to  
18 our director of Community Affairs at DEP to inform  
19 her of this critical situation and to inquire of  
20 DEP's whereabouts. She informed me that she was not  
21 aware of the situation, but would call Operations  
22 immediately. Subsequently, many residents reported  
23 that the DEP was slow to mobilize on the scene.  
24 After over 10 hours of the first reported complaint,  
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the question remained, where was DEP? Finally, at some point during the evening the Department of Environmental Protection appeared in the neighborhood and began to visit affected homes. That night some residents slept in cars and many continue to stay in hotels to this very day. At a time when families should be excited to decorate for the Christmas holiday, my constituents are enduring the stress of not knowing when they will be back in their homes. In the aftermath of this sewage backup, many families in my community have missed work and missed school. Some are concerned about black mold in their homes, and others don't know where to start because they don't have the means to begin repairs or replace furniture out of pocket. As the former chairperson of Community Board 12 Queens, I can tell you that for the past decade nearly every district needs statement cited inadequate sewers. So I ask the administration today, is it time to create a proactive plan to keep the infrastructure protected? Is it time to install an adequate system to sustain the needs of the community? Do we need another sewage backup of this magnitude to make the case? I hope to understand what went wrong and I'm looking for a commitment that

the administration will have a proactive response by making any adjustments necessary to ensure that this never happens again. We can and must do better as a city to protect our residents. My constituents are taxpayers, who pay some of the highest taxes in this entire city. They certainly didn't deserve a sewage disaster. They certainly didn't deserve to be stigmatized by an unsubstantiated, premature narrative pertaining to the disposal of cooking grease on Thanksgiving day. They certainly didn't deserve to be publicly shamed in the midst of tragedy, a tragedy they did not create. I truly appreciate all of the hard work and commitment by the administration to repair this situation and I am grateful for all of the dedicated agencies who have pitched in 24/7 for the past week and a half and are in with us for the long haul to assist my constituents in their time of need. DEP, NYCEM, DSNY, NYPD, FDNY, DOHMH, and the Red Cross. Your help has been immeasurable. Thank you. I'm also anxious to hear answers to our questions and thoughtful testimony from our residents. Thank you all for being here once again. Because New Yorkers

should never have to go through anything like this again. Thank you, Mr. Chair.

CHAIRPERSON CONSTANTINIDES: Thank you, Council Member Adams. So just to give a little bit of housekeeping, we're going to have a panel of residents, then we're going to have the DEP commissioner and their team come up and testify, and then we're going to have another panel subsequent to that. So I just want to call up the first panel. Kahari White, Loran Harmon, Ian Kendall, and Bina Balagabin, with a name like Constantinides I always do my best and try to get it right. If you could all step forward to testify. If you haven't heard your name called, you will be called after the DEP panel. And if you do want to testify and you have not filled out one of these cards yet, you need to do so right here at the desk, so please fill out a card if your interested in testifying so we can call you and have your voice be heard. Thank you. Good afternoon, well good morning. Thank you for your testimony here today. Sir, if you could begin here on my left.

IAN KENDALL: Testing one, two, three, testing. Good morning. My name is Ian Kendall. I reside at 13018 146th Street. I was on vacation when

1 the flood occurred and I received a call from my  
2 neighbor explaining to me what happened. One of my  
3 relatives entered the home to discover we were lucky  
4 to the point that we had just about three inches of  
5 sewage, but there was sewage. So everything in my  
6 basement basically of wood was damaged. There was  
7 good response from the city agencies in terms of the  
8 cleanup and restoration. Restoration is a big  
9 problem. We do not as of yet know if they're going  
10 to repair our basements. Our basements were whole  
11 before this incident. We're being told by the DEP  
12 commissioner that we have to wait until an  
13 investigation to decide who is going to fix our  
14 basements. We're being told by the DEP commissioner  
15 that we have to wait until an investigation to decide  
16 who is going to fix our basements. I don't think  
17 that's our problem. They're an agency. If even when  
18 they identify whoever is a problem they can deal with  
19 them. Our homes were whole and clean before November  
20 30th at 1:00 a.m. We need to have restitution and  
21 repairs to our basements now. Now, prior to this,  
22 over the last five years, my basement, my, ah, sewer  
23 system, I have to clean it twice a year, all right.  
24 I call the guys and they come and they tell me that  
25

1 there's nothing wrong. They open up the trap and  
2 they say there's nothing wrong. Two or three days  
3 after we hear the bubbling coming up in the bathroom,  
4 in the basement, or in the toilet bowls. So to me  
5 this seems to be an existing problem prior to this  
6 matter. There have been a lot of construction of  
7 hotels in our neighborhood, I mean, a tremendous  
8 amount of hotels have been built in our neighborhood  
9 and I have not seen any major DEP projects in our  
10 neighborhood to compensate for this issue. So the  
11 DEP needs to show us if they did any additional work  
12 to accommodate all these hotels that they've allowed  
13 to be built in the neighborhood, within a three-mile,  
14 a three-mile radius. Basically, that's my main  
15 thing. I need to know about construction,  
16 reconstruction for our basements and basically that's  
17 my main concerns amongst us. Thank you.

18  
19 CHAIRPERSON CONSTANTINIDES: Thank you,  
20 Mr. Kendall. Sir? Make sure your microphone is on.

21 KARI WHITE: Good morning Chairman and  
22 members of the Environmental Protection Committee.  
23 Thank you for allowing me to the opportunity to  
24 address the committee about the Queens sewage backup  
25 in South Ozone Park and how it has impacted the

residents in the area. My name is Kari White and I'm the president of the 149th Street South Ozone Park Civic Association. This association has been around for over 30 years. On November 30, 2019, I was driving and I was headed to St. Paul's Church. St. Paul's Church is where we have our monthly civic meetings. While heading there around, approximately around 12:00 p.m. I received a phone call from one of my members, Dia Lynch. Mrs. Lynch advised me that in her immediate area there was, there were several complaints of sewage in the area. More than about 20 neighbors on Inwood Street complained about this. She also advised me that they had called 311 since 1 o'clock and nobody has responded. Furthermore, I decided to park my car and take a walk down Inwood myself and just investigate the issues. And there and behold I seen many, ah, many of the neighbors on the corner complaining about this issue. One in particular neighbor that I know of, Neil, he invited me into his home and said come and check out the basement. I followed him and in his basement I seen there was like much sludge and remnants of sewage. What had happened was he had probably had, he said earlier it was about three feet of sewage, but due to

his pumping, his own pump, he used his own pump that he bought from a store to pump out the sewage.

Furthermore, although there was little remnants of sewage, you could see that many of his belongings in the basement was damage. His couch was soiled with

sewage, along with many items that were damaged

because of the sewage and so forth. After that,

after taking note of that, I decided to give Ms.

Adams' office a call. I called the office and

advised them of the situation at hand. After

alerting them, I continued back to St. Paul's Church

to attend our monthly meeting. But this time I

decided to change the meeting. I made it an

emergency meeting. I wanted to alert the members

that were coming there that there was an issue

regarding the sewage. So we waited, and I also

called a few elected officials as well to attend this

meeting. We waited to about maybe, let's say roughly

around 3 o'clock. Ah, 3 o'clock we got together and

we spoke as a community on what we should do in terms

of this situation, how could we help this situation

and help our neighbors. Again around 3 o'clock Ms.

Dale, she called me once again and asked if I was

coming down. I said I'd be on our way. Around 3:10,

3:15, we headed down to Inwood Street. I went down Inwood Street and I went to one of my civic members, Mr. Pinchbaker, and he asked, his son asked me to go down to his basement. When I walked down in his basement, lo and behold, I was in utter disbelief. It was almost as if I was in a horror movement. The basement was filled to about four feet of raw sewage. When you walked down the stairs, the bottom rung was invisible. So you couldn't see it. It was unable, you weren't able to pass down, go any further. To, also to tell you that it was for four feet, I could tell you because I took a stick and I actually placed it inside the sewage and I marked it. So I knew for a fact that it was over four feet, and not in just one area, but the entire basement. Everything he had was really pretty much destroyed. Beds were floating, clothing was floating, items was floating all on top of the sew. Furthermore, I decided to take another walk and look at other homes that had the same situation regarding the sewage. One lady's house I refused to go into, it was so contaminated, because she was pumping the sewage out through the front yard of her door, through a 2-inch hose. It was pumping out like a geyser. I didn't want to talk



1 in because I didn't want to step near the sewage, in,  
2 um, near her threshold, sewage was everywhere. I  
3 didn't want to contaminate my clothing or my shoes.  
4 Furthermore, another instance is where, let me see,  
5 another young lady on 133rd Avenue, her basement was  
6 literally submerged in over three feet of water. The  
7 lady continuously pumped out the water, but she  
8 claimed and she cried and said the water is not going  
9 anywhere. It was her belief that the water was being  
10 circulated back into her home. In addition to this,  
11 this is all around 3:45, 4:30 during this timeframe.  
12 I remember that day clearly because it was very cold  
13 that day and when I noticed that everybody, the  
14 neighbors were staying outside. They were outside  
15 because the stench was so unbearable. I mean, the  
16 rancid sewage was just so unbearable and it was so  
17 intolerable that people, they opted to, to stand and  
18 wait outside or in their cars as opposed to being  
19 inside their own homes, risking the fact that they  
20 may get sick from the cold weather. Furthermore,  
21 around 4:45 I met Deputy Commissioner and he briefly,  
22 he briefed the residents that DEP employees would  
23 individually pump out the homes affected by the  
24 sewage. I later saw the DEP crews setting up pumps  
25

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2 in the neighborhood around 5:30-6:00 p.m. That's all  
3 on this matter. Thank you.

4 CHAIRPERSON CONSTANTINIDES: Thank you  
5 very much for your testimony. Make sure you hit  
6 your, put on your microphone to make sure we can hear  
7 you.

8 BINA BARBOUBIN: Thank you.

9 CHAIRPERSON CONSTANTINIDES: Thank you,  
10 Bina.

11 BINA BARBOUBIN: My name is Bina  
12 Barbouin. I live by 146th Street on the North  
13 Conduit, 145-45 North Conduit. On November 38th,  
14 30th, a friend of mine and called and asked, like  
15 around 8 o'clock, if I have any flood in basement. I  
16 said no, because there was no flood. But before.  
17 Like 8:10, I went downstairs to check it out. I saw  
18 some water seeping out. But then when I turned  
19 around, like two-three minutes, I called my son  
20 because he does HVAC and he has a pump. So I asked  
21 him to get his pump ready because people say their  
22 basements are flooding. Before I finished talking to  
23 him I see the water started coming up, the sewage,  
24 like a tsunami. I called 311. They're telling me  
25 like they will be here between six and seven hours.

After the basement got flooded, like almost a foot of water and sewage, I called them again. They said, well, I called already, I have to wait for them to come, which was like another, they said maybe more than six or seven hours. By then the whole basement was almost flooded, three to four, three feet, two to three feet of water, even though I had the pumps and whatever, and then when we first started to pump the water out, the sewage, we were so confused, they lead it outside and it went into the yard, the whole yard is like until this day you cannot walk in the yard because it's all sewage. There are toilet tissue crumpled all over the yard, and now I, like they say it all, whatever happened, but for me I am retired. I live on a budget and they are saying they are not going to rebuild. I want to know where am I going to get these funds to rebuild because when the month comes, the money I have is just, it's not enough to pay my bills. Sometimes I don't have any remaining to buy food. Because I get just a little bit above that amount of money you're supposed to get from my pension and my Social Security, they don't give me no food stamp or anything. So sometimes I go, like for this past couple of days, we cannot cook in the house

or do anything in the house. So we were like having one meal per day, and I don't know how long this is going to be and how am I going to rebuild.

LORAN HARMON: Good morning, all. My name is Loran Harmon. I live on 130-36 Inwood Street. I'm one of those individuals who have been affected since 2:30 a.m. 11/30. I was one that called. I was woken up by my daughter who was visiting from college. She said, Dad, I smell something funny. So I proceeded to go downstairs. I said, well, maybe it's the trap. Just like the gentleman said, I usually have to do my trap twice a year because it's always been a flooding issue, a sewage issue. If I don't, if I forget not to do it, nine times out of 10 I have, I would have a situation. Either way, my daughter called me, she said, Dad, I smell something funny. I run downstairs. I said, OK, well maybe I need to snake this out myself. Lo and behold, the worst thing I could have ever done was remove that cap, because when I moved that cap off the line it came out like a water hose. I had to get everybody up as quick as possible because my basement was a furnished basement. All my clothing was in this basement. My

son's clothing, my daughter had clothes in the washer machine. I have a 10-year-old son, all his toys, his bike, everything is in the basement. So we're hustling to get everything upstairs as quick as possible. In the interim, my wife is calling 311, the fire department, 311, the fire department, 311, no answer. Everybody's saying, oh, call this person, call that person, call, this went on till 9 o'clock in the morning. At 9:00 a.m. in the morning I had close to four-and-a-half feet of sewage in my basement. Washing machines, dryer, the heating, the furnace, the hot water tank, that went immediately. That happened, that went by at least 7 o'clock a.m. in the morning. So now I have no hot water, I have no heat in the house. I'm one of those families that had to sleep in that car, in that driveway, with my children, because I didn't have no means at the time to place anybody. The next day we ended up getting a hotel. I'm still in this hotel now for going on three weeks. Three weeks. I still don't have no heat. I still don't have no hot water. I've been here for three decades. I've never seen nothing like this before, ever. And to still be living in a hotel, exhausting all my funds, my personal funds.

1 This is just unacceptable, unacceptable. Something  
2 needs to be done. I need to move back into my house.  
3 I need some heat, I need hot water. I was told that  
4 they cleaned out the basement, but I have to be  
5 proactive myself. Every day I'm going down with  
6 bleach and a spray can, spraying everything down to  
7 get, the smell is still in the house, even after they  
8 said they cleaned it. It's still in the house. I  
9 have forced heat, meaning that I have vents in all  
10 the rooms and in all the floors. So the smell from  
11 the sewage went through each and every room. Second  
12 floor, first floor, whereas that I had to throw out  
13 all the mattresses in my house. I had cloth  
14 furniture. I had to throw my whole living room set  
15 out. This is, this has been really tough. I haven't  
16 been to work in two weeks, because they said somebody  
17 need to be there all day long because periodically  
18 people is coming in, checking in and out. I have to  
19 go back to work. I need to get back to work. But  
20 before I get back to work I need heat and hot water  
21 in my home so I can place my family there, and we can  
22 be safe. My wife has concerns with the smell. I  
23 have a 10-year-old son, once again, he's very, he's  
24 allergic to everything. So I don't know how long,  
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what kind of long-lasting effects this has on us, on the children. This is, this was a disaster and we need answers. I'm a taxpayer. I live in a very good neighborhood, hard-working people. We deserve better than this. Thank you.

CHAIRPERSON CONSTANTINIDES: Thank you, Mr. Harmon. Thank you all. I have questions as well. So has the DEP explained and gone through the reimbursement process with you, how this is going to work? Has anyone from the mayor's office been out and explained to you how you're able to be made whole?

LORAN HARMON: In my case, no. I just was told that they were going to do the clean-up. I was told that the restoration is going to be on myself.

BINA BARBOUIN: Our own responsibility.

LORAN HARMON: And, no. Where is the mayor? I was told that he was supposed to be representing, or coming through to speak to us on several occasions. I mean, he had representatives, but I'm so eager to speak to him myself.

CHAIRPERSON CONSTANTINIDES: The rest of the families? Mr. Kendall or Ms.?

IAN KENDALL: The comptroller's office has instructed us to file claims with them, ah, for personal belongings and we have to do that within 90 days. Ah, as per regards our restoration of our basement and repairs, we are not getting any answers where that is concerned. Yeah, so they say file for 90 days and they may accept estimates if you get estimates for repairing of your basement. They may accept it, so. That's where we stand right now.

CHAIRPERSON CONSTANTINIDES: And has anyone explained to you all how to document the damage to your home in order to be eligible for any?

IAN KENDALL: They told us to take pictures.

BINA BARBOUIN: Take pictures.

IAN KENDALL: And if you can write, whatever you can write. If you have any old bills you can submit them, if you happen to have them, and submit the pictures that you took of the things that you had to discard. So basically that's where we're at.

CHAIRPERSON CONSTANTINIDES: Has any, it sounds like there's been issues before. Several of you talked about having to clean your lines twice a



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2 year in order to prevent, has there been challenges  
3 in the community prior to this?

4 LORAN HARMON: Prior to this we, most of  
5 us in the neighborhood have sump pumps. I didn't  
6 know that, most of my neighborhoods have, I mean, I  
7 had one myself, I had to purchase one that morning,  
8 but I realized most of the people on that block has a  
9 sump pump in their home. First, when I bought the  
10 house, I was like, oh, OK. Well, but I realized  
11 shortly after why we have sump pumps in that area.  
12 Because, once again, at least twice a year there's a,  
13 some sort of flood. Not to this degree, but there's  
14 always some sort of issue that needs to be addressed.

15 IAN KENDALL: I, like I said, I do my  
16 basement twice a year. Now, once I might DEP because  
17 the plumber said to me I don't have problem in my  
18 home, it's in the street. They came and they lifted  
19 up the sewer and the guy rang my bell and says I  
20 don't have a problem in the street. It has to be  
21 inside. I says my plumber just told me it's not in  
22 the house, it's in the street, so you guys need to  
23 find out what's going on. This is happening way too  
24 often, and I never heard from them again. And then  
25 subsequently a year after I had the same problem

again. So it seems to be an ongoing problem in the neighborhood in a three-mile radius. They need to check it out.

CHAIRPERSON CONSTANTINIDES: Mr. White?

KARI WHITE: Can I also add, as the president of the civic association, many of my members have since, we can date back and it's on record for 2011, I think, where they have made complaints regarding the water table in that immediate area, flooding, [don't] come up Inwood Street and 133rd and Inwood Street, between Inwood and 133rd and 130th Avenue, many of the members have complained and not only complained, they have actually set out work orders for DEP to investigate regarding the flooding in that immediate area. So that's prior to this sewage flood that taken place.

CHAIRPERSON CONSTANTINIDES: Thank you.

With that, I'm going to turn it over to my colleague, Adrienne Adams, for questions. And I'll be back in a moment.

COUNCIL MEMBER ADAMS: Thank you, Mr.

Chair. Again, thank you all for being here today. We've seen each other a lot over the past couple of weeks, and it has not been a happy situation for any

1 of us. So as we continue to go through this really,  
2 really tough situation, I just want to say that your,  
3 your strength and tenacity is notable, and I just  
4 want to first of all thank you all for your strength  
5 in the face of a situation that none of us would have  
6 ever imagined would have been going on. When it  
7 comes to your being made whole, I just want to visit  
8 that a little bit more, if you don't mind. Because  
9 we know that in our community meetings over the past  
10 couple of weeks we've, we've had representation from  
11 the comptroller's office, and he was invited to be  
12 here today and he is not here for us to ask this  
13 question to, so I will ask you as far as your  
14 experience has been with responsiveness, number one,  
15 ah, and understanding reimbursement, and number two,  
16 your feelings about the procedure in the future as  
17 it's been explained to you by the comptroller's  
18 office and the forms involved.

20 IAN KENDALL: Well, there seems to be  
21 some kind of ambiguity on behalf of the comptroller's  
22 office, because they said that there is no guarantee  
23 that you will be reimbursed for your claims. So we  
24 like hanging in the air. We don't know what is gonna  
25 happen. So that's part of my issue with them.

Although they say they could defy the claim, then comes back with there's no guarantee you will be reimbursed. You know.

COUNCIL MEMBER ADAMS: Anybody else have anything to add to that?

BINA BARBOUIN: I don't know, because I know they said it's our responsibility to do all that repairs and rebuilding. But why should it be our responsibility when it's not our fault that our basement got messed up?

LORAN HARMON: I'm just surprised at the comptroller's office, period. When we went to the emergency help center they had no clue. It wasn't there for the first four days, I would say, four to five days. And then when it did get there I remember specifically the man held out a form and he said, well, all I could tell you to do is fill out this form everything that, you know, you think that you lost, and we only give you 90 days as of this day to get it down. After that you're cut off. That's the one thing that I do remember him saying. And, once again, like I said, I had a fully furnished basement. I, to be honest with you, there's so much stuff I lost I can't even, I can't itemize all the things at

all. We're talking about 20 years of memories, some things I can't, there's no price to put on that. So to be told you have 90 days and, ah, we're not exactly sure if we're gonna take all your items, ah, like the young man said here next to me, we are in limbo. We are really in a cloud, not knowing what our future beholds, in regards to construction, getting back assets, our livelihoods. So, that's it, I don't know.

COUNCIL MEMBER ADAMS: Thank you for that. Kari, did you?

KARI WHITE: Yeah, I should say, just from canvassing the area and speaking with the many victims in that immediate area, what seems to be a main concern regarding insurance, ah, is that reimbursement, a lot of people cannot front the cash up forward. A lot of people do not have \$8000, \$5000 in their accounts in order to get the work done and then to wait on who's at fault before they can issue a reimbursement. That seems to be one of the main issues in the immediate area, ah, just from speaking with the residents there.

COUNCIL MEMBER ADAMS: Yeah, I definitely agree. That's why I wanted to get this on table

1 because I knew that the comptroller would not be here  
2 today and his representatives have told him not to  
3 testify. I wanted to get the financial burden out  
4 there as a part of your testimony, because we need to  
5 have on record the impact and the severity of the  
6 financial burden on the residents that have been  
7 affected by this disaster. So we know that there are  
8 forms to fill out. We know that you've been given 90  
9 days per the comptroller for the forms, to have the  
10 paperwork, your documentation, your pictures,  
11 everything else, handed in or else you go back to  
12 square one and have to start the process all over  
13 again, or not. I don't even know that, because  
14 that's a question of mine that I can't get answered  
15 today. The other thing is that the word ambiguity is  
16 one hundred percent on point. We needed answers to,  
17 number one, what exactly is covered by the city, what  
18 is covered by the comptroller's office when it comes  
19 to a disaster like this. What will be covered? Is  
20 there a cap on the amount of money, the  
21 reimbursement, in a situation like this? I mean, my  
22 questions, and just off the top of my head, go on and  
23 on and on, and the fact that we cannot get the  
24 answers to those questions here today by the

responsible office is very disheartening to me. But I thank you all for your testimony. We will continue to work with you on a daily basis, hour by hour, minute by minute. Thank you so much.

UNIDENTIFIED: Thank you, Council Member.

CHAIRPERSON CONSTANTINIDES: Thank you all for your testimony and we're, I'm deeply sorry for all that you're going through and look forward to getting the answers that you all deserve.

UNIDENTIFIED: All right, thank you, Chairman.

CHAIRPERSON CONSTANTINIDES: With that, I'll call forward DEP and New York City administration. If you can all step forward. Jeff Hunter, Commissioner Deanne Criswell, Vincent Sapienza, DEP commissioner, Christine, oh, wait, no, Christine, she's from, and Michael Delouche, are you testify, Michael? OK, great. All right. Decided to have my attorney, give her a moment to come back, and she has to swear you in. Samara, I need you to swear in the witnesses. Thank you. I want to let everyone know we've been joined by, I know Council Member Perkins, who was here a few minutes ago, and Council Member Menchaca from Brooklyn as well.

COUNSEL: Can you please raise your right hand? Do you swear or affirm to tell the truth, the whole truth, and nothing but the truth today?

CHAIRPERSON CONSTANTINIDES:  
Commissioner?

COMMISSIONER SAPIENZA: Good morning, Chair Constantinides, and members of the Committee on Environmental Protection. Thank you for inviting us here today to discuss challenges in managing the Department of Environmental Protection waste water infrastructure. I'm joined here at the table today by Deanne Criswell, the commissioner of New York City Emergency Management. Jeff Hunter is here. He is the assistant commissioner at DOHMH for the division of environmental health, and members of the team to help us answer questions. DEP operates and maintains the city's vast water and waste water infrastructure, from dams and reservoirs located more than 100 miles from the city to the 14 waste water resource recovery facilities spread throughout the five boroughs. The distribution and collection system includes the longest continuous tunnel in the world and more than 7500 miles of sewers, equivalent to a pipe stretching from City Hall to the Aleutian Islands in Alaska and



back. I am glad to be here to discuss this important topic, particularly in light of the sewage backup that caused so much damage in southeast Queens just over a week ago. Homeowners, their families, and their tenants impacted by that blockage have endured a real calamity and we are sorry for the tremendous disruption, especially during the holiday weekend. My staff and our agency colleagues have been working around the clock since the morning of November 30th to ensure the following - that we connect with homeowners to identify and address critical needs, identify and address the cause of the sewer blockage, located deep beneath the 150th Street overpass abutment, install and maintain multiple bypass pumps to move waste water around the blockage, pump out flooded basements, clean impacted homes, provide air quality monitoring throughout the neighborhood, wash down streets and clear debris, and install new boilers and new hot water heaters for those that have been without heat and hot water. This work will not stop until the job is done. I want to speak now about our sewer infrastructure maintenance. During the de Blasio administration significant additional DEP resources have been authorized for inspecting and

cleaning sewers and drainage infrastructure. As reported in the annual Mayor's Management Report, sewer blockages have dropped considerably, by 48% between FY13 and FY19. On an average day we physically inspect more than 9000 feet of sewers. More than 600 miles of sewer were cleaned of debris in 2018. More than two-thirds of this was proactive maintenance cleaning. Data about sewer maintenance are presented in DEP's annual State of the Sewers Report, which is posted on our website, and additional information is provided annually to the City Council regarding maintenance of sewer catch basins. I know that questions have been raised about the age of the city's water and sewer infrastructure, and so I'd like to address those concerns. As is well documented in the industry, age alone is not a good indicator of replacement requirements. Materials composition, subsurface conditions, construction techniques, and traffic all impact longevity. DEP engineers use a sophisticated asset management tool to determine when water and sewer pipes need replacement. We typically allocate one billion dollars each year in our capital improvement plan for pipe replacement and upgrades. We are

always mindful that this funding comes almost exclusively from property owners who pay a water bill. So we must be efficient in our daily work and use analytics for our capital planning. Now, about the sewage backup in Queens. As everyone here is aware, during the weekend of November 30th to December 1st a large sewer became partially blocked in southeast Queens. These types of backups are very rare, which is indicative of how diligently DEP crews maintain the 7500 miles of sewer infrastructure, 95 sewage pumping stations, and 14 waste water treatment plants that handle 1.3 billion gallons of waste water on a dry weather day and up to 3.8 billion gallons when it rains. I know that there are many questions about how the events unfolded on Saturday and how the city has responded, and so I'd like to take a few minutes to provide a run-down of everything that happened. Between 3:30 a.m. and 6:00 a.m. seven calls were made to 311 by residents in southeast Queens reporting sewage backing up into their basements or cellars. At 7:55 a.m. a DEP crew and a flusher degreaser truck arrived at 146th Street and Sutter Avenue. They worked for about an hour to clear that pipe. By 10:00 a.m. a total of 12 calls

were received by 311 and DEP supervisors recognized that the issue was not localized, but area-wide. More crews were dispatched. As the investigation progressed throughout the late morning, DEP staff determined that the block, that a blockage outside of the neighborhood in a sewer further downstream could be the cause. They eventually traced the blockage to a 42-inch sanitary sewer located south of the eastbound South Conduit Avenue. The blockage was unfortunately in a section of pipe that is beneath a bridge abutment for the 150th Street Overpass, which spans South Conduit Avenue, the Belt Parkway, and North Conduit Avenue. DEP tried to clear the blockage by lowering equipment through access chambers that had been installed in the abutment by the New York State Department of Transportation in 1987 when it constructed the Nassau Expressway and built a section of connecting sewer beneath the abutment. As Saturday progressed it became apparent that trying to clear the blockage through the abutment was only marginally successful and that a deep excavation would be required. Recognizing the engineering challenges of excavating at this difficult location, DEP crews began deploying large

pumps to convey waste water from the neighborhood around the blockage. DEP teams also began providing assistance to residents to help pump out their flooded basements. That bypass system has been successful in pumping more than 10 million gallons of waste water each day to sewers that are not affected by the blockage. Regarding the excavation, two lanes of the South Conduit have now been closed for the last nine days as work progresses. In addition to the difficult location, ground water has also been a challenge, as we heard from some of the folks who testified. DEP has hired a contractor to install two large deep wells in the proximity of the excavation to lower the water table in this location. DEP has been working closely with New York State DOT engineers to monitor the bridge abutment for any movement to ensure its structural stability. DEP engineers have concurrently been evaluating whether to simply abandon this section of sewer, given its inaccessibility. It's unclear why 1980s DEP allowed the state to build a highway and sewer infrastructure that has extremely limited access. Today, we require 15-foot surface easements when public sewers are constructed by governmental entities. We are

evaluating the benefit of building a new section of sewer around the bridge abutment. Since the incident began there have been between 80 and 150 DEP personnel in the affected area each day, and I want to thank them for their dedication and hard work during this time. I also want to thank the staff from New York City Emergency Management, CERT, DOHMH, FDNY, NYPD, DOT, HPD, and the comptroller's office, and also the Red Cross, who have been working with residents in the area. Just now about support services. It's often said that city agencies are unable to coordinate with one another, but I'm proud to say that this has not been the case over the past week and a half. I want to thank Commissioner Criswell and the staff at the New York City Emergency Management who have worked so closely with my team to provide critical services to the community. I also want to thank the Red Cross, who has managed the reception center since November 30th, and the Department of Health and Mental Hygiene, who have been supporting the community. We've all worked together to share data, update processes, and connect with homeowners. A suite of services is available for all affected residents and homeowners. The Red Cross continues to

provide shelter to anyone who cannot stay in their home following the backup, as well as sanitary cleaning kits and other services to meet immediate needs. The city is providing professional cleaning services and is replacing damaged boilers, furnaces, and hot water heaters in impacted homes. DEP and DOHMH have deployed air quality monitoring equipment at homeowners' request and have confirmed normal air quality readings at each location. The comptroller's office has been helping people with water damage claim reimbursement forms and has promised to expedite processing all claims related to this incident. My staff, as well as the staff from NYC Emergency Management and volunteers from CERT canvassed the affected area multiple times throughout the week, knocking on doors and handing out flyers to ensure that homeowners could connect with critical resources. I want to thank all the people who have been helping to reach the residents in the last week and a half. Finally, I want to reiterate how sorry we are that this happened and assure city residents that incidents of this scale are exceedingly rare. The city is dedicated to assisting all affected residents recover from this flooding. DEP is taking

the responsibility for the damages caused by the sewer backup. Canvassers knocked on every door within a day or two of the incident, many of them more than three times. If you believe that you have been affected but have not been connected with city services yet, please reach out. The reception center is still open and we will continue to provide assistance for anyone in need. We will now stop until everyone is back in a safe and livable home. Thank you.

CHAIRPERSON CONSTANTINIDES: Thank you, Commissioner. So I'm going to jump right into questions. I know my colleague, Council Member Adams, has as well. But there seems to be a little bit of a disconnect between your testimony and some of the testimony we just heard from some of the residents. Mr. Harmon talked about still being in a hotel, still unsure when his home is going to be repaired, still unsure on how those funding sources are going to get to him. So there still seems to be on the ground a real disconnect between the opportunities that you're talking about and getting them to the residents. So how do you, how are we going to address that?



COMMISSIONER SAPIENZA: Yes, so, um, as, as the mayor announced on, when he was out there on Monday, December 2, the city is providing services to, to clean the basements and to provide boilers and hot water heaters to those who had damage. New York City Department of Emergency Management is coordinating those contracts and I'll let Commissioner Criswell respond.

CHAIRPERSON CONSTANTINIDES: We have someone in the room who needs those services who is not connected, so I hope that we are making that connection here today as well. But there are lots of people who couldn't testify, right, they're at work. They're still dealing with this. How are we going to make sure that they're not falling the cracks?

COMMISSIONER SAPIENZA: And I just, before I turn it over, I just without say, again, as in the testimony we've knocked on the doors throughout the neighborhood multiple times. We've put flyers on doors at least twice. So we've been trying to get the message out. But I'll turn it over to Commissioner Criswell.

COMMISSIONER CRISWELL: Great, thank you, Commissioner. Yes, we have, um, brought in

1 contractors. We currently have six contractors on  
2 scene that are cleaning all homes that have reported  
3 damage and have reported that they would like us to  
4 assist them. Some homeowners have decided to do the  
5 clean-up on their own. But if they do need  
6 additional assistance we do have services available.  
7 We have a reception center that is open at the  
8 Marriott. If they have not yet been in contact with  
9 anybody from my staff, they can go there and we  
10 connect them with one of our city liaisons. We have  
11 assigned 10 city liaisons, each to a specific home,  
12 so the homeowners and the households have a single  
13 point of contact that they can reach out to connect  
14 them with any services that they need. We are doing  
15 the connecting to the contractors so we can work  
16 around their schedules to come in to clean the homes  
17 as well as to replace the boilers and water heaters,  
18 again, bringing the services to them so they don't  
19 have to come to us.

21 CHAIRPERSON CONSTANTINIDES: Are we  
22 assisting them with filling out of forms? I know  
23 that there are a lot of sort of technical forms that  
24 need to be filled out over and over and over again.  
25 Are we providing assistance that these families can

be able to fill out those forms? They're quite lengthy.

COMMISSIONER CRISWELL: Yes. Our liaisons that are working with the families are assisting them with filling out forms. We have also heard at the last community meeting that people were having trouble with the online form. So we have brought computers into the reception center so we can walk through filling it online with them, and we have also brought notaries into the reception center for those that prefer to fill it out manually and then take it to the comptroller's office.

CHAIRPERSON CONSTANTINIDES: I want to address the issue of cause. You know, hearing it on the news right after there was a double victimization here. You know, the families were dealing with sewage in their homes, trying to save their belongings, and in the press the narrative that this caused by cooking grease over Thanksgiving weekend was rampant. So they were being blamed for this incident while they're still in their basements pulling their belongings out, trying to save their memories and their homes and what they can. So how do we, how do we explain that narrative being so

pervasive at a time when these families needed help and there was no factual investigation, there is still no cause to this day, correct?

COMMISSIONER SAPIENZA: That's correct. We're still doing the excavation.

CHAIRPERSON CONSTANTINIDES: So how was that narrative put out into the press, blaming these families, talking about sewer, grease going into the sewers. It was pervasive. It was on the radio, it was on the newspapers. Anywhere you could hear this was the narrative that was out there, and yet there was no factual investigation that this was the cause. Why was that out there by several people from the administration.

COMMISSIONER SAPIENZA: So thank you for that question. As, as the council well knows from the reports that we submit every year, the vast majority of sewer backups and blockages around the city are caused by residential cooking grease. It's not just an issue here in New York City, but around the country. So our initial response to any call for sewer backup is for a DEP truck that has a flusher degreaser to go out and attempt to clear a blockage. That's always our initial response, and when asked

1 that was my statement. Um, we, for this particular  
2 situation, again, we noted that until we actually get  
3 into the pipe and see what it is we will not know.  
4 But as the council knows and we thank the council and  
5 the members for their support on our many  
6 initiatives, on Cease the Grease, Trash It Don't  
7 Flush It, Fatberg Free NYC, you've been very helpful  
8 in getting those educational messages out and I think  
9 that's certainly helped a lot to reduce the amount of  
10 sewer backup complaints that we've had over the last  
11 several years. But that was, that was the message  
12 that we made.  
13

14 CHAIRPERSON CONSTANTINIDES: I understand  
15 that, you know, usually there's an autopsy, right?  
16 Like we shouldn't be blaming an issue here. Blaming  
17 families, you know, this is essentially a blame,  
18 right? This is attacking them when they're at their  
19 most vulnerable, when they have sewage in their  
20 homes, and we don't have any factual investigation.  
21 That's the challenge that I have. There may, many,  
22 this, we don't know what the cause is, right? But we  
23 shouldn't be jumping to those, we shouldn't be making  
24 assumptions based on previous issues. There should  
25 be a respect for the families in question and not

being, creating a narrative on while they're dealing with this, that this had any relation to their actions when they're trying to save their homes, correct?

COMMISSIONER SAPIENZA: I agree, and we're, you know, very sorry again about how that was messaged. You know, lesson learned going forward. And, and I agree, we shouldn't jump to conclusions about anything until we have all the facts.

CHAIRPERSON CONSTANTINIDES: And how do we, so, so taking a step back, in addition to that, there was this issue around connecting the dots. All right, what is the protocol for dealing with 311 complaints? How is the data from 311 being conveyed to the agencies that, that there aren't misses? Because it's been admitted here by DEP that there was a miss here, right? That things were believed to be localized and yet this was an area that homes were being flooded and that there was a lack of awareness of that. So how do we explain the data not getting from 311 to DEP in a way that made sense?

COMMISSIONER SAPIENZA: Yeah, so, Mr. Chair, so that was clear early on that, that it did take us a few hours. Calls were coming in, ah, the

1 team thought it was a localized issue. But it was a  
2 supervisor who realized probably around 8:00 a.m.  
3 that all of these homes were actually tributary to  
4 the same large sewer main that runs down 150th Street  
5 underneath the Belt Parkway. And I think it took us a  
6 little time to recognize that and to get crews out.  
7 We have been now working with 311 to, to better map  
8 out where complaints come in, what sewers they're  
9 tributary to, and if they are all tributary to the  
10 same sewer main, the big pipe, then we know it's  
11 area-wide issue and to send more resources out more  
12 quickly.  
13

14 CHAIRPERSON CONSTANTINIDES: And how do  
15 make sure this doesn't happen again? Like what  
16 protocols are we putting into place, and this isn't  
17 obviously only DEP, right? But how do sort of, what  
18 protocols are we putting into place with 311 that the  
19 next time this happens in some other community that  
20 this isn't the same response?

21 COMMISSIONER SAPIENZA: Yeah, so, so,  
22 again, I think it's just helping better, um, map out,  
23 if, if complaints get, are scattered among different  
24 blocks, um, it, it was tough for the folks tough for  
25 the folks at 311 and even in our DEP communications

1 to recognize the extent of the problem. Having this  
2 new mapping system in place, which we would be happy  
3 to share with the committee and give you a  
4 demonstration of, helps us immediately to identify  
5 now that's an area-wide issue and, um, that should  
6 help going forward.

8 CHAIRPERSON CONSTANTINIDES: I don't want  
9 take up too much of my colleague's time, I know that,  
10 and we're also joined by Council Member Donovan  
11 Richards, also of Queens. Thank you, Council Member  
12 Richards, for being here. And Council Member Yeger  
13 as well. So I'm going to ask only one or two  
14 questions before I hand it over to Council Member  
15 Adams for questions and I know there are other  
16 questions as well. Relating to inspection, when was  
17 the last time this line was inspected, because I know  
18 we've talked about it being sort of very remote.  
19 When is the last time it was inspected?

20 COMMISSIONER SAPIENZA: So the 42-inch  
21 sewer main that runs down 150th Street under the Belt  
22 Parkway, ah, was TV'd in May of 2018.

23 CHAIRPERSON CONSTANTINIDES: 2018, and  
24 have we, what is the inspection, because I know we  
25 talked about how age is not an indicator of a system



1 that is in disrepair, but we've heard testimony from  
2 residents talking about how, you know, they need to  
3 snake their line twice a year and clean it twice a  
4 year because there are challenges. There were sort  
5 of, you know, someone else was testifying around  
6 issues where they called DEP saying that there was  
7 still a challenge and they were unresponsive. So  
8 what's happening to how we're dealing with response,  
9 what are investigative, how often are we looking into  
10 it, how often should we be looking and sort of doing  
11 preventive care on these arteries, and sort of what's  
12 our plan moving forward?

14 COMMISSIONER SAPIENZA: So, so, good  
15 questions. So let me start that we, we proactively  
16 open manholes to look to see if sewers are flowing  
17 normally, and the sewers in this neighborhood through  
18 the manhole inspections were done in October and  
19 November of 2019, so very recent. When we do receive  
20 calls about homeowners saying they have sewage  
21 backing up into their cellars or basements, we  
22 respond. The response generally is we don't go into  
23 the homes, but we will open the sewer manholes to see  
24 if the city sewer is running normally and if it is we  
25 know that there's not a blockage in the city sewer,

but it's likely in the homeowner's residence and we recommend to them that they get their own plumber.

CHAIRPERSON CONSTANTINIDES: Well, Mr. Kendall here this evening, ah, this afternoon, was saying, well, he had reported issues and that his plumber was saying that it was not in his home and he was reporting it to DEP and DEP was nonresponsive. So how are sort of reconciling when they're doing that investigation and they're signing that it's not in their home, it's not on their line, but it's from somewhere else.

COMMISSIONER SAPIENZA: So, again, our response is to look at the city sewer and see that it's flowing, and if it is flowing it's indicative that there's not a blockage in the city system.

CHAIRPERSON CONSTANTINIDES: And my last question relates to, I know that Mr. Kendall also brought up the fact about investigation, right, that they're not going to be given restitution until the investigation is wrapped up. I know that Mayor de Blasio talked about how, you know, he was there on the scene. I give him credit for saying that he's going to make these families whole. But that statement, that they're not going to get restitution

1       until the investigation is completed does not line up  
2       with that, for a very lofty ideal of making sure  
3       making these families whole no matter what. So how  
4       do we reconcile that as well, and make sure that  
5       they're not having to wait to get all the services  
6       that they need when they need it, right? Holidays are  
7       coming up. They're still dealing with this. They're  
8       still dealing with sewage. They're still missing  
9       time from work. They're still, you know, their  
10      homes, they're still not made whole. How do we do  
11      that in a way that's respectful of them?

13               COMMISSIONER SAPIENZA: So when the mayor  
14      came out on December 2nd he said that the city would  
15      provide resources to clean basements, provide new  
16      infrastructure for heat and hot water, and that work  
17      would continue. The city is taking responsibility  
18      for that. As the investigation continues we will  
19      provide that information continuing to the  
20      comptroller's office. The comptroller actually has  
21      an engineer on site collecting information and we'll  
22      continue to promptly provide that so the comptroller  
23      can process claims.

24               CHAIRPERSON CONSTANTINIDES: Is someone  
25      from the comptroller's office here today? Great.

1 So, I mean, I hope that we're working close  
2 coordination with one another to ensure that these  
3 families are getting both services on the front end,  
4 getting those water heaters replaced, but also  
5 getting restitution. So I know you're not testify  
6 here today, but I am going to put you on the spot and  
7 say that I hope that we are making a close  
8 coordination. So with that I'm going to hand it over  
9 to my colleague, Adrienne Adams, whose community was  
10 affected and I know has many questions.

12 COUNCIL MEMBER ADAMS: Thank you, Mr.  
13 Chair. Thank you, commissioners, for being here  
14 today. Thank you for all of your hard work. And I  
15 know that you have to get back to that hard work. So  
16 let's get right to it. We've noted that there was a  
17 slow response to the 311 calls by DEP. We've noted  
18 that several other agencies and entities were on site  
19 prior to DEP actually being on site on the 30th. So  
20 my first question is given the lack of urgency, or  
21 seemingly lack of urgency by 311 and by DEP, would  
22 you say that this situation is unprecedented, this  
23 particular type of sewage disaster? Is this an  
24 unprecedented emergency?

COMMISSIONER SAPIENZA: These types of large-scale backups of sewage are extremely rare. The last one we had was probably more than five years ago, um, of this scale. Um, again, I think it took a few hours to understand based upon the pattern of the addresses of calls coming into 311 that it was an area-wide issue and not a local street sewer and, again, as we mentioned earlier, we're working with 311 to map out those calls so that we can respond more quickly. But, again, it is a rare event. It doesn't, doesn't happen very often at all.

COUNCIL MEMBER ADAMS: Have you ever seen anything like this in your career?

COMMISSIONER SAPIENZA: Council Member, we had one in April of 2014 at the Lindenwood East New York border, it was about the same extent.

COUNCIL MEMBER ADAMS: OK. I didn't realize that. How long, would you say, Commissioner, how long did it take that repair to, to be completed?

COMMISSIONER SAPIENZA: I'll have to get back to you on that, I'm [inaudible].

COUNCIL MEMBER ADAMS: OK. Do you remember roughly the number of residents that were affected by that?

COMMISSIONER SAPIENZA: It was about the same [inaudible].

COUNCIL MEMBER ADAMS: About the same, OK. Do you have any idea, um, and if you don't it's fine, whether or not those residents were fully compensated for their damages or not?

COMMISSIONER SAPIENZA: I know the comptroller cut a lot of checks. I don't know if they were fully compensated. We could find out.

COUNCIL MEMBER ADAMS: OK, thank you. What is the protocol involved in response to DEP 311 sewage backup complaints?

COMMISSIONER SAPIENZA: So, so that's another thing we're working on, Council Member, and a great question. So, so the protocol that we've, and DEP has given this to 311, is to tell the caller that a DEP crew will be on site in six hours. And that's, I think, the answer that a lot of homeowners who called were hearing and getting upset about, they weren't getting good information back. Lesson learned here is that when we do notice that it's an area-wide issue and 311 should be expecting more calls about the situation is that DEP needs to get messaging to 311 explaining what's happening, so that

folks who are calling frantic with sewage entering their basement at least have a, have a real answer.

COUNCIL MEMBER ADAMS: What is the communication between 311 and DEP? What does that look like to those of us that don't understand it? How, connect those dots for us. What does that look like?

COMMISSIONER SAPIENZA: Yeah, so DEP has a 24-hour what we call our emergency call center, so we have someone at a phone 24 hours a day and has a computer there as well. When calls come into 311 that data is transmitted to DEP essentially immediately, and then our operator in our command center, we'll look at it, see what the issue is, and dispatch a crew to respond.

COUNCIL MEMBER ADAMS: So on Saturday the 30th do you think that there was a training issue between 311? Was there a training issue with DEP? Were both happening at the same time during those phone calls?

COMMISSIONER SAPIENZA: Yeah, yeah, I think it's between both parties, that 311 was transmitting the information to us. I think we, again, it took a little time for us to recognize the

1 extent of the problem and we should have gotten back  
2 to 311 and explained so that they could have better  
3 conveyed the information to the homeowners.  
4

5 COUNCIL MEMBER ADAMS: Were you aware  
6 that a 311 operator responded to one of my  
7 constituents that they were taking their call as a  
8 courtesy?

9 COMMISSIONER SAPIENZA: I was not.

10 COUNCIL MEMBER ADAMS: OK. OK let's talk  
11 a little bit about the grease blockages, because I am  
12 aware that Queens itself has a grease blockage issue  
13 for several different reasons. We have a lot of  
14 restaurants in Queens, several different cuisines in  
15 Queens. We are the most diverse place in the entire  
16 country. And we have many, many different and  
17 varying cooking styles, things that we like. So of  
18 course we would expect that there would be issues of  
19 grease blockages. So let's just get that out there.  
20 That said, if DEP is aware that there are many grease  
21 blockages during the holiday seasons, let's just say,  
22 what proactive efforts have DEP, has DEP made to  
23 mitigate the blockage of pipes, knowing what goes on  
24 or can potentially go on during the holiday season in  
25 New York City, particularly in Queens?



COMMISSIONER SAPIENZA: So, so two things. Our crews are out all the time making sure that sewers are flowing proposal, where they do recognize that levels may be coming up because of a blockage they are clearing. But, but importantly, um, we've had several educational campaigns, we've worked with the council on those. We've had a program called Cease the Grease, more recently Trash It Don't Flush It, Fatberg Free NYC, trying to educate everyone in the city about things that can go down the drain and things that shouldn't go down the drain. You know, ultimately it's, it's something that we want to be just explaining to everyone what they put down the sewer and particularly now that the latest thing is flushable wipes, where the cost of removing that material is just recycled and passed along back to the homeowner through their water bill. Whatever it costs DEP to remove them it gets, so, so it's more important. The educational program is take that stuff, put it in your garbage pail, your trash, not down the drain.

COUNCIL MEMBER ADAMS: Understood. On the flip side of that, what is DEP doing as far as,

as far as your end of maintenance knowing that this is a potential issue?

COMMISSIONER SAPIENZA: Yeah, we've, we've done significantly more maintenance of sewers in particular years and, you know, I want to thank Council Member Richards for legislation in doing better maintenance of catch basins. Those are the corner street basins that collect storm water runoff and a lot of street trash, and we've done significantly more work in the last few years, more than ever, to clean out catch basins and remove that material before it gets in the sewer system. But just in general the mayor has allocated significantly more resources. He recognizes it's an issue. And the other thing, too, in southeast Queens, as you know, the mayor allocated almost two billion dollars to install new sewers, larger sewers, in many areas.

COUNCIL MEMBER ADAMS: Yeah, OK. In looking a little bit about, ah, on infrastructure, in your testimony you referenced that it may not necessarily be the age of the pipes that cause issues and such. But many residents in southeast Queens feel their infrastructure has been neglected by the

city. So how would you say the age of these pipes compare with those, say, on the Upper East Side?

COMMISSIONER SAPIENZA: Ah, I don't know if that's such a good example. Manhattan generally has the oldest...

COUNCIL MEMBER ADAMS: The oldest in Manhattan?

COMMISSIONER SAPIENZA: ...pipes. I know we've got stuff going back to the 1850s in a lot of Manhattan because that's when it was developed. Its generally when the neighborhood was developed is when the pipes went in. We can get you that information.

COUNCIL MEMBER ADAMS: OK. All right. And I guess I'll ask one more question. I may have follow-ups. But if the sewers are regularly cleaned, we know that that legislation, thankfully, by my colleague, Council Member Richards, has done a great deal. If the sewers are regularly cleaned, maintained, inspected, then how could this and, and listening also to your testimony, it seems like there were several blockages at that time, going on at the same time in the same area. So if, if we have maintenance of our infrastructure and sewer lines, how could this have happened?

COMMISSIONER SAPIENZA: So what, what we found that day was that there were calls coming into 311 from several different blocks. All of the sewers on those blocks were backing up because they're all tributary to one large pipe that runs down 150th Street, underneath the North Conduit, the Belt Parkway, and the South Conduit. So it took us time to trace where the blockage may be, and we determined, just from manholes at the surface and chambers at the surface, that the blockage was likely under it, and is under, the 150th Street overpass abutment just south of South Conduit Avenue. That abutment and the Nassau Expressway was built in 1987 by State DOT. At that time they, they actually replaced the section of city sewer with a new pipe because they needed to put in a new section of pipe while doing their work. So the blockage is right in that area. The problem is it's deep underground, it's under a bridge abutment that we don't want to do any damage to. There's a lot ground water in the area. We've been pumping out a lot of ground water for the past nine days to try to access that pipe, and that's what's taking time.

COUNCIL MEMBER ADAMS: Any idea how long it's been since that particular pipe has been inspected?

COMMISSIONER SAPIENZA: So, so, so that pipe we had sent, this was the, the pipe we inspected in May of 2018. We sent a camera on the boat through at that time and we have that information. But that's when it was inspected. But, again, it's just that the location is making it very tough.

COUNCIL MEMBER ADAMS: Thank you, Commissioner.

CHAIRPERSON CONSTANTINIDES: Thank you, Council Member Adams. Ah, OK, so Council Member Richards and then Council Member Menchaca have follow-up questions.

COUNCIL MEMBER RICHARDS: Thank you.

CHAIRPERSON CONSTANTINIDES: Thank you.

COUNCIL MEMBER RICHARDS: Thank you, Chair, and thank you to my colleague, Adrienne Adams, for all of her work and her staff's work in ensuring we could try to make people as whole as possible. Just some quick questions, and I just wanted to weigh in specifically on the grease and baby wipes situation and say that I think it's unacceptable for

us to, um, I'm trying to be kind with the words I say, but there's this perception that people in southeast Queens just fry food all day, and I find that to be totally unacceptable. We are a very diverse community and I don't think, even if we were a community that fried chicken, we're not the only community in New York City that does that. So grease is used in all communities, I'm assuming, and I just wanted to put that out there and weigh in on it and say that is totally unacceptable. Just some quick questions. When do we anticipate, ah, your review to be done?

COMMISSIONER SAPIENZA: So once we, ah, reach that pipe, get the excavation done, determine what the situation is and why it was blocked and what's needed to, to do a repair, just, by the way, we're concurrently looking at building a new section of sewer just to the west of that abutment, if it's just too difficult to make a repair under that bridge abutment. It's, it's difficult to get to so we're assuming a repair would be tough, so we're also looking at building a new section of sewer around it. We're hoping in the next couple days, we were hoping to have gotten to it by yesterday. The rain impacted

how much water was getting into the excavation, but hopefully within the next couple of days.

COUNCIL MEMBER RICHARDS: Do you anticipate your review to be done within the next couple of days?

COMMISSIONER SAPIENZA: In, in a couple of days we'll know what the cause of the blockage is...

COUNCIL MEMBER RICHARDS: OK.

COMMISSIONER SAPIENZA: ...and what the next step forward needs to be.

COUNCIL MEMBER RICHARDS: How's the water table there?

COMMISSIONER SAPIENZA: The water table is, is, is high. When we started the excavation to try to get down to the blocked pipe we reached water, ground water, that was four feet above the elevation of the pipe, ah, and so we had a contractor come in, put in two deep wells to pump ground water so that we can do an excavation.

COUNCIL MEMBER RICHARDS: And there's been conversations, obviously, about ground water across southeast Queens. York College, obviously, has to pump a lot of water every day. Ah, when are

1       we, when do we anticipate some more conversations  
2       around ground water?

3                       COMMISSIONER SAPIENZA: This is a  
4       difficult challenge, Council Member. As you know,  
5       New York State DEC regulates the wells in the area.  
6       Our neighbors to the east, Nassau and Suffolk County,  
7       use those aquifers for ground water and they have,  
8       ah, a hard time in, in allowing us to think about  
9       pumping ground water to waste. But, you know, we've  
10      been looking at perhaps their individual local areas  
11      that we can peel off some ground water. But it's,  
12      it's a challenge.

13                     COUNCIL MEMBER RICHARDS: All right. And  
14      let me, and I'll, I guess that's a conversation for  
15      another day. And there clearly was a failure and a  
16      breakdown in the system, ah, when it came to 311 and  
17      obviously DEP. Has there been any thought, because  
18      when, when sewer emergencies happen DEP shouldn't  
19      have to go back and forth with 311. Has there been  
20      any thought about DEP regulating its own calls?

21                     COMMISSIONER SAPIENZA: Ah, we haven't.  
22      We, we've used the 311 system fairly successfully,  
23      obviously not in the case, but we're working with 311  
24      now on like a sewer mapping system so that both they  
25



and we recognize that if homes, which may be scattered on different blocks, are calling about backups but they're all tributary to the same sewer that an alarm bell should go off that something bigger is happening.

COUNCIL MEMBER RICHARDS: And how do we, how do, how will, how can we ensure that 311 operators are going to be well versed on this issue?

COMMISSIONER SAPIENZA: We'll continue to work with 311 and I'm sure they would be happy to come and provide information.

COUNCIL MEMBER RICHARDS: OK. Um, all righty, I think that's, that's all of my question. I do just want to say that I thank you for the work that you have done in southeast Queens and all of the investments that your, your agency has done. We still have a long way to go, clearly, in ensuring southeast Queens' infrastructure is updated and, and continuously being invested and then also being maintained, so we look forward to continuing to work with you. I do have faith in you, Mr. Commissioner, so I just wanted to put that on the record. You've, I think you've done an excellent job of trying to correct a lot of the inequities that our boroughs

face, in particular southeast Queens, has faced for a very long time. Um, so I'm hoping we won't have to be back here again. I think the conversation around ground water has to ramp up a little bit more and obviously maintenance is a big one. But clearly there was a failure in the 311 system and we don't want to be back here again. Thank you. Thank you, Chair.

CHAIRPERSON CONSTANTINIDES: Thank you, Council Member Richards. Council Member Menchaca, then Council Member Ulrich.

COUNCIL MEMBER MENCHACA: Ah, I want to say thank you to Council Member Ulrich for sharing his cookies. They came from his grandma and, ah, they're delicious. Ah, I, I want to ask a few questions that really kind of point at the sense of understanding what the problem is as you understand it now. I understand that you're still in the middle, in so many ways, about what's happening, and I can appreciate that. In Sunset Park we had a massive water main break that shot some say up to eight feet of water out, 15...

COMMISSIONER SAPIENZA: I, I was there.

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2 COUNCIL MEMBER MENCHACA: You were there,  
3 um, and your teams are still there doing the work,  
4 and so thank you for that. Some of the same  
5 questions I want to ask about that experience and  
6 really to the leadership of Council Member Adams and  
7 her team and what I'm kind of seeing from afar is  
8 really about getting information out and the  
9 conversations here around Queens being so diverse  
10 make me think about immigrants in the neighborhood  
11 and language access and ensuring that 311 has  
12 information in all the different languages. Do you  
13 have a sense of what the need is in that area in  
14 terms of population and how you're getting  
15 information translated and out as people wait for  
16 this information?

17 COMMISSIONER SAPIENZA: Yes, so just  
18 going back, a few weeks ago there was a water main  
19 break in Sunset Park that, that there was a geyser  
20 for several hours until valves were shut to control  
21 the water. Um, messaging goes out and, again, I'll  
22 let Commissioner Criswall chime in, but messaging  
23 goes out through the, the alert system that, that the  
24 city has in place. I believe those are in multiple  
25 languages, but I'll turn that over to you.

COMMISSIONER CRISWELL: Yes, thank you.

Yes, we did send out Notify NYC messages that night, as well as using social media to try to get the word out to the residents in that community. Currently, we can send Notify NYC out, I'm going to confirm here, 13 different languages, and so they have access to that in whatever language that they need.

COUNCIL MEMBER MENCHACA: So you're just talking about how you can do that. Do you have a sense about what was sent out? You can talk about Sunset Park, too. I, I'd like to know what, what languages were sent out, and then also in Queens, and where does that, where does that get translated? Does that get translated at DEP or does OEM translate that, or does 311 translate that?

COMMISSIONER SAPIENZA: I don't know if we have those answers. I know [inaudible].

BEN KRAKOWER: Hi, Ben Krakower, New York City Emergency Management. Good to see you, Council Member.

COUNCIL MEMBER MENCHACA: Good to see you.

BEN KRAKOWER: So we, ah, we comply with City Council legislation that was adopted about two

1 years ago. So the way the legislation was crafted is  
2 we have about 130, 140 of our most common Notify NYC  
3 messages that are pretranslated, the generic version.  
4 And then we insert the location of a particular  
5 incident. When there is a need in a particular  
6 community for a specific incident we have emergency  
7 contracts that we would activate to do translation.  
8

9 COUNCIL MEMBER MENCHACA: So I'm aware of  
10 how the law works. I'm interested to see what was,  
11 what happened, and if you could have a report on what  
12 was translated, when was it translated, when was it  
13 sent out. I'm thinking about Queens and Sunset Park,  
14 too. But do you have that sense of, of what  
15 information? And I'm looking for that because there  
16 are people who are still waiting for information as  
17 it comes out and our council offices are going to do  
18 their job, of course. But there is a Local Law that  
19 kind of forces this to happen, and I'm kind of  
20 curious to see what has happened thus far and what  
21 languages are under the law required in that  
22 neighborhood.

23 DEPUTY COMMISSIONER FARRELL: Hi, so as  
24 Ben said, everything is translated. The thing is,  
25 Notify NYC is an opt-in system.

CHAIRPERSON CONSTANTINIDES: Can you just state your name for the record?

DEPUTY COMMISSIONER FARRELL: Yeah, Christina Farrell, deputy commissioner in emergency management. Ah, Notify NYC, as you know, is an opt-in system, so people have to be signed up to receive it in that language. If no one is signed up in a certain language there's no one to send the messages to. So we can look and see, but it's a process based on whoever in these communities had signed up in those languages. Um, we are working very diligently to get people. We have translated many materials. We go to many community meetings, as you know. But one, you know, thing that we can always use help with, through the council, through civics, through people is helping us get the information to people that don't speak English so they understand that they can sign up directly to receiving these notify languages in their language of choice, as well as American Sign Language.

COUNCIL MEMBER MENCHACA: OK. And that's not all of it in terms of the, so Notify NYC is not the only way information. Like you said, there are flyers. What has been translated and, and what

languages have, have been translated? Do you have a sense of, I'm asking for an audit [inaudible].

DEPUTY COMMISSIONER FARRELL: Yeah, so for, for this job it is primarily an English-speaking community, so there have been no requests. We have translated flyers and things into Spanish. We have also American Sign Language available at our community meetings. It was not, ah, no one needed. But as everyone comes into the center, if anyone says that they need any language we have those contracts, we have bilingual speakers in place. Ah, in, we could look in your district. It, you know, it may be a different, it's obviously a different demographic, um, so we can look to see what things are. But, you know, we, we have information based on the census, based on City Planning, and so we will look and when we set up a center or when we're sending resources out we have bilingual staff, we have our CERT volunteers who speak many languages. And if it is not a more commonly spoken language, such as Spanish or a Chinese dialect, ah, as we said, we have emergency contracts and we will get people that speak those languages and also get flyers and things in those languages as soon as possible.

COUNCIL MEMBER MENCHACA: OK. Thank you.

The last question is a set of question around the testimony that really spoke to the materials composition, the subsurface conditions, the construction techniques, and traffic, which all impact the longevity of a system. You're still looking to see what was the cause here. Are all those known right now across the whole system? Like do you know what the materials composition are? Are those things that you review post break of a sewer or a water main break? Are those things known?

COMMISSIONER SAPIENZA: Yeah, that's, that's a superb question. So, so we do know materials compositions for pipes, I'm going to say post 1870, um, we have that. When there is a break of a pipe we, we have a testing lab over at our office in Lefrak City and they'll do a full analysis to determine what the possible cause, was it a materials defect, was it stress from the, the, either the subsurface or from above. I mean, we do that, that analysis.

COUNCIL MEMBER MENCHACA: But that analysis comes after the fact, right?

COMMISSIONER SAPIENZA: Correct.



COUNCIL MEMBER MENCHACA: And so you have, you do have materials composition across the entire system post 1870. A lot of stuff is still pre-1870, I'm learning, in Sunset Park, and the subsurface conditions, are those known as well?

COMMISSIONER SAPIENZA: So, so in areas where we've had breaks and we know that there are defective subsurface conditions, ah, when we install the new pipe we'll do things like putting it in a concrete cradle or putting some micro piles to make sure that it's supported going forward.

COUNCIL MEMBER MENCHACA: But that's just where you've touched something recently. OK. So, I'm, I'm sensing a lot of unknowns here. And then the construction techniques probably only where you've recently touched it, or you kind of aggregate information. And then the traffic, that's something we know, right? That's, is that something you gather?

COMMISSIONER SAPIENZA: Yeah, and, and we mentioned traffic because when we know that we have infrastructure under roadways where there are overweight trucks, for example, um, there are things

that we do when we install those pipes to just make sure that they can take the vibration.

COUNCIL MEMBER MENCHACA: And that's where I'm going to focus the last few seconds of my, my own testimony here for you, is, is that trucks are increasing in our communities, and I'm thinking about places like Red Hook, where we have aging, insanely old sewer system. I know the capital budget I think just recently put some money in there, and that's where UPS and five other, four other last-mile delivery companies are coming and you're going to have a massive amount of overweight trucks on the system, and this is where I feel like we've got, we've got to be more proactive in terms of how this stuff happens, and as you still investigate what happened in Queens and what happened in Sunset Park, and I heard Council Member Richards had a water main break this morning, um, this is just happening more and more. The one knowledge, knowledgeable thing, is traffic. We know where the trucks are coming. A lot of these are illegal trucks, and so I feel like there's a great opportunity here to get a sense about, at the very least, where, where our system is getting impacted by massive amounts of traffic. And

1 while the council moves to remove cars from our  
2 existence, I hope one day we can live in a car-free  
3 city, um, that the idea of trucks is not going to go  
4 away. Trucks are still going to deliver our milk,  
5 deliver our stuff, and so I just feel like that's an  
6 area of opportunity there for multiagency support,  
7 understanding neighborhoods, ah, and I'll bring you  
8 back to Red Hook to do some of that analysis, and not  
9 wait for them to break, but be proactive.

11 COMMISSIONER SAPIENZA: Thank you for  
12 that. And we'll take that back to our engineer teams  
13 to take a look at it.

14 COUNCIL MEMBER MENCHACA: Awesome. Keep  
15 up the good work.

16 CHAIRPERSON CONSTANTINIDES: Thank you,  
17 Council Member Menchaca. Council Member Ulrich.

18 COUNCIL MEMBER ULRICH: Thank you, Mr.  
19 Chair. I want to apologize for being late. That's  
20 the 8 train's fault, not mine. But I did bring  
21 refreshments for the dais and I'm happy to share.  
22 You know, I live in South Ozone Park. I live off  
23 Lefferts Boulevard, about 15 blocks from where this  
24 incident occurred, not far from the conduit. I  
25 really want to commend my colleague, Adrienne Adams,

1 because if there ever was, um, a voice for her  
2 constituents in South Ozone Park it's her, and she's  
3 done a terrific job, really amplifying the real  
4 concerns that people have had as a result of this,  
5 this incident. I also want to publicly commend, I  
6 know it might sound very strange, but Mayor de Blasio  
7 for personally getting involved in this. When the  
8 news broke and things really started to get a little  
9 hairy, the mayor himself was in South Ozone Park, was  
10 on the phone with all the elected officials, and was  
11 really doing his best to coordinate all the different  
12 agencies to provide the right response to this  
13 incident. So I do want to publicly commend him,  
14 because I know that I criticize him a lot, but with  
15 respect to how the administration I think handled  
16 this, I think that they, they have done a terrific  
17 job. I would have liked to see them sooner. I think  
18 a lot of people would have liked to see them sooner,  
19 but things are what they are and that just, it is  
20 what it is. You know, I'm just curious about, um,  
21 when people report incidents like this to 311, is  
22 there a delay at DoITT? Is there anything going on  
23 at the Department of Information Technology that  
24 would delay a reported instance of a sewer main break  
25

or any other type of DEP-related incident? Like how fast does that get to the computer at Junction Boulevard?

COMMISSIONER SAPIENZA: So, yeah, Council Member, so, um, in this situation, you know, we looked at in detail, obviously, what happened on Saturday morning, November 30th, and there was not a delay and generally what we get from 311 is almost instantaneous. But, you know, we can take a look back to see if there were on any other issues delays.

COUNCIL MEMBER ULRICH: So and what about the staffing at DEP on the weekends? Is it a smaller staff? I would imagine that most agencies scale down the staffing levels on Saturdays and Sundays because it's not Monday to Friday when, you know, we're involved in the hustle and bustle. Is there a considerable drop in the number of personnel working at DEP, in the sewer division in particular? Is that?

COMMISSIONER SAPIENZA: There are certainly less than Monday through Friday when we're doing more of the maintenance work. But we always have an operations crew on the clock and are ready to respond at any time.

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2 COUNCIL MEMBER ULRICH: So if we had to  
3 say that we, there are always lesson to be learned,  
4 right, in every snowstorm and every incident. What  
5 do you think the main take-away from this, um,  
6 incident is? What do you think that, what lesson did  
7 we learn that we don't want to repeat next time, from  
8 your agency's perspective, respectfully.

9 COMMISSIONER SAPIENZA: Yeah, from my  
10 agency's perspective, um, certainly I think that we  
11 can put procedures in place to more quickly recognize  
12 when there are these large area-wide issues, which  
13 are very rare, but, you know, again, we want to make  
14 sure that the next time we can more quickly respond.  
15 That's one, and then the second is just making sure  
16 that we have folks in the neighborhood to explain to  
17 residents what's going on. I know our crews were  
18 diligently, you know, on the other side of the Belt  
19 Parkway trying to access and break up this blockage,  
20 but we, we didn't have folks in the neighborhood, and  
21 when I arrived, and I know, Council Member Adams, you  
22 were there and your staff. I think people just  
23 weren't getting good information. So that's  
24 certainly a lesson going forward.  
25

1                   COUNCIL MEMBER ULRICH: I think that  
2                   communication is always a challenge for any agency  
3                   and I saw canvassers out there, I saw trucks out  
4                   there. I was driving down Sutter. I was driving  
5                   down 135th. I was driving down the conduit. I saw  
6                   dozens of trucks and I saw lot of canvassers, and I  
7                   know that that is a direct result of your  
8                   intervention and, of course, Mayor de Blasio getting  
9                   personally involved in this, making sure that people  
10                  knew that the city was not going to ignore this or,  
11                  or, you know, just try to fix it and hope it doesn't  
12                  happen again and not let people know that we're on  
13                  top of it. But I think communication is key,  
14                  definitely important. Ah, but I also want to  
15                  commended you, Commissioner, because I have to tell  
16                  you that there are a lot of city agencies in this  
17                  city and, um, DEP is probably one of the most  
18                  unpopular agencies to head, so I don't pity you or  
19                  envy you in any way because nobody, nobody thanks you  
20                  when they flush the toilet and the water goes down  
21                  and everything is fine, right? But when things go  
22                  wrong everybody wants to criticize the agencies. But  
23                  you personally have been extremely responsive. In my  
24                  district during Hurricane Sandy and the aftermath of  
25

1 Hurricane Sandy, extremely helpful to my  
2 constituents, given, given the circumstances, and I  
3 don't have the pleasure of representing the folks who  
4 are directly impacted by this incident. I know  
5 Council Member Adams does, and I know that people are  
6 very frustrated and rightfully so. They have a right  
7 to be frustrated when the infrastructure fails them.  
8 But I think that on, on the whole you have done a  
9 phenomenal job leading the Department of  
10 Environmental Protection and, you know, we will learn  
11 lessons from this, but, ah, I think you and your team  
12 are doing a terrific job and in any way that may  
13 office can be helpful to my colleagues, but also to  
14 you in particular, I want you to know that we are  
15 here for you and we have your back. So thank you,  
16 Commissioner. Thank you, Mr. Chair.

18 CHAIRPERSON CONSTANTINIDES: Thank you,  
19 Council Member Ulrich. Council Member Adams wants to  
20 come back for a second round.

21 COUNCIL MEMBER ADAMS: Thank you, Mr.  
22 Chair. I certainly do echo the sentiments of my  
23 colleague, Council Member Ulrich. Your, your entire  
24 team, everyone has been outstanding during this  
25 crisis and we do thank you. I just wanted to get a



1 couple more questions out there, because I know that  
2 I have frustrated residents who are watching, who are  
3 listening, and who are here today. I'm not sure  
4 whether or not we can get these answers to these  
5 questions today. But I do want to get them out. I  
6 want to get them on the record. They have to do with  
7 finances. They have to do with long-term finances, a  
8 long-term burden for this community because of this  
9 disaster. And, again, I have no one to question, so  
10 if you will just indulge me in a couple of minutes,  
11 jump out there if there is anything I say that you  
12 can possibly answer. When it comes to boiler  
13 replacement, do you have any idea when we're going to  
14 start doing that?

16 COMMISSIONER SAPIENZA: So that started  
17 today. The comptroller registered those contracts  
18 last Thursday or Friday. The plumbers were out  
19 Friday, Saturday, and Sunday scoping out all the  
20 materials, what needed to be removed, what needed to  
21 be installed, and the equipment, and this morning we  
22 saw a line of new boilers in boxes sitting ready to  
23 go in.

24 COUNCIL MEMBER ADAMS: Wonderful, thank  
25 you, today, that's great. We had questions regarding

1 to processing claims, for the record. We had  
2 questions regarding, um, any type of decision to  
3 reject a potential claim, what that would look like,  
4 would anybody in this situation ever be rejected, um,  
5 if, if a claim were to be processed or put in, and we  
6 especially had questions regarding, um, and just  
7 noting that residents in the community weren't  
8 responsible for the broken infrastructure that caused  
9 the damage or that possibly caused the damage. Many  
10 may not have the means to front the money to replace  
11 furniture, fixtures, valuables. So we wanted to know  
12 whether or not there was any program in place to  
13 compensate residents who didn't have the ability to  
14 pay for damages up front. We wanted to know the  
15 answer to that question. Any idea? And if you don't  
16 it's fine.

18 COMMISSIONER SAPIENZA: We had talked  
19 about that, because when we had the community meeting  
20 this past Sunday at PS-223 we heard a lot of that,  
21 OK.

22 COUNCIL MEMBER ADAMS: Yes.

23 COMMISSIONER SAPIENZA: OK, great, the  
24 comptroller may at some point cut me a check after I  
25 make my claim.

COUNCIL MEMBER ADAMS: Yes.

COMMISSIONER SAPIENZA: But what do I do now, and that's a question that we've talked about. Are there any programs from HPD, low-interest loans, that once the comptroller cuts checks can be replaced. I don't have information at this point, though.

COUNCIL MEMBER ADAMS: OK, I appreciate that. Yes? OK, my colleague is referencing the mayor's fund. We will note that. Thank you. OK, we'll definitely note that. We wanted questions answered, there's been insurance [sneeze in background], God bless you, ah, insurance denial, you know, that we spoke about on Sunday as well and that's been heartbreaking also to have insurance policies paid and then to have insurance companies deny residents their, their rightful, you know, compensation and insurance. So we just wanted to get that out there on record. We will indeed take a look at the mayor's fund. Thank you for that. And once again we thank you for your testimony today. Thank you very much.

CHAIRPERSON CONSTANTINIDES: Commissioner, thank you, and thank you to the 150 members of your

1 team that have been out there in varying degrees of  
2 cold and hot and rain, and I know they're out there  
3 today, even though no one wants to be out there  
4 today. So thank you to your team, thank you to you,  
5 and, you know, our job is to ask the tough questions,  
6 but we appreciate the work that you do every single  
7 day, so thank you.

9 COMMISSIONER SAPIENZA: Thank you, Mr.  
10 Chair, and the committee, and, again, we want to make  
11 this right, we feel terrible for what happened, you  
12 know, and we, we'll be out there till it gets done.

13 CHAIRPERSON CONSTANTINIDES: And I look  
14 forward to working with you to not only around how we  
15 make these families whole, but how do we continue to  
16 move forward as a city to build infrastructure, to  
17 sort of inspect our infrastructure, and to ensure  
18 that we are preventing these things in the future.  
19 So thank you very much. I look forward to working  
20 with you on that.

21 CHAIRPERSON CONSTANTINIDES: With that,  
22 we'll call up the next group of folks to come up.  
23 Lisa George, representing State Senator James  
24 Sanders' office, Christine Apah from New York Lawyers  
25 for the Public Interest. Christine, are you still

1 here? OK, great. Judith Gomez from Human First,  
2 Dale Lynch, and Grace Johnson. There's another panel  
3 following this one, so if you haven't heard your name  
4 called you will. Just make sure that you, if you do  
5 want to testify you have to fill out one of these  
6 white cards or you're not able to testify. So if you  
7 are in the room and you do want to testify, this is  
8 sort of the last call to walk up to the desk and fill  
9 one out. Thank you. Ms. George, good to see you.  
10 We'll begin with you.

12 LISA GEORGE: Good morning. Ah, good  
13 morning Chairman, members. My name is Lisa George  
14 and I work for State Senator James Sanders, Jr.  
15 Before I start I'd like to commend the civic  
16 association, 149th Street South Ozone Park Civic  
17 Association. I've been with them since Sunday, the  
18 Sunday after Thanksgiving when this happened, and  
19 I've been on the ground with them and they've been  
20 very influential in helping me to see the needs of  
21 the residents and the homes that have been affected.  
22 Some of the things that I've noticed that I'd like to  
23 call your attention is our seniors, our sick, our  
24 elderly, and our shut-in. As I did some door  
25 knocking with them last week we ran across a senior

1 that's 95, 96 years old who was in his apartment, he  
2 was in his house for about four or five days, no  
3 food, very little heat. No one had been to his home.  
4 So I worked with the civic association. We contacted  
5 OEM and we went to the command post and brought  
6 someone over to his home so he can get some services.  
7 Now that was one that we identified, and I believe  
8 the civic has identified a few others. One of the  
9 concerns was that he didn't have anyone to assist him  
10 to fill out these forms, and as a government worker I  
11 couldn't fill the forms out for him. The civic  
12 couldn't fill the forms out with him. We had to, he  
13 had to wait for a family member to come, I believe it  
14 was maybe five days later, they had to travel there  
15 to get him some assistance. So we have our seniors  
16 that are not computer-savvy. They don't know how to  
17 use the computer. They don't understand these forms,  
18 um, who is assisting them, who is taking care of  
19 them, and who is making sure that, um, they're not  
20 living in this waste, because it's not good for their  
21 health. And I just want to make sure that, ah,  
22 between OEM and DEP that they are identifying these  
23 seniors that need these services. Again, I know the  
24 civic has been doing a lot of the door knocking and  
25

1 they have a list, and as they identify someone they  
2 do turn the information over, but if that person is  
3 estranged from their family or they do not have  
4 someone to assist them with this what services are  
5 available for them? I have reached out to the  
6 Department of Aging and they would be willing to come  
7 and help, but there's a lot of legality, there's a  
8 lot of legal forms that need to be filled out, so  
9 that's just something I'd like to call to your  
10 attention. Another issue that has come to Senator  
11 Sanders' office is a lot of these basements were  
12 used, um, where there's a resident, there's someone  
13 living down there, there's a tenant, and, um, as the  
14 Red Cross is housing them now to, I believe they're  
15 in temporary housing till January 6th. What happens  
16 after that? A few of them are concerned, are they  
17 going to be homeless. If the homeowner cannot afford  
18 to fix the home themselves and they have not been  
19 compensated from the comptroller's office to get  
20 these repairs done, the basement is not livable in,  
21 what happens to those people that are in hotels after  
22 January 6th? So these are some of the concerns that  
23 have come to Senator Sanders' office and as he is  
24 concerned of the welfare of his constituents for  
25

1 food, water, clothing, health, he wants to make sure  
2 that they have some place to live and that they are  
3 taking care of comfortably through this experience.  
4 It's a hardship on the homeowner because if they do,  
5 again, as we stated earlier, if they do not have the  
6 funding to fix their home on their own and they are  
7 waiting for answer from the comptroller's office to  
8 see how much will be reimbursed or what will be  
9 reimbursed, it leaves both the tenant and the  
10 landlord in limbo. They don't know what to do. So  
11 those are some of the questions that I just wanted to  
12 call to your attention. Thank you.

14 CHAIRPERSON CONSTANTINIDES: Thank you.

15 CHRISTINE APAH: Good morning.

16 CHAIRPERSON CONSTANTINIDES: Make sure  
17 you click on the button. There you go.

18 CHRISTINE APAH: Good morning, Council  
19 Member Constantinides, Council Member Adams, and the  
20 staff of the Environmental Protection Committee. My  
21 name is Christine Apah and I'm a senior staff  
22 attorney at New York Lawyers for the Public Interest.  
23 New York Lawyers for the Public Interest is a social  
24 justice organization and we have three programmatic  
25 areas - environmental justice, health justice, and



1 disability justice. And I'm mentioning this  
2 particularly at this hearing because I believe that  
3 this issue touches on all three of our programmatic  
4 areas, so we find it's very critical for us to offer  
5 testimony today. I also work with the Southern  
6 Eastern Queens Residents Environmental Justice  
7 Council and in my experiences working with them,  
8 discussing the flooding in southeast Queens, I want  
9 to bring some issues to your attention. Also, on a  
10 personal note, I grew up in Queens and I have  
11 personally witnessed such flooding. I can recall a  
12 time in high school when I had to get off of a bus  
13 and wade through feet of water because of the, ah,  
14 because the storm, rainstorm. So it's not, while  
15 this is news this is, as we know, nothing new. I  
16 want to highlight some of the environmental and  
17 social equity issues that are proposed here and also  
18 to look at some of the possible solutions that we  
19 could discuss. That southeast Queens has a high  
20 water table, it's, I believe it demands a unique  
21 protocol for responses to anyone calling from 311.  
22 If people are calling and people are aware that these  
23 are the ZIP codes that have been affected, I think  
24 there should be an advanced or enhanced protocol that  
25

1 people should understand that this is not one-off  
2 calling. It should trigger an immediate response  
3 that takes into consideration that this is probably  
4 more of a systemic issue. We're all aware of the  
5 inadequate infrastructure dealing with the sewage and  
6 the drainage, but there's also a problem with  
7 transparency in the process for inspecting storm and  
8 sanitary drains. We propose that there should be  
9 access to inspection records online. People should  
10 be able to check through their ZIP code what is  
11 happening in their neighborhoods and how often  
12 something has been inspected. Also, considering the  
13 population increase in southeast Queens, there should  
14 be some consideration when the Department of  
15 Buildings is giving building permits and also  
16 allowing people to increase maybe the size of their  
17 homes, or allowing companies to come in and construct  
18 new facilities, hotels and the like of the demand  
19 that will be on the sewage system. Over the past 10  
20 years or so there's been a large increase in  
21 redevelopment in this area that hasn't kept pace with  
22 the sewage and the sanitary drains below. We're also  
23 concerned about in the aftermath and the exposure to  
24 mold, the problems with the potable water, the  
25

1 ongoing, um, and potentially ongoing respiratory  
2 problems that will be caused. Years ago I worked in  
3 the same area, alongside members of Council, then  
4 Council Member Sanders' staff after Superstorm Sandy,  
5 and I'm hearing the start of this very same issues,  
6 that people had mold in their homes, how the city  
7 would address mold, how people would be able to get  
8 reimbursements, but again, as was mentioned,  
9 reimbursements require much cash up front. Which  
10 leads me to some of the social equity issues. We  
11 have displaced families, people, residents with  
12 disabilities, residents that may not have a set  
13 evacuation plan in place. We have issues of food  
14 insecurity that come from this water quality and I  
15 propose perhaps considering emergency grants specific  
16 to southeast Queens to help people who may not be  
17 able to afford this, the cost up front. We have  
18 lessons learned and I think that's one of the, the  
19 best things about New York City is that we, we're a  
20 city that is cognizant of our history. But when it  
21 comes environmental matters, unfortunately sometimes  
22 these issues repeat themselves. I also propose that  
23 we conduct a study of what was happening with the  
24 residents in Lindenwood prior, in 2014, prior to  
25

1 their sewage [explosion], what happened not only in  
2 the weeks after, that is usually covered, but in the  
3 months and in the years? Oftentimes the city moves  
4 on when there's a natural disaster. Pockets of the  
5 city can be affected for years and sometimes people  
6 don't realize that this is an environmental justice  
7 issue. There has to be equity in the response,  
8 equity in the response rate. We're cognizant of the  
9 engineering and infrastructural challenges that this  
10 poses, but I do believe that there are several  
11 lessons that can be learned and we're looking forward  
12 to working with the agencies and the City Council on  
13 this issue. Thank you.

14  
15 CHAIRPERSON CONSTANTINIDES: Thank you so  
16 much for your testimony.

17 DALE LYNCH: Oh, I have to stand up. My  
18 name is Dale Lynch. I live on, ah, I live at 1321  
19 Inwood Street, Jamaica, New York. I've been on that  
20 block since I was 5 years old. I'm now 70. When my  
21 parents bought that house there were only four houses  
22 on that block. Since then they've built homes all  
23 around, and we're on top of the Jamaica Bay. That's  
24 number one. We used to flood. It slowly stopped.  
25 They built houses all around us and the water stopped

1 coming in the basements. Now this situation is just  
2 unbearable because of the fact that we had to wait a  
3 whole week. I myself didn't get hurt that bad. I  
4 had the water coming in slowly, thank God. So I was  
5 up and down all night long, going down in the  
6 basement, mopping it up, going back up. Every hour I  
7 had to keep doing that after I found out that it was  
8 coming in the house. Compared to the other people  
9 I'm blessed. I cannot complain. I thank the  
10 departments, the health, DEO, DEP, I thank them all  
11 because their doing the jobs. The problem is the  
12 higher-ups where the funds come from are not coming  
13 to the people. So I compliment all of you all and I  
14 appreciate everything you did for us and you're doing  
15 for us, because they're they every day. They're  
16 working all these crazy hours. But my point is the  
17 weather's changing, OK. When you talk about making  
18 us whole, the only way you're gonna make us whole is  
19 to fix the problem so when the snow starts coming and  
20 then the snow melts we don't have another flood.  
21 Because I personally had this happen in my house two  
22 times. It stopped and then after we had our second  
23 community board meeting I went home and kept going  
24 downstairs to check. I go back downstairs, there's

1 more, there's more feces water coming in. So that's  
2 two times we had to deal with it, and it also did  
3 that in other people's homes. They had to keep  
4 pumping because it started coming back in. So if you  
5 can bypass the problem and switch our line to another  
6 section of Queens then why can't you, and you can't  
7 do construction because the 150th Street Bridge might  
8 fall down, and you can't, it's too low underneath the  
9 Belt Parkway, which is what I was told, and they  
10 can't do that, why can't you detour the traffic on  
11 the belt to another road and do your construction  
12 while the 159th Street Bridge will become unstable  
13 and it might fall. OK. So he sat here and he said  
14 that they could put another pipeline in a different  
15 direction. So why are we two weeks later worrying  
16 about the one that's, that's clogged up and what  
17 caused it instead of making people whole by putting a  
18 connection going in another direction and I don't  
19 have to worry about the wintertime. When somebody  
20 told me a DEA worker told me yesterday when it  
21 rained, he said thank God it's not a heavy downpour.  
22 Do you understand what that means? Thank God it's  
23 not a heavy downpour. That means if, if God had  
24 opened up the skies and flooded us everybody in that  
25

1 area would have had the same predicament all over  
2 again because it's not fixed because you can't fix  
3 it. So if it's not fixable and you can bypass it,  
4 well, that same effort you put on bypassing now you  
5 can take and put another line to connect to it and  
6 get it out of our area so we don't have to worry  
7 about any more flooding. You want to make me whole?  
8 Do that. You want to make me whole? Give these  
9 people money that are homeless. Three homes are not  
10 livable anymore. You know, talking is fine but it's  
11 time, it's past time for action. The workers are  
12 doing what they're supposed to do. But you people  
13 that have your hands on that money are not releasing  
14 it. The mayor wants to make me whole? And I don't  
15 have a problem, I don't need, I can, I can live in my  
16 house. The people that don't have a house to live  
17 in. The man is spending his own money to stay in a  
18 hotel. We talk too much and we don't do enough  
19 action. I'm tired of New York City with this mess.  
20 My daughter stays on me all the time about moving out  
21 of New York, because New York will suck you dry.  
22 Period. And I'm speaking from the heart. I'm not  
23 trying to hurt anybody's feelings, but this is  
24 ridiculous. If you can bypass that problem, they  
25

1 can't give any funds until they determine who caused  
2 the problem. But in the meantime I'm homeless. And  
3 in the meantime I'm sleeping in a hotel. And in the  
4 meantime I gotta leave the hotel, come back to my  
5 neighborhood, check my house, go to work, go to  
6 school, I got, I gotta pay bills, I still gotta pay  
7 that mortgage. Are you understanding me? When you  
8 walk a mile in my shoes then you can judge it. When  
9 it happens in your houses, everybody who is sitting  
10 here who is going home to a nice house in a, in a, on  
11 odor, a house with no odor, it hasn't had feces in  
12 it, then you can talk to us. But until you get to  
13 that point I don't wanna hear anyone speaking about  
14 anything. Y'all need to be demanding that they put  
15 in another line in a different direction. Not  
16 bypass. What happens when that line gets backed up?  
17 Now you're going to have two sections of Queens that  
18 are flooded with feces water. That's not a solution.  
19 It's temporary. Are you understanding what I'm  
20 telling you? Walk a mile in our shoes. You can't  
21 really feel sorry for, you can say you feel sorry,  
22 but until you've actually experienced this stuff. I  
23 watch stuff on TV and I feel sorry for the people,  
24 even drop a few tears. The next day I'm back to life



1 because it's not me. And you can't tell me you all  
2 are going through the same thing. So it's time. You  
3 understand what I'm saying? It's time. There's no  
4 reason why emergency funds, the mayor has emergency  
5 funds, get it up and get a side line going in a  
6 different direction and stop playing games. This is  
7 two weeks, going on three weeks. And I'm stable.  
8 God help the ones that are not stable. How do you  
9 think the people are surviving that are not able to  
10 live in their homes anymore? It's time for y'all to  
11 stop talking, seriously, and get up the funds.  
12 People are not able to live now. They don't, the  
13 money that they, everybody lives off their paycheck.  
14 I'm assuming all y'all do. Paycheck to paycheck.  
15 You pay your bills. You wait for the next check to  
16 come in to pay the bills. 95% of New York City,  
17 except for the rich people, are living like this.  
18 OK? The, the middle class man is just slowly being  
19 grounded into the dirt. While the corporations and  
20 the big businesses are getting more money, and I  
21 don't want to hear about because, see, there's no  
22 reason for homelessness to be increasing. There's no  
23 need for people to be, ah, foreclosed on. These are  
24 all the little people that you guys are sucking dry  
25

1 and I'm tired of it. I came here to speak not only  
2 for my neighborhood, I came here to speak for people  
3 on my level, and we're tired of it. And that's all I  
4 have to say. I came to give you the facts of what's  
5 going on in the neighborhood. People are still  
6 walking around with their head spinning, don't know,  
7 they don't know from day to day. How is that a way  
8 to live?

10 CHAIRPERSON CONSTANTINIDES: Thank you,  
11 Ms. Lynch. I appreciate your testimony. Thank you.  
12 Next up.

13 JUDITH GOMEZ: Good morning, Chair  
14 Constantinides and members of the committee. My name  
15 is Judith Gomez and I'm a residential manager for  
16 Human First, Inc. I oversee a home in Inwood Street  
17 that houses eight adults with intellectual and  
18 development disabilities. Due to their needs, the  
19 home is staffed 24/7 and we provide them with access  
20 to nursing and clinical services, and the supports  
21 needed to fulfill their life's goals. I would like  
22 to start my testimony by thanking Council Member  
23 Adrienne Adams and inviting me here today to provide  
24 the committee with testimony on the event of November  
25 30th. On that day I received a word from the staff,

um, about flooding in the basement. I initially contacted a plumber, believing the issue is related to the house, the house's plumbing. But the plumber informed me the flooding is not in the basement, it stemmed from the soil outside our property. After the plumber left a neighbor came to our house to let us know they and entire block was experiencing the sewage flowing, flooding into their homes. Shortly thereafter I arrived at the home to assess the situation and found two feet of water and sewage in the basement. It flooded our staff work station, where we kept electronic and paper files of the residents. It went into the pantry, where we keep our food and other supplies into the house, and into the laundry room and the bathroom. Initially we were told by the fire department we did not have to evacuate the house. However, a few hours later we were informed that power was being shut down throughout the neighborhood and we needed to evacuate. Being the weekend of Thanksgiving we needed to find a hotel with vacancies to accommodate our residents and the staff. Unfortunately, we were able to secure three rooms in the Hilton JFK for what turned out to be a two-night stay. Thanks to the

diligence and the hard work of our staff, we were able to pack up the residents' belongings, medications, and other equipment needed to provide for the needs of the residents. The damage to our basement was extensive. We lost medical supplies, food, clothing, paper, electronics, medical records. Contractors have removed four feet of sheetrock from the walls and damage and doors from our pantry, bathroom, laundry, and office. Our new boiler installed early in the year sustained water damage and will need to be replaced. Flooring will need to be taken up and the bathroom renovated. Human First believes the damage to be in the thousands of dollars. In addition of all this, we also lost our Christmas trees and decorations, as individuals are asking for the trees. Again, I would like to thank our staff for being on the frontline and doing an excellent job to making sure our residents were safe and taken care of. I also would like to thank all the city officials who have come to our homes to offer their support and assistance, especially Council Member Adrienne Adams' office, 149 Civic Block Association, District Leader Anthony D. Andrews, NYPD Detective Tanya Dehaney from the 113th

1 Precinct, who has called to check every day just to  
2 make sure we are OK and having everything we need.  
3 We've been blessed by the kindness and generosity in  
4 our neighborhood, who have given us food and replaced  
5 some of the essential supplies we lost, and for that  
6 we are grateful. Once again, thank you, Chair  
7 Constantinides, sorry, and this committee for taking  
8 the time to listen and read this testimony. It is an  
9 honor to speak on behalf of the residents we serve,  
10 providing them with a voice and advocate to ensure  
11 they're living safely and comfortable in their homes.  
12 Thanks again.

14 COUNCIL MEMBER ADAMS: Thank you so much.

15 GRACE JOHNSON: Good morning, all. Grace  
16 Johnson, at Inwood and 130th, and I consider myself  
17 one of the boots on the ground for that day. And if  
18 I did not personally make phone calls to Adrienne  
19 Adams' office, her chief of staff, we would probably  
20 still be out there, because calls were made as of  
21 1:00 a.m. that night. The VIPR squad, the fire  
22 department, that was, that's on Rockaway, they were  
23 out a couple of times and when they realized it was  
24 more than one neighbor that was having the, the issue  
25 with the sewer, because they told them that if it was

1 just regular water they would have been able to deal  
2 with it, but as long as it was sewage they could not  
3 have done it. It had to be DEP. And they, they  
4 pushed it up and they called DEP. DEP did not come  
5 until after 11:00 a.m. the next day, 12 hours after,  
6 or say 13 hours later, when they realized that it was  
7 a major issue. Now I personally, I have photos and I  
8 went to almost every single one of my neighbors'  
9 homes and took pictures, and as Dale said, you really  
10 had to be there. The smell, the stench, and you're  
11 talking about, when you're looking down people's  
12 basement or in their home and you see brown liquid  
13 water, you know, and it's an oxymoron, liquid water.  
14 When you see doo-doo, OK, or shit, to make it more  
15 plain, when you see that in somebody's home it wasn't  
16 just a flood. It wasn't just ground water or rain  
17 water coming in. And when you have neighborhoods  
18 saying, well, I don't know what to do, and they don't  
19 have a sump pump, you had neighborhoods who had to go  
20 to more than one Home Depot to get the sump pumps.  
21 And then when they had one sump pump and realized  
22 that the water was coming in so forceful, they had to  
23 go back out and get another one. So you had  
24 neighbors who has more than one pumps going and it  
25

1 was not letting up. So it's like if the, if the  
2 sewage is supposed to be going in one direction,  
3 going towards Kennedy Airport, as they told us, and  
4 now the water seems like it's coming in the reverse  
5 way, what are you supposed to do? You had children  
6 who have their toys, Christmas decorations, we, we're  
7 getting ready, this is a couple days after  
8 Thanksgiving. All right? Family members, I think  
9 neighbors who were away didn't come in until like a  
10 couple days or maybe even a week later to realize  
11 that their home was flooded, that there was, there  
12 was, stagnant water is one thing, stagnant doo-doo  
13 water, if you ever pooped in a toilet and don't flush  
14 right away, can you imagine the days after what that  
15 smells like? And what I'm here to testify for is the  
16 fact that 311, we already know that they messed up,  
17 all right? The communication, they dropped the ball  
18 somewhere, OK? But after you get a call from the  
19 fire department and the fire department is telling  
20 you that this is a DEP issue, why should the  
21 homeowners who made the call have to wait within the  
22 six hours before DEP comes out? I, I, I'm still  
23 trying to wrap my head around. Making excuses and  
24 trying to find the blame for this whole thing that's  
25

1 happened. You already see, I mean, anybody want to  
2 see the pictures? I got them on my phone. All  
3 righty? And with the report that was from, I think  
4 it was Channel 7, Eyewitness News, the truck came  
5 through, they didn't even stop. They came through,  
6 they wanted to know what was going on, and then the  
7 later on that evening they made a report that it was,  
8 it had to do with grease. That's a lie. All righty?  
9 Because I want to know what they, if they had gone  
10 into Little Italy would they have said that there was  
11 a problem with spaghetti sauce? So you, you really  
12 have to be mindful of the words that you say and when  
13 you say it and what you say, because this whole thing  
14 is really, really, it's, it's a black and white issue  
15 to me. I'm not talking about color, I'm just talking  
16 about it's clear cut. Let's do right by the folks.  
17 I mean, if you, if anybody here goes through the  
18 neighborhood it looks like a war zone. I mean, our  
19 neighborhood, and I've been in the neighborhood, I  
20 raised three children. My husband, Ronald Johnson,  
21 is over there. We raised three children in this  
22 neighborhood. We've been in the neighborhood since  
23 the '50s. All righty? The neighborhood will never,  
24 ever be the same. If you drive down now, you are  
25



going to see yards and yards of people's discarded stuff. I mean, if you talk about Katrina, y'all remember what Katrina looked like, when people had to take their stuff and throw it out. Yesterday you could not drive up and down my block because we had five, I think it was either four or five sanitation trucks taking people's belongings and putting them in their trucks and taking it away. Do you know what that feels like? Not only is it a violation, it's devastating, you know? It breaks my heart to see hard-working folks, and you're talking about a community that is borderline. Every single person on my block, Inwood Street, we work. We go to work every single day. Paycheck to paycheck. To make sure that we keep our yards good. We're paying \$85, \$95, sometimes \$100 to get somebody to come and cut the grass. So we can have those pristine, nice lawns like they do out in Long Island. Like they do up in Westchester. Now if you rode through, if you ride through the block what are you gonna see? It's just gonna be, oh, just another neighborhood. We don't want that. We want to go back to what we used to look like before this whole thing happened. And with the comptroller telling us that oh, the only way that

1 they're going to, um, justify the claim is until they  
2 find out exactly what the root cause was. It could  
3 be the straw that broke the camel's back. I don't  
4 care. We need to know how we're going to refurbish  
5 our refurbish the homes that are now down to the  
6 studs? Maybe the mayor, maybe the comptroller, maybe  
7 all, the governor, maybe they need to come out and  
8 also be boots on the ground and go to these homes and  
9 actually see what it is. Or yet still invite us to  
10 their homes. Let's switch the tables. You guys come  
11 and live where we live and then let us come live  
12 where you live. I can almost guarantee you that that  
13 place that needs to be fixed would be fixed in a  
14 heartbeat. We are not just black and white names on  
15 a piece of paper. Thank you.

17 COUNCIL MEMBER ADAMS: Thank you very  
18 much, Ms. Johnson. Just to echo, it was an extreme  
19 major disconnect, major disconnect. And for this  
20 impact to happen to such a beautiful community, as  
21 you so very well stated, is completely unacceptable  
22 and devastating. Thank you again for being here  
23 today. We're going to call the next panel. Thank  
24 you so much. We'll call Winston Horseford, Khalil  
25 Anderson, Ronald Johnson, and Olive Haranalal. Thank

you all for being here today. We'll ask you to testify one by one. Please state your name before you give your testimony. You may begin.

WINSTON HORSEFORD: My name is Winston Horseford. I live 14603 133rd. I come today to hear what's going on. Before I left home this morning my grandson is telling me, Papa, find out when we going back home, you know. My wife has said don't go and say anything, just listen. But I, I felt that I have to say something. It happened last Saturday. It started from, some people it started earlier, some people, by me I started to know about 8, a little after 8. And it was like, it was like, I don't know how to describe it, but first time I ever seen something like that. It was like people basement, the water, the filth, they backing it out in the street, the street is all, water is coming from all direction, you know. And I asked the DEP guy in the meeting last Sunday that why you guys take so long to respond? It happened this Saturday. My wife had to go there the Wednesday evening by the common center and ask well why you guys disinfect the street. The, the DEP guy said, well, before I get to that part. The Thursday morning they came and they disinfect the

1 street and they swept it down, you know. I asked the  
2 guy so why it take so long to respond, you guys? You  
3 was there, you even came in my home. And he was  
4 like, well, it have a big, a lot of trucks there and  
5 they couldn't get past. To me that's unacceptable.  
6 It happened Saturday. Thursday morning, if my wife  
7 didn't go and complain about the smell, what is doing  
8 to disinfect the place, it wouldn't have been done,  
9 like it's every time somebody suggests something to  
10 them, then they start to implement it, you know. And  
11 I admit, they really is working hard, they trying  
12 their best. But I'm saying something should have  
13 been in plan first, a disaster like this, and this is  
14 America. They should have something like to  
15 improvise in a situation like this, you know. And  
16 one more thing before I let my other neighbors say  
17 what they say. If, I have to stay if there's one  
18 situation or one good happening out of this, I have  
19 to say I met my neighbors and I have some real nice  
20 neighbors, you know? And one more thing. The Red  
21 Cross gave a food voucher, \$50 for a person. There  
22 are people staying in hotel. If that is done, I  
23 would ask if it could be extended, because people  
24 staying in a hotel, they got to buy breakfast, and  
25

1 have some of us fortunate to stay in the Marriott  
2 where we get breakfast, you know, they got lunch,  
3 they got dinner. So if it could be extended to help  
4 some of the people that'd be nice. Thank you.

5 COUNCIL MEMBER ADAMS: Thank you.

6 KHALIL ANDERSON: Good morning. So my  
7 name is Khalil Anderson. I'm a member of Community  
8 Board 14 in the Rockaways. I'm here speaking on  
9 behalf of this issue and another DEP-related issue,  
10 just to bring awareness and attention to our  
11 proximity as being a Rockaway resident to this issue.  
12 I think that, I'm going to start off by saying I  
13 think that when we allow our city agencies and the  
14 media to traffic in racial tropes, the idea that  
15 grease is the primary cause of this, ah, this sewage  
16 backup is, is a slap in the face of the residents,  
17 the tax-paying residents that have lived in this  
18 neighborhood, as, as the woman stated before, for 50,  
19 60, 70 years. So I think that when we allow  
20 leadership and city to traffic in those racial tropes  
21 and stereotypes, one, they must be accountable, two,  
22 it must be recognized and addressed, because if  
23 that's what the top thinks, imagine what the rest of  
24 the body feels and acts on other issues. So it, it,

1 when you, when you traffic in those things you also  
2 dehumanize the neighbors and friends and families and  
3 neighbors who live in this community, and it takes  
4 away from the severity of the, of the incident when  
5 we have that. I have a few questions that I would  
6 like to ask on the record on behalf of other  
7 residents in South Ozone Park. A couple of days  
8 after the incident happen I did assist in knocking on  
9 doors with 149th Street Civic Association, and these  
10 were some of the concerns on the ground. The  
11 concerns were there was no protocol for folks who  
12 spoke other languages. So if the civic is a  
13 primarily English-speaking civic how do we reach out  
14 to folks who speak Hindi or any other of the other  
15 languages as this is a very diverse black and brown  
16 community. Ah, there was no protocol for folks who  
17 are undocumented, who are afraid to ask for city  
18 services. There was no protocol when communities  
19 affairs officers, whom I was knocking on doors with,  
20 knocks on your door. It's not the most comfortable  
21 space to have a police officer knocking on your door,  
22 so therefore folks who are undocumented may or may  
23 not answer. And, um, you know, so those were some of  
24 the concerns that were on the ground. Also, I guess  
25

1 the elephant in the room is that basements were  
2 flooded with sewage water, correct? But many of  
3 these basements had tenants living in them, and if  
4 they are a quote unquote illegal basements where  
5 folks are living because we're trying to address the  
6 housing crisis where people have very few spaces to  
7 live in, will those basements be restored to, ah,  
8 what they once were, or will folks be now, ah, ah  
9 liable for penalties because they're illegal  
10 basements. How long will those folks who lived in  
11 stated illegal basements be displaced? These are  
12 very important questions. And also, ah, another  
13 question that was raised by members of the civic who  
14 I was working with on those two days that I was in  
15 South Ozone Park is, ah, usually Red Cross does two  
16 to three days, maybe a week of response time. When  
17 is the period when it switches over from Red Cross to  
18 DHS to begin that work of temporary housing? These  
19 are questions that folks are asking. And also, just  
20 to give a little context as to why I felt the need to  
21 get involved in this situation is that I'm a survivor  
22 of Superstorm Sandy just seven years ago, where in my  
23 home we had five feet of, of water that came in from  
24 Jamaica Bay, and although what we went through at  
25

1 that time pales in comparison to what our neighbors  
2 are going through in South Ozone Park in many  
3 aspects, um, I think that it's important that we, you  
4 know, recognize that the city is not prepared for  
5 emergencies and that in the legislative body of the  
6 city, which is the City Council, we should be looking  
7 at ways to force these various agencies to develop  
8 community-centered emergency plans. This is  
9 something that we've talked about post-Sandy on many  
10 different spaces, on how each block, each community  
11 can be prepared in the event of an emergency. The  
12 difference between what our neighbors went through in  
13 South Ozone Park and in the Rockaways is that we knew  
14 Sandy was coming. We knew it was coming, ah, ah,  
15 there was weather reports. These folks were sleeping  
16 in South Ozone Park, you know, they were sleeping, or  
17 enjoying family time days after Thanksgiving. Ah,  
18 this was not something that could have been predicted  
19 and, and, and quite frankly it's something that  
20 should not have happened, and back to my initial  
21 premise on how I started, ah, when we traffic in  
22 racial tropes, again, we take away that humanistic  
23 factor of a neighborhood and, and we should not allow  
24 that to happen within our agencies. So I, I just  
25



1 wanted to say those words and, and how I personally  
2 feel about what happened in South Ozone Park. Now I  
3 want to switch gears and talk about what happened in  
4 the Rockaways yesterday. So as a member of Community  
5 Board 14, one of the agenda items we addressed  
6 beginning in the meeting was the issue of a sewer  
7 main break, or a water main break, excuse me. We had  
8 a water main break in the Rockaways that affect,  
9 affected hundreds of residents, shut down our  
10 hospital, our hospital did not have access to water  
11 for several hours. Schools had no access to water  
12 for several hours. And we, the only way we found out  
13 about the sewer main break and who was affected was  
14 by Facebook, by social media. Notify NYC did not  
15 send out a notification, and I'm subscribed to Notify  
16 NYC, and did not send out a notification about the  
17 water main break and many folks were affected,  
18 including my home. We, in the morning the water  
19 pressure was low. It went from low to brown water to  
20 no water at all, and it caused a lot of  
21 inconvenience. So, again, this water main break  
22 obviously pales in comparison to what my neighbors  
23 went through in South Ozone Park, but it does speak  
24 to the, the trend of DEP being underprepared for  
25

1 these ah, ah, you know, incidences, and, and after  
2 this we'd like to see more preparedness from our city  
3 agencies and, again, the development of community-  
4 centered emergency plans. Emergency plans on who  
5 we're gonna contact, where are the most vulnerable,  
6 ah, ah, residents among us. Where are the emergency  
7 shelters, where are the shelters? Because even  
8 during Sandy there were shelters that were slated to  
9 be shelters, but they were also in flood plains. So  
10 what are the specific community-centered emergency  
11 plans to prepare our, our friends, family, and  
12 neighbors, and residents of the community, ah, in  
13 cases of other storm or any other emergency incident.  
14 Thank you for your time, Chairman and Council Member  
15 Adams.

17 CHAIRPERSON CONSTANTINIDES: Thank you.

18 OLIVE HARALAL: Good morning. My name is  
19 Olive Haralal. I reside at 13326 Inwood Street with  
20 my daughter and granddaughter, and my daughter, who  
21 occupied the basement, has lost her bed, her dresser,  
22 name it, that it's gone. I had a closet there with  
23 some of my clothes. All that's gone. And my million  
24 concern is when and how I'm gonna replace my  
25 basement. I'm a single woman living with, as I said,

1 with my daughter and granddaughter. I thank God for  
2 my daughter because she did most of the ground work  
3 for me. I wasn't able to go to see this person, that  
4 person, but she took it upon herself and she did it  
5 for me, and I thank her very much. If not, I would  
6 have, I would not have known half of what was  
7 happening. So I'm asking if there is any way they  
8 could assist me. For instance, when this incident  
9 started Saturday morning my granddaughter called me,  
10 I was in the kitchen and my granddaughter called me  
11 and said Mom, Grandma, we're having a water program.  
12 Water is coming in the basement. I thought it was an  
13 overflow from my own home, so I called a plumber to  
14 come and check it out for me. Just as I made the  
15 appointment for the plumber to get there, my neighbor  
16 rang the doorbell to alert us that it's not only my  
17 home but it's in the neighborhood. The plumber said  
18 if it's in the neighborhood he cannot do it, I have  
19 to get someone else. I called, at that time I called  
20 311 twice, and I was told the same thing. About  
21 10:30, 11 o'clock the DEP truck showed up after my  
22 daughter had gone to Home Depot to buy, actually she  
23 had to buy two pumps because the one she got first  
24 was not doing anything, it was too small, so she went  
25

1 back and she bought another one. Then six, seven  
2 hours after that the DEP trucks showed up and started  
3 pumping the water out of the basement. I mean, as I  
4 said, we lost everything in the basement. I'm a  
5 single woman on fixed income and it's going to be  
6 very challenging for us. Right now my daughter is  
7 getting agitated because she lost a couple days from  
8 work. She could not have been here today because she  
9 could not afford to take another day off. And the  
10 problem, as I said, is when is my basement going to  
11 be put back to livable condition, so that we could  
12 live as a family. My home, if you come to my home,  
13 it's like a storm because everything that we were  
14 able to save, pictures on the wall, it's packed up in  
15 my living room. The basement is completely dug out.  
16 They started the cleanup and they had to cut the wall  
17 from the basement, from the basement up to four feet.  
18 I lost my washing machine, my dryer, the boiler. My  
19 home is a two-family home and there's a boiler for  
20 the top floor. Everything is gone. My tenants are  
21 out of heat, they're out of hot water, and it's just  
22 a living, it's just a terrible living conditions that  
23 we're going through right now. And I do sympathize  
24 with some of the people, because as the gentleman  
25

1 said some people have it worse than, than we are. I  
2 have to go back to Saturday. When the problem  
3 started, at 11:30 I said to my granddaughter we  
4 cannot sleep in this house tonight because it's, it's  
5 not healthy. So I checked myself with my  
6 granddaughter and daughter in the Courtyard Marriott,  
7 because I'm just across the street from the Marriott.  
8 I had to stay there for six nights. My bill was  
9 \$1500 and I was told that the city is not going to  
10 cover it because the, the Red Cross had offered me  
11 accommodation at the hotel on the North Conduit,  
12 which I understand was an hourly rate hotel, and  
13 someone from the civic association told me not to go  
14 there. So I didn't go. They sent me to another  
15 hotel over by Laguardia. But that was too far away  
16 from home because I was expecting the contractors.  
17 My daughter had made arrangements for some of the  
18 contractors to start the work. So I didn't want to  
19 go that far and then nobody is home and then I lose  
20 my place on line. So I stayed at the Marriott. I  
21 had no choice. Now I understand the city may not pay  
22 me that \$1500 back. But it will be my loss, but at  
23 least I was protecting myself and my family health-  
24 wise, because there's no way we could have stayed in  
25

1 that house because of the stench, and there was no  
2 way I was going to sleep in my car. So I checked  
3 myself in the Marriott. I'm out \$1500, but with the  
4 help of God I'll be able to recover it. Thank you  
5 very much.

6  
7 CHAIRPERSON CONSTANTINIDES: Thank you  
8 very much. Sir.

9 RONALD JOHNSON: Good afternoon. My name  
10 is Ronald Johnson. I take out garbage for that lady  
11 that spoke earlier, Mrs. Grace Johnson, who happens  
12 to be my wife, on Mondays and Thursdays. Um, I just  
13 want to say that [laughs], gotta say something good  
14 about the wife. She keeps me sane. I love her  
15 activism. I'm a retired teacher, as my wife said,  
16 what happened to my retired husband, because I coach  
17 and I'm hardly ever home. But a neighborhood person,  
18 following the footsteps of my uncle, Henry  
19 Shuttlesworth, formerly president of the Second Van  
20 Wyck Civic Association. In fact its attorney was  
21 residing right across the street, Marty Sukhoffer's  
22 sons. Ah, it pays to be active. It pays to help  
23 your neighbors. I'm very saddened to hear earlier  
24 that a man who would make sure on Thanksgiving every  
25 neighbor had turkeys, was left in his house unseen.

1 That was Reverend Harris. And I assumed, I'm not  
2 going to throw anyone under the bus, but there's  
3 family and they have our numbers, and I assumed that  
4 he was taken care of. So that really saddens me,  
5 which means we have more work to do as neighbors.  
6 I'm glad to see the way the neighbors have come  
7 together. Um, I want to digress a bit to a point  
8 that was just, ah, it was addressed to the, um,  
9 commissioner of DEP, who's working hard, but I, I  
10 don't like the casual statement of yeah, the water  
11 table situation that's a story for another time. Not  
12 for people who live there. It's not a story for  
13 another time. Because we go on vacancies, we always  
14 had to hold our breath whether our house would be  
15 flooded when we came back. We know it's built on a  
16 barrier. One time Jamaica Water Company would take  
17 of the pump, and I don't know if it was twice a  
18 month, and they would reduce the level. Houses are  
19 built on a river. So how do you take care of the  
20 people who are there, been there, and the new people  
21 coming in? What do you think they're going to think  
22 about when they find out, not only what just  
23 happened, what is a constant in our life. The waters  
24 I'm sure, ah, the basement walls have peeled. Mine  
25

1 has. It's just a horrible condition. My sister got  
2 married in that basement. Now it became a storage  
3 that we elevate things for fear of destruction, which  
4 has happened. So we could have another rain right  
5 now on top of this situation, we're gonna be  
6 subjected to that same thing. Who's in charge of  
7 reducing the water level? That's the elephant in the  
8 room that's a constant that won't go away. And, ah,  
9 I just don't like it casually put down as an  
10 afterthought, with all due respect to this crucial  
11 thing that's happening now. I just wanted to bring  
12 that to your attention, as the saying goes, ah, facts  
13 do not cease to exist because you ignore them. All  
14 right. I'd like to thank Adrienne Adams who, and her  
15 staff. She got out of her sick bed and came out, and  
16 people were supposed to be angry. But sometimes you  
17 have to watch your anger and say, well, where was  
18 she, and we had to straighten out a few neighbors  
19 talking like that. OK, you're always there. The  
20 civic association is doing a great job. Maybe this  
21 will encourage people to come to the meetings and,  
22 and take care of the people that take care of you,  
23 and function more as a closer community. It's sorry  
24 it had to happen under these circumstances, but we'd  
25



1 like to see all these issues addressed and we thank  
2 the people who are fighting for us. With that I  
3 yield the mic.  
4

5 CHAIRPERSON CONSTANTINIDES: Thank you,  
6 Mr. Johnson. And I agree with you. We've been  
7 working, I know, prior to me being elected, ah, I was  
8 working on issues of the water table in southeast  
9 Queens as I was a staff member for Council Member  
10 James Gennaro, who was the previous chair of this  
11 committee, and now in my own right as a council  
12 member and chair of this committee we've been working  
13 on these issues, and frankly it's only to get worse,  
14 with climate change. It's going to be wetter, the  
15 rain is going to be more, so we're going to have rain  
16 coming in along with higher water tables. That's not  
17 a good mix. So I recognize the challenges and we are  
18 looking for solutions and looking to make sure we  
19 fortify our neighborhoods in a better way. So I  
20 appreciate that testimony. I just wanted to ask you  
21 quickly. I asked the panel earlier this same  
22 question, but for those of you have been impacted how  
23 has the city's explanation of reimbursement, of, you  
24 know, all of this paperwork, what, what assistance  
25 are you getting? Do you need anything else? We have

1  
2 representatives of DEP still in the room, so we want  
3 to make sure that if there are things that you need  
4 that there's a connection point and that, you know,  
5 are getting the full story. So if you could speak to  
6 the, you know, the process, have they fully explained  
7 the process to reimburse, they explained the, how you  
8 document the damage in the your home. What has the  
9 response been from all city entities?

10 UNIDENTIFIED: Well, I know forms were  
11 given out and, ah, you're supposed to have them  
12 notarized and list your damages, and I think it's, is  
13 a 90-day period? OK. But those forms were handed  
14 out, and I did see them doing door-to-door  
15 canvassing, even yesterday.

16 CHAIRPERSON CONSTANTINIDES: OK, great.

17 UNIDENTIFIED: Seem to be on point.

18 CHAIRPERSON CONSTANTINIDES: OK.

19 WINSTON HORSEFORD: Let me add a little to  
20 that. The guy from the, the office of the, ah, the  
21 comptroller.

22 CHAIRPERSON CONSTANTINIDES: Yes.

23 WINSTON HORSEFORD: They was saying we  
24 could abandon that form and go straight directly to  
25 the computer and fill it out on the computer, and

he's gonna look at it, and if we want to take an attorney it's going to go in a different office and, you know, all sorts of different stuff. But what you really alluding to for him to get faster to make any reimbursement for, for us to go on the website and fill the application out.

CHAIRPERSON CONSTANTINIDES: I know we have a representative of the comptroller's office here as well. So I know they, they're here if you need any additional assistance.

CHAIRPERSON CONSTANTINIDES: Miss? I'm sorry.

UNIDENTIFIED: A lot of people...

CHAIRPERSON CONSTANTINIDES: Make sure you click on your microphone.

OLIVE HARALAL: I'm sorry.

CHAIRPERSON CONSTANTINIDES: It's all got to be, all got to be recorded.

OLIVE HARALAL: [laughs] A lot of people had reported that they tried to go online to do the forms but they were having problems. It wouldn't go through. And as one young lady mentioned a lot of seniors are not savvy on the computer, myself included. You know, I have to depend on my daughter

all the time to do everything, and poor girl, she has to go, she has a job, you know, so what do we do? Actually I made arrangements with one of the members of the, um, 149th Street Civic Association, Ms. Cook, to come down to see you tomorrow, Adrienne, so that I could get some help with my form, because I can't depend on my daughter to do everything. She has her own issues, you know, and she has to go to work. So I'll see you tomorrow, Adrienne.

COUNCIL MEMBER ADAMS: You'll see someone in my office tomorrow.

OLIVE HARALAL: OK.

UNIDENTIFIED: Can I just piggyback

CHAIRPERSON CONSTANTINIDES: Yeah.

UNIDENTIFIED: ...on what she said. Is there a way that the, the comptroller's office could, ah, travel to some of these hotels that folks are at and hold sessions in those hotels so folks could do claims?

CHAIRPERSON CONSTANTINIDES: Then they're not, they're not testifying today, but there are representatives here and I think that is a reasonable request that you can make of them and that they can help you and answer those questions. Adrienne, do

1       you have any questions? All right. With that, I  
2       want to thank you for your testimony. Again, we're  
3       working diligently. I know that your council member  
4       here is an amazing advocate and is continuing to  
5       fight for you every day. With that, I'll call  
6       forward the last panel. Pastor James Works, Jr., ah,  
7       Ricardo McKenzie, Kareem McKenzie, and Yvette Taylor.  
8       Pastor, I guess we can begin with you?

10               PASTOR WORKS: Sure. Good afternoon to  
11       the council members. Good afternoon, Council Adams,  
12       I know her. We did a couple things together, and  
13       thank you.

14               CHAIRPERSON CONSTANTINIDES: She was just  
15       telling me about your backstory is.

16               PASTOR WORKS: [laughs] Yeah, thank you.  
17       I'm a pastor of St. Paul Baptist Church and we're in  
18       the community located at 1408 130th Avenue. Along  
19       with the 149th Civic Association we've been on the  
20       ground trying to help the community because we going,  
21       ah, a lot of times we're overlooked, overlooked  
22       because we have a large contingency of elderly people  
23       who are not being, um, their needs are not being  
24       served, in an age of everybody is on the computer,  
25       savvy, like that. I have an elderly mother I take

care of. We live in the community on 145th Street. By the grace of God we wasn't affected but, you know, there's a lot of things that they need and they're not getting the proper help. They're not being served correctly. I have to tell my mother all the times, don't answer the door because people are trying to come in there wearing uniforms and they not really part of the solution. They're not trying to help. They're really taking advantage of the community. And so we, um, you know, we praying for the community that we'll be more aware of some of these people, they're not there to do good. Now, there is some of the people there who are on the ground doing well, and I salute them. But we have big issues. Like, for instance, drinking water. Water now is coming in brown. And even if the water is not brown, how do we know the water is good to drink? I'm just saying, that's you know, we don't know. We, we, I'm, I'm advising my people to drink bottled water. Because unless you got something to test your water you're not sure if you're drinking good water or not. As somebody else said earlier, that community, I've been there all my life. I was born in '68. That community does flood. But I ain't

1 never seen it like this, feces and just, um, feets of  
2 dirty water, and it's just ridiculous. And, like I  
3 said, just by the grace of God, my next-door neighbor  
4 got it. The Inwood, or the block before us, got it,  
5 but just by the grace of God we missed it and, and  
6 it's a shame, because it really looks like a third-  
7 world country there. Um, I'm concerned that are we  
8 gonna get the help that we need? Like once all the  
9 cameras go, once the news stop reporting on this, are  
10 we gonna get what we need, and that's the concern  
11 that we have for that community. Also, we need some  
12 screening. We need the, because we got young people  
13 there, children, are they being affected by the  
14 toxins they've been breathing? If you walk around  
15 that neighborhood it stinks. The, the smell is  
16 putrid, I mean seriously you can't even drive down  
17 there without rolling up your window 'cause it's like  
18 oh my God. It makes you want to vomit. So if we're  
19 taking in that type of odor, foul odor, what is it  
20 doing to us? We just reaching out wanting help. We  
21 just need really help, and we want to believe in our  
22 government because we voted the government in to help  
23 us. But now it's time for the government to help us  
24 and we need straight talkers, so I thank you, Ms.

1           Adams, I do, and for others that come and, you know,  
2           you're rubbing elbows with us and letting us know the  
3           truth. But we have to keep people, ah, elected  
4           officials, responsible for what, you know, for us.  
5           Because if not we gotta vote them out. That's what  
6           we, I mean, honestly, that's the only thing we have  
7           left. Like we vote you in, you know, we got to vote  
8           you out. And that's all I'm saying. I just, I just  
9           want to make sure that people know our community is  
10          really suffering, really suffering. Thank you.

12                   CHAIRPERSON CONSTANTINIDES: Thank you,  
13          Pastor.

14                   RICARDO MCKENZIE: Good morning, council  
15          members. My name is Ricardo McKenzie and I live at  
16          130-40 Inwood Street. Um, before I start, um, you  
17          know, this has been said many times over, um, but I  
18          just want to thank a few people and a few of the  
19          offices that were out there. Um, from the very  
20          beginning, um, of this issue for me, ah, the NYPD has  
21          been out there, the fire department has been out  
22          there, um, and also Councilwoman Adams' office has  
23          been out there from the very beginning. One of the  
24          first persons that I met was Jamal Wilkinson from her  
25          office and her office has been instrumental in at



1 least giving me some direction as to what do you, you  
2 heard many testimonies about people knowing what to  
3 do. I myself, um, continue to be one of those  
4 people, but at least now I have a little direction.  
5 This issue started for me approximately 4:00 a.m.  
6 that morning. I woke up to flashing lights. The  
7 fire department was outside and of course I woke up  
8 and immediately noticed an odor. Because I had just  
9 woken up I wasn't too sure exactly what it was, but I  
10 saw the fire department and I immediately in my mind,  
11 ah, it must be gas, that's what I'm smelling, it's  
12 gas. I sat at my windows for a little bit and the  
13 fire department went by and I said oh, well, maybe  
14 they took care of the issue. I'm going to go back to  
15 sleep. This was at 4:00 a.m. At approximately just  
16 before 5:00 a.m. I get a call from my dad. My dad  
17 lives on the first floor. It's a two-family home.  
18 And my dad's like, um, you know, get up. He's been  
19 dealing with, at this point he was already dealing  
20 with it, I found out later, for about half an hour,  
21 but, um, just, you know, full disclosure, it's  
22 already been said, but we've lived in this  
23 neighborhood for about, um, four years now. So upon  
24 moving, um, we were told by our neighbors that, you

1 know, a little water sometimes, though, we already  
2 had a pump and my dad was already pumping, but the  
3 pump that we had was doing absolutely nothing. Um,  
4 ah, but at that point we thought, we had never seen  
5 anything like this, it was about an inch, we thought  
6 the pump would take care of, it would take care of  
7 it. At around 7:00 a.m. the smell just got like  
8 really bad, and I have a 4-year-old, so my wife at  
9 that time took my 4-year-old, um, at this time it's  
10 already three hours in and she took him to my in-laws  
11 in, um, in Brooklyn. At around 8 o'clock we noticed,  
12 my dad and I, just to clarify it a little bit more,  
13 this is my brother here and the basement is fully  
14 furnished. It is his living space, and, um, at that  
15 point you only hear me mentioning me and my dad  
16 because if you saw my brother at that point when the  
17 water really started rising it, you want to talk  
18 about not knowing what to do, he was in utter shock.  
19 He really couldn't do anything but just sit there.  
20 So at around 8:00 a.m. my dad and I, the one pump  
21 that we already owned wasn't doing anything, so we  
22 run out to Home Depot, we buy a new pump, new hoses,  
23 make sure it's strong enough. We rush back to the  
24 house. We put the new pump in. By this time I  
25

1 noticed that my streets were starting to fill up with  
2 neighbors coming outside. What I forgot to mention  
3 initially when the water initially came it was clear  
4 water. It smelled really bad, but it was clear. By  
5 around 8:30 or so it started to get a little murky  
6 and, ah, the water started flowing a little faster.  
7 I was told that this was probably because at this  
8 time people are waking up and the people that are  
9 unaware of the situation, as most people were, are  
10 turning on, they're using the bathroom, turning on  
11 their faucets and such, so now the water is coming at  
12 an even faster rate. It's, I mean, it's hard to  
13 describe. You have to see the videos to sort of to  
14 see the intensity of the water at the time. But,  
15 like I said, we had two pumps going and, ah, it did  
16 absolutely nothing. Um, by this time, um, we just,  
17 you know, at this point I had already called 911  
18 several times, ah, I was then directed to the fire  
19 department, and I spoke to the fire department while  
20 they were there and they told like yeah, you're  
21 getting us because when you called 911 you mentioned  
22 water and 911 directly whenever they hear water they  
23 turn you over to the fire department. Um, so, um,  
24 the personnel that were there said, you know, call

1 back but this time say it's, you need DEP, say that  
2 it's sewage. Um, fire personnel at the time, I  
3 personally overheard them several times say that this  
4 was the DEP, that they needed the DEP, um, out there.  
5 I called 311 myself and twice I got a run-around,  
6 because I don't know if they just don't know how to  
7 handle the situation or the right people to call, but  
8 I received the same information that you guys heard  
9 earlier, DEP will respond within six hours. Six  
10 hours went by and nothing, but the worst part about  
11 this six hours is that this is six hours of watching  
12 your personal possessions, you know, like your  
13 memories, um, just, you know, everything that you've  
14 worked for every day just essentially just go up in  
15 water. You know, um, one of the reasons that I live  
16 in this neighborhood, I mentioned that I have a 4-  
17 year-old. I've been living in the neighborhood for  
18 almost four years now. So buying this home was in  
19 preparation for my family, and my entire family moved  
20 with me, so my brother occupies the basement, my  
21 parents are on the first floor, and myself, my wife,  
22 and my son are on the second floor. Now in my  
23 basement as a result of the sewage, as per the clean-  
24 up company, Pure Clean, which was provided to us by  
25

1 the Office of Emergency Management, they told us that  
2 that is category 3 water, it's as bad as it could  
3 get. It's raw sewage. It's black, it's murky. As I  
4 mentioned, at first it wasn't murky but after people  
5 started turning over water, um, turning on the water,  
6 you heard someone else earlier saying that the water  
7 was just cycling through the system. So at one point  
8 I had, um, just about like three-and-a-half foot of  
9 water just sitting there for hours, and you can see  
10 the water going out, but the water coming in. And  
11 over the course of, you know, eight, nine, 10 hours,  
12 it just turned into black water, and you really can't  
13 just do anything but just sit there and watch all  
14 your personal possessions go up. Now some may say  
15 like you waited that long to evacuate the things out  
16 of the basement? Well, the truth is, like I said,  
17 we've been living there for almost four years at this  
18 point and as other neighbors have testified, we've  
19 have issues where maybe half an inch to an inch of  
20 water comes up, which is why we had the pump before,  
21 and initially we thought this was the case. You  
22 know, so we got our pumps. But even after two pumps  
23 it just kept rising and rising and rising. The first  
24 night, um, like I said, it began like around 3:30-

1 4:00 a.m. for my dad, for me at around 5 o'clock. My  
2 dad and I worked continuously, um, because we just  
3 didn't want to see everything go up in smokes, or  
4 down in water, so to speak. Um, my dad was up  
5 working for an hour before me. So he worked for 26  
6 hours straight, you know, um, a lot of credit to him,  
7 but I had to tell him to stop because he just kept  
8 working and working. He has high blood pressure,  
9 other medical issues, and he just kept working. I  
10 myself it was 24 hours, but it was 25 hours for him.  
11 At that point we had already, um, as I said my son  
12 was already in Brooklyn with my in-laws. The adults,  
13 we had to find some place to stay, so we just, um, we  
14 booked a hotel room. I live directly next to Mr.  
15 Leron Harmon, who testified earlier. Essential he  
16 lost his entire house, ah, I will say. Um, but I  
17 received a call from him, he slept in his car that  
18 night, I received a call from him at approximately,  
19 um, 5:30, no, maybe around 7 o'clock in the morning.  
20 He called my dad, who in turn told us hey, water is  
21 coming back up in my basement, you guys better rush  
22 over here. So we rushed back over there. The hotel  
23 was about five minutes away. Rushed back over and,  
24 um, lo and behold there's water coming back up. And  
25

1 this is when it reached its highest point. When the  
2 water completely receded and, you know, I have to  
3 give credit where credit is due, um, the Office of  
4 Emergency Management immediately jumped in and, you  
5 know, at this point they were talking about cleaning  
6 crews and things like this. They had surveyors going  
7 around and, um, I received many estimates, but  
8 finally what I was told was in my home everything  
9 four foot and below had to go. So if you look at my  
10 basement right now, you know, imagine four foot tall  
11 and everything under it is completely, um, gutted.  
12 At the time they did not remove the tiles on the  
13 floor, even though it was a concern. We didn't find  
14 out until, well, at first we were told the tiles that  
15 they're not gonna remove it. But as per the meeting  
16 that they had at PS-223 last Sunday, um, Commissioner  
17 Criswell said that the tiles could be removed. But  
18 at this point, this is after the cleanup already  
19 started at my house. So I still have the tiles there  
20 and I am worried that like, you know, water seeped  
21 under the tiles and then maybe a year, who knows how  
22 long from now I'm gonna have a black mold issue. Um,  
23 you know, it's, like I said, the area was a living  
24 space for my brother, but we also had, you know, we  
25

1 had storage down there. So, you know, one of the  
2 things that plays over in my mind now was that I had  
3 my own personal project where I was like digitizing,  
4 you know, like photos that my family members had from  
5 like the '60s, '70s, '80s. You know, that was one of  
6 the things that was just thrown out. So, you know,  
7 it's, it's really like hard to describe, but I'm  
8 pretty sure that you guys can look back at some of  
9 the videos, and it's the first time that I've really  
10 seen defeated people. Now, this is a happy  
11 neighborhood, you know, um, someone mentioned one of  
12 the best things that came out of this was getting to  
13 know my neighbors a little bit more. I've lived here  
14 for four years and I know the neighbors immediately  
15 next to me. I don't know everyone but I can say that  
16 they're happy people [inaudible] but it's a middle-  
17 class neighborhood. These are all people that go to  
18 work every morning and do exactly what they're told  
19 to do. Follow all the rules. You know, get a  
20 degree, get a good-paying job, buy the house, have  
21 the family. That's what we did and, you know, to, to  
22 just wake up and have that go up in smokes in two  
23 seconds with no certainty, um, you know, um, also at  
24 PS-223 on Sunday Mr., Mrs. Su Young Kim spoke from,  
25



1 from the comptroller's office and, you know, to say I  
2 was, you know, disappointed, you know, we all heard,  
3 um, Commissioner, Commissioner, um, not Commissioner,  
4 ah, Mr. Sapienza, um, OK, Commissioner Sapienza, we  
5 all heard him, um, you know, at least take some  
6 responsibility, um, for it, but before this it was  
7 all about fault. You know, the meeting on Sunday,  
8 you know, I told him that it's not about fault, it's  
9 about responsibility. You know, when you start  
10 playing, you know, um, someone mentioned, um, the  
11 racial trope that went, that went out. I didn't want  
12 to read his statement as a racial trope, but I can  
13 tell, you know, based on, you know, just little  
14 sleight of hand jokes from, um, family members that  
15 might not be feeling it so much and from co-workers,  
16 you know, um, you know, you know, things like, oh, so  
17 you guys use too much cooking grease this year, huh.  
18 It's, it's, people have to be way more careful what  
19 they say. It's, it's like it might have been a  
20 factual statement, but given the area, given the  
21 demographics of the community not everyone read it  
22 as, as like, oh, this is just fact for the entire  
23 city because I've heard it already. You know, um, at  
24 this point, um, I haven't been, you know, my son

1 hasn't been home since the incident happened. We've  
2 gone to see him. But I mentioned that like, um,  
3 like, in right before we went to the meeting at PS-  
4 223 last Sunday my wife calls him, and he's 4 years  
5 old, he doesn't, you know, all he knows is that the  
6 house is stinky, you know, like that's what we told  
7 him, you can't come back yet because of that, the  
8 house is stinky. But he's literally crying because  
9 he hasn't been away from us for that long, you know,  
10 long time. So, I mean, at this point, um, I'm happy,  
11 um, that, that some fault, um, has been taken, you  
12 know, where's the responsibility. Um, speaking about  
13 the clean-up, I have to say that, um, as far as, um,  
14 the initial clean-up by Commissioner Criswall with  
15 the Office of Emergency Management, as far as the  
16 tearing down the walls and, and the clean-up, that  
17 was very, my experience it was very well coordinated.  
18 Um, I was receiving, um, calls probably like every  
19 two hours, calls, text messages. People were, were  
20 really understanding. Ah, the, and this is not fault,  
21 I don't want to place too much fault 'cause I  
22 understand it's a big issue and coordination is going  
23 to be hard. But the DEP has not been, has not been  
24 as well like put together, you know, I'm not going to  
25

1 mention any names but, you know, um, yesterday, um,  
2 so, I haven't been at work since the incident  
3 happened and, um, my job has been really, um, really  
4 good in giving me the time off. They don't have to.  
5 They can make a much bigger stink about it, um, but  
6 it, you know, they, they want me back, I know that  
7 for sure, and, you know, for, for, this is New York  
8 City and for anyone that works in corporate America  
9 you know that you either perform or you're out. So  
10 it's like, you know, when HR departments start to  
11 make their cuts they don't care that you had a flood  
12 in your house or they're not, they're not made  
13 abreast of that information. So even though, you  
14 know, my management says everything is fine, it's  
15 something that weighs heavily in the back of my mind  
16 that it's like I'm not at work performing like I'm  
17 supposed to be. You know, it, it's, it, I don't even  
18 know where to even begin. I have to say that between  
19 myself and my wife we've been calling every day.  
20 We've been talking to, you know, pretty much the same  
21 people every day, and everything went well. But  
22 yesterday, um, you know, on Monday I was told to just  
23 stay home, I'm, we're gonna have come in, take out  
24 your, the two boilers that I, the two water, um,  
25

1       boilers, that I lost and the heat, and the two  
2       heaters for the house. Um, I told, I was told that  
3       they would come, they would rip that stuff out and  
4       they would replace it with, with the new stuff. Um,  
5       I stayed home all day. The contractors came and they  
6       did about two hours of work, left the stuff in my  
7       house. Um, I called, um, the people, um, the powers  
8       that be in charge for, um, for that project and, um,  
9       you know, I was told they had issues sourcing the  
10      equipment, which is fine, ah, I understand the  
11      challenges ahead. But, you know, sometimes when we  
12      speak, I speak to one person, my wife speaks to  
13      someone, someone else, we're getting completely, um,  
14      different information. So she actually, um, because  
15      I'm at home and I'm working from home as my job has  
16      allowed me, um, to do for two weeks, my wife goes  
17      onto the command center, just to get an update of  
18      what's, um, happening. I have to say that she's been  
19      going down there every day and maybe she's been a  
20      little pestering about the situation. She's eager to  
21      get our son back to the house. And the two things  
22      that we need to have the house livable as per New  
23      York City is, ah, heat and hot water, two of the  
24      items that we, that, um, that we don't have. So she

1 goes on there and, you know, she's trying to find out  
2 what happened because the contractors came, they  
3 disconnected the, the water boilers and the heater.  
4 They left it in a corner in the basement. They added  
5 the new boilers, but then they left and like I said  
6 hours went by and nothing. So she went down there  
7 and, um, she called me back like, you know, a bit  
8 upset. She was upset by, I won't mention his name  
9 'cause my experience was him was good up until this  
10 point. But she said he basically scolded her and  
11 told her that if, if we can't wait for, um, if we  
12 can't wait for them to come around, for DEP to come  
13 around and do these things then we should go out  
14 there and just buy it ourselves. Well, you know, he  
15 was here today and, and he left at this point, but we  
16 can't just go out there and buy it ourselves. It's,  
17 it's, you know, I mentioned this is a working, um,  
18 class neighborhood and, you know, it's like, um, I'm  
19 already looking into savings, retirements, things  
20 like that, boring, you know, all things that are  
21 going to come with penalties that I'm, I have no idea  
22 if I'm going to be reimbursed for it, because as per  
23 Mr. Su Young Kim when you fill out that form it's an  
24 opportunity to get your money back. Not that you're  
25

gonna get it back, or not that we're going to review, it's an opportunity to get your money back. You know, it's, that's just language that just, you know, is unacceptable, especially when the same office is telling us don't lawyer up, don't go to a lawyer. We're gonna get defensive, we're gonna get defensive if, if you get a lawyer, you know, so, I mean, what am I supposed to do, just sit here and just, just hope, pray that like something's gonna happen? Like, ah, you know, my savings are being depleted. I'm, I'm watching my house, essential it's unlivable, it's unlivable as per the city ordinance. It's unlivable right now. But I'm afraid to leave the house because, um, right now as per DEP they're pumping 10 million gallons of sewage from one pipe to the, um, to the next. Which I might add has to be a pretty expensive, um, a pretty expensive deal. But if they stop or more water comes or things like that, I could see water rushing back into my basement because the problem isn't fixed. They've just put a Band-Aid on it right now. So if they stop or if they miscalculate how much water is coming in, it's, it's, I'm back to, to round one. You know, it's, like I said, I was at Councilwoman Adams' office last week,

um, she had a lawyer, um, that's there every Wednesday to anyone that hasn't made use of those services, but it's, ah, it helped me a bit to, to get focused on, on what needs to be done. But as of right now with the holiday season's approaching, Thanksgiving just passed, and, I mean, this mess right now, it's, you know, I'm, I'm just left not knowing exactly what to do. When am I gonna be able to go into work. You know, they were providing me, they, the DEP was providing me, you know, just notes every day saying that, you know, Mr. McKenzie is required to be home for this reason or for that reason, but, you know, how much longer is my job gonna accept that as well, you know? Like I said, I work in the private sector and it's something that weighs heavily on my mind every single moment until this is fixed. Thank you.

CHAIRPERSON CONSTANTINIDES: Thank you.

Sir?

KERMIT MCKENZIE: Hello, my name is Kermit McKenzie. That's my big brother. Um, I'm not gonna get in too much detail. We all know 311, DEP, um, they messed up big time. I just want to take you back to the night, I actually, um, live in the

1 basement. Um, I actually woke up to that smell. So  
2 hopefully ingesting that doesn't do too much to my  
3 health. Um, one of my biggest obstacles right now is  
4 just getting to work. Um, a majority of my winter  
5 clothing was ruined. This is the only sweater I was  
6 able to find today. This is the only jacket I have.  
7 It's getting a lot colder outside. So just getting  
8 to work is a difficulty. They're doing a lot of  
9 construction, um, in that area so the buses they're  
10 gonna take even longer. Thankfully my job, they  
11 granted me temporary parking just to, you know, be  
12 able to get into work so I don't have to go through  
13 the cold. But that's temporary parking. So that's,  
14 um, this has been a real big nuisance, just finding  
15 clothes 'cause whatever clothes I have left they're  
16 in bags all over the place. So getting to work, I  
17 have to wake up earlier just to look for clothes. I  
18 have to drive, which is just driving up my expenses,  
19 gas, toll, so, um, it's, everything, everything, my  
20 day-to-day life is just an obstacle. You know, we  
21 have to think 10 steps ahead about what we're gonna  
22 do just to get through the day. Um, but I think my  
23 biggest concern, my biggest issue is the claim and  
24 reimbursement process. Um, the process isn't as  
25



clear or as straightforward as Mr. Kim made it sound.

Um, you know, there's a, there's a lot of thing, it's a very agonizing process. You know, the website was done, um, everything that was lost you just don't have reimbursements for it. It feels like, um, he's lacking empathy and sympathy for the situation.

Just, just fill out a form within 90 days, 90 days form. All right, we're still assessing the damages.

Um, it's hard, you know, everything was in, everything was flooded in sewage, so just remembering everything lost is a, it's a process. But he keeps saying 90 days, 90 days. He's, he's used, he's using legal terminology, but then he's instructing us don't get a lawyer because we'll waive certain rights.

It's, it's not as straightforward as he's making this sound. Um, who knows what, what other long-term issues we're gonna have due to this flooding. For example, I just thought about the lawn. You know, our lawn is ruined. You know, possible mold issues, rebuilding, rebuilding the basement. We don't have any quotes for that, so how are we gonna, um, you know, submit claims for that if, if we don't have, we don't have any assessments. What I think needs to be done is we need people from the comptroller's office

1 to walk us through the process. Let us know any  
2 possible roadblocks we're gonna face. We've, we've,  
3 we've all, um, I'm gonna be honest, I feel very  
4 uneasy about the claiming process. We, we've heard,  
5 we've seen the news with Sandy victims and other, um,  
6 um, high-profile disasters, you know, the back and  
7 forth, the political games. So I'm very uneasy about  
8 the process. So when you have someone rushing you,  
9 submit this in 90 days, submit this, you have a  
10 opportunity to get reimbursed. That doesn't make me  
11 feel very comfortable at all. Um, we, we, um, you  
12 know, as the weather gets colder and we don't have  
13 any heat, how is that going to affect our pipes,  
14 other issues in the house causing additional damage.  
15 Yet he wants us to submit a claim form within 9 days.  
16 So I believe, um, the services that has been provided  
17 so far, thank you very much, they've been very  
18 helpful. But there's a lot of work that needs to be  
19 done still. Um, there needs to be a lot more  
20 sympathy for everyone dealing with this. It's not  
21 easy. Everything, just taking a shower, it's, it's,  
22 we have to go to a hotel. Um, another big issue I  
23 have is, um, we live on Inwood Street. We're  
24 literally five minutes, five minutes walking to the  
25

1 hotels around there. When we called up that night  
2 they knew nothing about it and they just offered us  
3 our, their standard rates. The hotels that were  
4 provide, the first one was in Astoria. Now we have  
5 to, now Astoria is about 15-20 minutes. But we all  
6 know the Van Wyck is always crowded. So let's add 45  
7 minutes to that. While we have to worry about our  
8 house, while we have to worry about our house,  
9 maintaining our home to avoid any additional damage.  
10 So, um, I'm really, I don't know whose job this is,  
11 but I'm disappointed that the local hotels they  
12 weren't, they didn't provide us additional  
13 assistance. And as my brother stated and a lot of  
14 other people here stated, we're all working-class  
15 people. We don't want any hand-outs. But even a  
16 discounted rate at these hotels would have been,  
17 would have made a big difference and, um, you know,  
18 they're continuing to build hotels. We don't, we  
19 don't know if those hotels have any issues to do with  
20 the sewage backup. We don't know what tax incentives  
21 they get to build hotels, which we pay regularly, and  
22 then, you know, they seem like they knew nothing  
23 about it. Um, you know, we just, you know, we just  
24 want, we just want this issue to be prioritized. Um,

1 the back and forth is very agonizing. We want, we  
2 want to be prioritized, um, you know, we're, we're  
3 not asking for any hand-outs. We just want our life  
4 established, you know, our homes rebuilt, 'cause this  
5 isn't our fault, and the, and the message that's  
6 being put out there is we're just pouring grease down  
7 the sink and that's absolutely not the case. But  
8 what we really need is more than one person from the  
9 comptroller's office to have a real talk with us, you  
10 know, we need a timeline, the process, any issues  
11 that may happen 'cause we're just getting legal  
12 jargon, but yet he doesn't want any lawyers involved.  
13 So we, we need people from that office to come down  
14 and tell us what they need, any issues, um, whatever  
15 they need we could provide it, but they have to tell  
16 us that. What I, what I fear is we're going to  
17 submit the form. Even on Sunday I mentioned it. On  
18 the website they had water damage and property  
19 damage. Well, we don't know if, we weren't clear  
20 with which form we have to fill out. Mr. Kim, he  
21 clarified it was water damage, but my biggest fear is  
22 we submit the forms, we go through the, the steps,  
23 and then we find out there's an issue, we have to  
24 start the process all over again. It's a slow,

agonizing process and I want to minimize mistake, mistakes as much as possible. So they need to come down and tell us exactly what needs to be done. The mayor said we would get expedited services. So when I hear expedited services I'm not only thinking about clean-up, I'm thinking about reimbursement and, and restoring our homes. Um, you know, as my brother mentioned we're ready to work. My dad, he worked 26 hours straight trying to fix whatever he could do. We're ready to work, but they have, they have to give us answers, and we don't want to play the political legal back and forth game. We just want straightforward and we want these services expedited. Thank you.

CHAIRPERSON CONSTANTINIDES: Thank you.

COUNCIL MEMBER ADAMS: I'll just interject just a little bit, Mr. McKenzie, for clothing, give us a call.

KERMIT MCKENZIE: All right, thank you.

YVETTE TAYLOR: Hi.

CHAIRPERSON CONSTANTINIDES: Make sure your microphone is on?

YVETTE TAYLOR: Is it on now?

CHAIRPERSON CONSTANTINIDES: Yes, thank you.

YVETTE TAYLOR: My name is Yvette Taylor. My home is at 130-40 146th Street, so right behind you guys. Um, my parents bought that house in 1973. They finished the basement with two bedrooms, bathroom, kitchen, a living room area, um, and a wash area. Um, we've also had those backup issues all those years, and because it was just our house at that time we were responsible for cleaning it up, as everyone else. So I was in, and my mother, in Georgia for Thanksgiving. My family was there and we have one tenant upstairs, because it's a two-family home, and from 5:00 a.m. on 11/30 my family member kept calling us and telling us that the water was coming in, and it was clean. So we thought it was the normal stuff and we called our warranty people, and the warranty sent out a plumber and the plumber said it's not us, it's outside. Called 311, we called 311, we were told the same six hours. Call us back in six hours if you don't hear from someone is what they told us. Um, then we found out that it was a city thing. We found out the water was coming up, um, and I have pictures and videos and snapshots of

every single part of what has happened. So, um, after we found out that it was the sewage my family member that also lives downstairs, everything was gone from 5 in the morning to at least 1 in the afternoon, everything is floating in feces. We kept saying water and my sister kept saying it's sewage, and that's exactly what it is. So we go through that, we have a sump pump. Since we've been there so long there's a sump pump. The poor little thing just was trying to get the water out and the water was just coming in. So my cousin went down to the corner and I don't know if it was the DEP or the emergency people, but she got them to come and help pump it out. They said we'll be there, and she stood there and she waited for them to come. Um, so they were pumping, we were pumping, water's going out, water's coming in. And they continued to do that all night. It finally went down some and then the next day it came back up. So it's so much, it's so many different things. Um, the Red Cross and everyone else, they have been great. They have been great. But let's fast forward a little bit. So I came on Saturday because they said they wanted to start a clean-out and somebody needed to be there. So I let

1       them in. They had to come in from the first floor to  
2       go downstairs and when we opened the door I could  
3       have been knocked over by that smell. I mean, of  
4       course you can smell it from where the Marriott is to  
5       where the home is, you can smell it. The clean-up  
6       worker said I need a minute, and he had to go  
7       outside, get all his protective gear on, and then  
8       come back in to get his self prepared to go down  
9       there. And, again, I have all those pictures. The  
10      water that was in our basement went anywhere from  
11      four feet to six feet. So everything is destroyed,  
12      and every time I hear someone sit here and say that  
13      they want to make us whole again, putting two  
14      furnaces and a water heater is not making us whole.  
15      My family also does not have, my understanding of  
16      reimbursement, you asked the first set of people what  
17      reimbursement means to them. That means to me you  
18      pay out and then you get reimbursed. That's my  
19      understanding of it. The homeowner's insurance that  
20      we called, the gentleman came out to do an assessment  
21      and because he couldn't get inside all he did was  
22      look from outside because he couldn't step in it, and  
23      he deemed that it would be thousands of dollars. We  
24      don't have thousands of dollars to put out to get it  
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reimbursed. I was angry on Sunday when I went to the meeting, when I heard them say there's a chance, you know, there's a chance you might get reimbursed, there's a chance you might get reimbursed. After I calmed down some I understand that they have their rules, too, and they need to know what the issue is or who's at fault. At the same time, we have six feet of sludge in our homes. Memories are gone. Things are gone. I don't know about everybody else, but we don't have receipts from 1975 to show all the things that we've bought, all the things we've done, all the things that are, that were down there. I feel defeated as a resident, as a taxpayer, as a homeowner, as a person. I feel defeated because I feel like they're not partnering with us to help the situation, which makes it worse. It makes it worse. I had an interview and I told the person that I spoke with that I just feel like giving up sometimes because it's too much. I'm not gonna do it, because that's not how I was raised, but it's how I feel. I don't have any confidence in the city. I don't have any confidence in the DEP. I don't have any confidence in the comptroller's office. I would have to have somebody tell me why or show me why I should

1 have that confidence, or why they should deserve any  
2 of my confidence because they're not showing that.  
3 My mother is 82 years old. The tenant that's  
4 upstairs, she has a son that's 3 years old. Even  
5 though the first floor and the second floor didn't  
6 get touched by water, I'm not sure that anybody is  
7 realizing or acknowledging the toxins that have went  
8 through everyone's homes. So even though their stuff  
9 wasn't destroyed by water, I don't feel confident in  
10 having that 3-year-old go to sleep at night and then  
11 10 years from now his lungs are coming up because of  
12 the toxins that's in there. Nobody's telling us how  
13 to clean the things that didn't actually get touched  
14 by the water. In this claim, one good thing came out  
15 of Sunday for me is, and I could be wrong, but the  
16 way I'm interpreting is if you start the claim you  
17 could always go back and add. Now that was something  
18 that I didn't know and I still don't trust it. So  
19 let's just be clear on that. Because it says you  
20 need to put a total number, and something on there,  
21 and I could be quoting it incorrectly, but where the  
22 total is it says you only have this one chance to do  
23 that. So I did have trouble electronically doing it,  
24 but even while I was trying to get it done I'm saying

1 to myself how could I possibly know what that total  
2 number is? I won't know what that total number is.  
3 Now, of course, I could go on there and put 200 or  
4 500 thousand, knowing that it's not that much, but is  
5 that what I need to do in order to make sure that  
6 everything is covered even when I come back to add  
7 something else to the claim? So part of my  
8 completing the claim just yet, because I understand  
9 that it's fixed, as of Sunday I hadn't put it in  
10 because of the fact that I couldn't get it on, but  
11 I'm understanding that it's fixed and I'm gonna go  
12 back and I'm gonna do it, because I still have  
13 everything written out, but even when you have it  
14 written out and they have someone, a notary, post it  
15 at the command center at that Marriott, my  
16 understanding is you get it notarized, you still have  
17 to take it down to the comptroller's office yourself.  
18 That's, I could be wrong. But that's how I  
19 understood it to be. I work, um, but I also take  
20 care of my mother, and so me trying to keep this  
21 stress off of her is doing a lot to me as well. I'm,  
22 I'm totally lost, I'm totally lost. I don't know  
23 what to do. They cleaned up. At first they told me  
24 that they were going to make three different piles.  
25

One is if things could be salvable then they'll have that. You can go through it. If there's something else, and then the thing that are, that are completely done. They threw everything away. So nothing was salvageable. My apologies on that. So two furnaces and a water heater is not going to get me back to be whole. It's not gonna get my family back to be whole. It's not gonna get the things that we did buy and have down there to be whole. Um, and then I had to fight with them to come back and pick up the floor, because we, we, initially I think that we were told that it wasn't, but then when we brought it up on Sunday at that meeting then the young lady said yes, we will. And then when I went back to the house on Monday night the floor was still there. And then I had to talk to someone and then they came back and he said I walked over there myself, this is a volunteer, of which I appreciate every single one of them, and he said I walked him over there and they started pulling it up. Now the bathroom, I was told by the restoration company that because the bathroom had tile, um, excuse me, ceramic, that's it's fine. It's not. So, so when you, so they left it. They left the toilet bowl, the sink, and the tub. But

1 underneath it, it runs like it's a crawl space which  
2 has wood under there. So I'm saying how could it  
3 possibly be safe for that bathroom to be there. But  
4 if I tell them to remove it then it's going to be my  
5 responsibility because they're being told that if you  
6 can clean it then you leave it. So my, the basement  
7 is down to just studs, which is also wet all the way  
8 up to the six feet. So if you have those blowers  
9 blowing and you dry that out, for some reason they  
10 believe that that's gonna make it safe for me to be  
11 back in my home, or my mother to be there, or our 3-  
12 year-old tenant. And, and I do not believe that  
13 that's what's gonna be. I really honestly don't  
14 believe that. And then I don't know what to do. I  
15 have no idea on what to do. And I'm an intelligent  
16 person. And I have no idea on what to do. And I  
17 don't feel like I'm getting straight, concise answers  
18 to the concerns that we have. The gentleman sat here  
19 and said this very rarely happens, and with all due  
20 respect who cares about it rarely happening? It has  
21 happened now. So what didn't happen before to me  
22 doesn't matter. It's happening now. Whether it was  
23 rare or now, it's happening right now. And right now  
24 is when we need some type of answers, and also if you  
25

gentleman were there on Sunday, on Sunday we were told in a couple of days we're gonna know what's happening. Now it's been a few days 'cause today's Wednesday and again we were told we're gonna find out in a few days what's happening. And then in the next few days are we gonna keep being told what's happening, what's happening, what's happening, 'cause they still don't know yet, and if you don't know how could you possibly say that this is what needs to be done and just for the record I was personally offended about the grease being thrown down. Personally offended. So please be very, very careful on what you say and how you say it. And I appreciate what you said early about we were being down and then you just dumped it right on top of that. That was not cool. Especially when you didn't know what the issue was. Just say we're working on finding out what the issue is and whatever. Don't say that that's what we're gonna go with, 'cause that's what is normally is. Not cool. Not cool at all. And, again, I was personally offended by that. Because it shouldn't be. I don't know. I don't know what we're gonna do. I don't have a suggestion to what the answer should be. But I know that when I look up

here and I see it says a government of the people, by the people, for the people, the whole time that I've been here, since about 10 after 10, I've been staring at that and in my mind saying yeah, right. And that's just how I feel. And it's sad that I have to feel that way because I really shouldn't. I really should not. So, I don't know what to do. I really don't. So I'm welcoming all help, all honest and truthful help, and if we ask you a question please just tell us the direct answer directly. Don't point us out to, well, legally is this and we have to do this and we have to do that, just, just, just work with us and, and, and help us out, 'cause you know it's not our fault. Even though you don't know whose fault it is, you know it's not ours. So there was another young lady there on Sunday, too, that said so why can't we be compensated and have our homes fixed and then the city or whoever else sit around and wait for it be decided on what can be done. That works for me because you know it wasn't us. So, I don't know, but thank you for listening. And thank you for being here. And hopefully this is going to spark some real opportunities to get all of our families back as a whole. Thank you.

1 COMMITTEE ON ENVIRONMENTAL PROTECTION 160  
2 COUNCIL MEMBER ADAMS: I just wanted to  
3 thank, thank all of the residents once again. The  
4 three of you brought it home, ah, for lack of a  
5 better way to express that, um, as one who, you know,  
6 pretty much lives five minutes away, 10 minutes away,  
7 myself, have walked the community, was raised in the  
8 community. Once again, I said it earlier today,  
9 beautiful community, family-oriented community,  
10 babies, generational community, doctors, lawyers,  
11 MBAs, students, Ph.D.s, engineers, McDonald's  
12 managers, Burger King managers, and everything in  
13 between. And for us to have been marginalized and  
14 stigmatized pained my heart also. The three of you  
15 have put an exclamation point on this hearing and on  
16 the testimony of all of our neighbors today and my  
17 heart is sad, but my spirit is glad. Because you  
18 were her to share it, and I thank you.

19 CHAIRPERSON CONSTANTINIDES: I really  
20 want to thank you and I want to sort of echo the  
21 statements of my colleague, Council Member Adams, who  
22 I know has been working tirelessly, her and her staff  
23 has been out there to support every member of the  
24 community. I really want to thank her for that  
25 again. I don't know if I've done that enough today.



1 But I want to make sure that I know that I recognize  
2 her good works and really, I know you deserve better  
3 and today's hearing is a very small part of that, and  
4 just trying to get the answers that you absolutely  
5 deserve, and looking to make sure on how we can do  
6 this better as a city that no other community suffers  
7 in the way that you have suffered, and that we can  
8 try to get this right, oop, Council Member Levin,  
9 he's back, so let me, ah, let me, actually he has  
10 some questions, so let me pass it over to him. I was  
11 about to close, but I will send it his way.

13 COUNCIL MEMBER LEVIN: Thank you, Chair.

14 I just have a quick question about the Department of  
15 Health and whether they've been able to go out to  
16 your basements and do like a fecal coliform, um, test  
17 and whether there's any kind of ongoing testing to  
18 make sure that you're not, you and your families are  
19 not exposed to bacteria that could be dangerous and  
20 et cetera, E. coli and that kind of stuff.

21 RICARDO MCKENZIE: So the only testing  
22 that we've had, ah, I can't speak for everyone, but  
23 in my personal [inaudible] testing I've, um, had done  
24 was the, ah, the air quality test. Um, besides that  
25 there's been nothing but, um, I did want to add on

1 something else. Yesterday while it was raining, um,  
2 and I was at home waiting, waiting for DEP to show up  
3 with the boilers, I did take a look in the front of  
4 the house and there's like patches of grass, of the  
5 lawn, and not mine per se but, um, some of my  
6 neighbors, I did recognize that there was water, like  
7 puddles of water like rising from the grass. So, um,  
8 with that said my home and the rest of my neighbors,  
9 when they were, you know, trekking everything out of  
10 the homes it's, there wasn't really much care, um,  
11 because it would have slowed, slowed the efforts, so  
12 they just wanted to get out of there, but there  
13 really wasn't much care, um, as far as like what's  
14 going on, on the streets, on the sidewalks, and such.  
15 And at first I wasn't too concerned about it 'cause I  
16 thought oh maybe the rain will just wash it out. But  
17 that's not what I recognized when they were draining  
18 yesterday is that the puddles were just coming up,  
19 and, um, you know, I'm pretty sure if we test some of  
20 those, some of those puddles of water, some of those  
21 patches of grass you're going to find like fecal  
22 matter and such in it.

23  
24 COUNCIL MEMBER LEVIN: Sure. Ah, I would  
25 encourage DEP to work with DOHMH and make sure that,

1 or, or, um, Emergency Management to, to make sure  
2 that's there no residual, not just mold, spore  
3 issues, but also, you know, issues around the sewage  
4 as well. Thank you.

5  
6 YVETTE TAYLOR: For myself, I've been  
7 told that they were gonna do the air quality. I  
8 haven't seen any documentation on it. Um, I was told  
9 that it was done in my area to some of my neighbors  
10 and everything was one hundred percent. But, again,  
11 I didn't see any documentation on it. And he brought  
12 up another good point 'cause when I did go on Monday  
13 night it was raining and when I looked in my back  
14 yard, which, again, I have those photos, the water  
15 was puddling back up.

16 COUNCIL MEMBER LEVIN: Yeah.

17 YVETTE TAYLOR: So when it seeps back  
18 down I don't know exactly what's gonna happen. Um,  
19 so I don't, I don't even know what they're testing  
20 for.

21 COUNCIL MEMBER LEVIN: Yeah, I would be  
22 more concerned almost with, with residue rather than  
23 air quality in a sense. Air quality for mold spores,  
24 but residue isn't necessarily airborne, but could be  
25 under your tiles, for example.

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YVETTE TAYLOR: Right.

COUNCIL MEMBER LEVIN: Stuff like that,  
you just, you know, I wouldn't want that in my house  
either.

YVETTE TAYLOR: Right, but then I haven't  
had great communication with the company that is  
doing the cleaning for my home because they don't  
tell me anything. They've been walking in and out of  
my basement and leaving the door unlocked and going  
in and out. They haven't even been requiring me to  
be there or letting me know, OK, hey, Ms. Taylor,  
this is what we're doing now, um, this is what we're  
gonna do. Someone had called me on Monday and asked  
me if I had done a final inspection yet. I said  
final inspection, nobody's told me about any type of  
inspection, because I'm not staying there. So I  
would think that they would call me so I could be  
there for that, or let me know at least that that's  
what's going to be done. And I had to tell them I  
don't, so I don't know anything.

COUNCIL MEMBER LEVIN: Right.

YVETTE TAYLOR: So I don't know what  
they've done, what they haven't done, what they plan

on doing, or when they plan on doing it because they don't call me to tell me.

COUNCIL MEMBER LEVIN: I mean, they should, frankly, you know, make sure that they're doing a test or the clean-up, either the clean-up agency is doing a test or DOHMH is able to go out and do testing, but somebody should be able to give you a clean bill of health that your basement is not still contaminated with sewage.

YVETTE TAYLOR: Yeah, I just have to go there, and that's how I found out. That's how if, that's out how I find out what's being done is when I go there. Nobody's calling me to tell to tell me what they're doing, or even ask my permission to do it.

COUNCIL MEMBER LEVIN: OK, all right, that's good to know.

RICARDO MCKENZIE: Um, I have a question. Um, has the DEP officially taken responsibility for this?

COUNCIL MEMBER LEVIN: I don't know, I don't the answer to that.

COUNCIL MEMBER ADAMS: Pretty much since the community meeting on Sunday nothing has changed,

1 because, as Ms. Taylor said, and you heard the  
2 commissioner say, that they still have not determined  
3 the cause of the situation.  
4

5 RICARDO MCKENZIE: All right, thank you.

6 COUNCIL MEMBER ADAMS: You're welcome.

7 CHAIRPERSON CONSTANTINIDES: Again, thank  
8 you to this panel for your good testimony and all,  
9 expressing this and all that you're going through,  
10 and we're doing, like I said before, a small measure  
11 of trying to make sure we get answers that you most  
12 certainly deserve. So thank you for your testimony  
13 today, and we're going to work. I know that DEP is  
14 still here, and I know that the comptroller's office  
15 is still there as well. So I want to make sure we're  
16 connecting you with the, you know, the agencies that  
17 can best help, but we are here, that Council Member  
18 Adams is here as a resource, as am I, so we are happy  
19 to assist as well. Thank you for your testimony.  
20 And thank you to all the residents who came out today  
21 to testify and tell their stories. So with that I  
22 want to thank again my colleague, Council Member  
23 Adams, for her strong leadership and supporting the  
24 residents during this difficult time. We have a lot  
25 of answers that we need. We need to, no, we defined

a lot more answers and we need to continue to work forward with the community to make sure we get this right and to make sure that, as you said, it's not just two furnaces, it's a lot more than that. So we have a lot of work to do and I look forward to doing that with you. I want to thank Samara Swanston. I want to thank our staff attorney, Rickie Charla, Nadia Johnson, Jonathan Seltzer from staff, my staff as well, and of course the amazing staff of Council Member Adrienne Adams, who has been working tirelessly on this since the moment it happened. And of course the Sergeant at Arms, who always makes sure that these committee hearings run well. And with that I will gavel this committee hearing of the Environmental Protection Committee closed. [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 December 21, 2019