

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON PARKS AND RECREATION

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March 13, 2020
Start: 10:19 a.m.
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HELD AT: Council Chambers - City Hall

B E F O R E: PETER KOO
Chairperson

COUNCIL MEMBERS:
Carlina Rivera
Mark Levine
Andrew Cohen
Mark Gjonaj
Francisco Moya
Jimmy Van Bramer
Adrienne E. Adams
Robert Holden
Eric A. Ulrich
Justin Brannan
Joseph C. Borelli

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

Mitchell Silver, Commissioner
New York City Department of Parks and Recreation

Liam Kavanaugh, First Deputy Commissioner
New York City Department of Parks and Recreation

Matt Drury

Sam Biederman, Senior Advisor and Assistance
Commissioner
New York Department of Parks and Recreation

Emily Walker, Director of Outreach and Program
New Yorkers for Parks

Julie Tye, President
New York League of Conservation Voters

Heather Lubaub
City Parks Foundation

Unidentified

Marlena Gigga, Parks Enforcement Patrol (PEP)
Officer
New York City Department of Parks and Recreation

Ralph Basilles, Parks Enforcement Patrol (PEP)
Officer
New York City Department of Parks and Recreation

Stacie Garlunda, Gardener
New York City Department of Parks and Recreation

Daniel Clay, Gardener
New York City Department of Parks and Recreation

Roxanne Delgado
Friends of Pelham Parkway

Scott Daley, Senior Director
New York Junior Tennis and Learning

Unidentified
Green Thumb

Maureen Kelly
Community at La Plaza

Aziz Dehkan, Executive Director
New York City Community Garden Coalition

Charles Krezell, President
Loisaida United Neighborhood Gardens (LUNGS)

Jose Molina, Associate Park Service Worker
New York City Department of Parks and
Recreation

Yolanda Belcher, President
East 43rd Street Community Gardens

Elizabeth Ruth Maldonado, Associate Professor
Of Humanities
Boricua College

2 CHAIRPERSON KOO: So, we're going to
3 start. All right. Yeah. Everybody settle down.

4 [background noise]

5 SERGEANT-AT-ARMS: Quiet, please.

6 [background noise]

7 [gavel]

8 CHAIRPERSON KOO: Morning. Yeah. And
9 welcome to the Parks and Recreation Committee on
10 hearing on the fiscal 2021 preliminary budget and the
11 fiscal 2020 preliminary Mayor's Management Report for
12 the Department of Parks and Recreation. My name is
13 Peter Koo and I am the Chair of the Park and
14 Recreation Committee. Before we begin, I'd like to
15 mention a few housekeeping rules. Due to concerns
16 over the coronavirus, I expect we have quite a few
17 people watching the live stream. To them, I say
18 welcome and if you have any testimony you would like
19 to submit for consideration, I encourage you to
20 submit it via email at hearings@council.nyc.gov.
21 United with the budget process as mandates by the
22 city charter that ultimately will lead to the
23 adoption of the fiscal 2021 budget. Today we will
24 hear testimony from the Department of Parks and
25 Recreation on move expense and capital projects for

2 fiscal 2021 the Department's proposed fiscal 2021
3 expense budget totals 545.3 million dollars, 42
4 million dollars less than fiscal 2020 adopted budget,
5 representing a little more than half of one person
6 said over the entire proposed city budget of 95.3
7 billion dollars. The department's proposed capital
8 budget for fiscal 2021 through 2024 totals 2.3
9 billion dollars, which represents approximately 4.1
10 percent of the city's total capital budget for 2021
11 to 2024. For those reason, Mayor's Management Report
12 shows that New York City's park system has improved
13 in almost every way with better upkeep, greater
14 safety, and new renovations. The Parks Department
15 accomplished this feat thanks to creativity and hard
16 work of the staff, the efforts of thousands of
17 volunteers, and the increasing generosity of private
18 donors. Additionally, in fiscal 2020, the city
19 Council, in partnership with the administration,
20 provided historic [inaudible 00:03:25] investment of
21 approximately 51 million dollars to DVR's annual
22 operating budget, which is the largest expense and
23 investment in city parks in nearly three decades.
24 This includes 150 positions which are now base lined,
25 meaning that, after six years of fighting to get

2 these positions base lined and permanent, these
3 workers don't have to wonder if they still have jobs
4 on July 1. However, because of the departments
5 preliminary budget does not include them, the
6 following funding measures with the city Council
7 [inaudible 00:04:17] last year were not base lined.
8 9.6 million dollars for additional department and its
9 workers. 8.2 million dollars to support green thumb
10 guardians, 4.1 million dollars for additional 50
11 urban park rangers, 6 million dollars for additional
12 80 PEP officers, 4 million dollars to preserve
13 natural for as, 1 million dollars for tree stump
14 removal, 1.7 million dollars for pool and beach
15 season extension, and 5.1 million dollars for parks
16 equity initiative which is a city Council funded
17 effort to help even more equitable part system. In
18 light of these, I and many of us in this room or
19 watching today, have joined the Play Fair for Parks
20 coalition. The coalition represents over 230
21 organizations that we are calling on the city to
22 increase the NY City parks budget by 200 million
23 dollars for fiscal 21. Again, this represents only
24 half a percent of the total budget. We are hopeful
25 that, in the executive budget, the administration

2 will prove [inaudible 00:05:47] commitment was
3 serious and restore these funds. So, at this
4 hearing, I will be asking all witnesses, the
5 Commissioner included, to tell us what the big
6 difference the additional funding has made, as that
7 investment was a great first step to properly
8 maintain our parks and forests. We need to make sure
9 it is sustainable. Please use this opportunity today
10 to let the Council and the administration know how
11 important it is to keep investing in our natural
12 areas and what the city means to do so for the parks
13 and all of our parks have the resources and the
14 amenities they made now and in the long term.
15 Lastly, keeping in mind the importance of parks and
16 open spaces, I look forward to us working together by
17 taking the necessary steps to increase access to
18 parks for all New Yorkers and ensuring that the
19 city's public parks and parks programs are adequately
20 funded in the budget and in all future budgets. I
21 also would like to thank my committee staff,
22 especially Monica, Trina, Clarice, and Patrick. And
23 my own staff, as well. We will now hear from
24 Commissioner Silver of the Department of Parks and
25 Recreation. But before we hear from the

2 Commissioner, I would like to acknowledge my
3 colleagues who are present. We have Council member
4 Cohen and Council member Holden. And now, the
5 committee counsel will swear in the Commissioner and
6 his team.

7 COMMITTEE COUNSEL: Good morning. Do
8 you affirm to tell the truth, the whole truth, and
9 nothing but the truth in your testimony before this
10 committee today?

11 COMMISSIONER SILVER: I do.

12 PANEL: Yes.

13 COMMITTEE COUNSEL: Thanks.

14 COMMISSIONER SILVER: Good morning, Chair
15 Koo, and member of the Parks Committee and other
16 members of the Council. I am Mitchell Silver,
17 Commissioner of the New York City Department of Parks
18 and Recreation and I am joined here the day by a
19 number of our seniors staff, including First Deputy
20 Commissioner Liam Kavanaugh, Deputy Commissioner for
21 capital projects Therese Braddick, and Matt Drury,
22 our director of government relations. As you are
23 aware, New York City Parks primary responsibility is
24 stewarding over 30,000 acres of green and open space,
25 14 percent of New York City's landmass, including

2 10,000 acres of natural areas. We oversee nearly
3 4500 individual properties, ranging from parks and
4 playgrounds to the community gardens and our forests
5 and natural areas. Thank you for allowing me the
6 opportunity to discuss the agency's preliminary
7 budget for fiscal year 2021 and to provide an
8 overview of our agency's recent efforts and
9 initiatives and building and maintaining our cities
10 green space and open space for all New Yorkers. We
11 are proud of our achievements over the past year and
12 welcome this chance to update the Council on our
13 continuing work. With tremendous support from Mayor
14 Bill de Blasio, and in partnership with the city
15 Council, New York City Parks is continuing to find
16 innovative ways to improve our maintenance and
17 operations and expanding programs and services to
18 improve the experience in parks and public spaces.
19 We are working smarter and more efficiently,
20 streamlining the capital process and continuing to
21 demonstrate our commitment to equity and delivering
22 safe, clean, and healthy green and open spaces for
23 all New Yorkers of this great city. Since the issue
24 was present on all our minds, I wanted to note our
25 agency's participation in the citywide effort to

2 manage the emerging public health concerns
3 surrounding COVID-19. As the city's understanding of
4 this disease evolves, we are working very closely
5 with the mayor's office and the New York Department
6 of Health and Mental Hygiene. As you are aware at
7 this point, the primary message to all New Yorkers
8 is, if you feel sick, stay home and contact your
9 doctor if you have a cold or flu symptoms like
10 coughing, shortness of breath, fever, or sore throat.
11 Those who do not feel ill are advised to practice good
12 hygiene and remain vigilant about your health. Along
13 with fellow city agencies, we will continue to work
14 closely with DOHMH to monitor the developments as
15 they arise.

16 Turning to the topic of this hearing,
17 when the mayor presented this year's preliminary
18 budget, he noted it is a relatively cautious and
19 conservative, in light of the potential economic
20 impacts faced by the city in relation to the dynamics
21 at the state and federal level. However, it still
22 gives our agents see the resources we need to
23 continue getting the job done. The preliminary
24 budget reflects our agency's ongoing priorities,
25 including roughly 28 million for urgently needed

2 capital repairs and our recreation centers and 33
3 million dollars for the removal of the decaying
4 wooden groins and replacing peach crossings with more
5 accessible designed and materials at Rockaway Beach.
6 The preliminary 10 year capital plan, including the
7 current fiscal year, provide a total parks capital
8 budget of 4.99 billion dollars and the agency's
9 expense budget and includes 545.3 million in May oral
10 funding for this year for operation on means. 2019
11 was a very constructive year for New York City parks,
12 in every sense of the word. As we approach the home
13 stretch of this administration's tenure, we are proud
14 to have made significant progress in delivering key
15 initiatives begun under my watch as Commissioner.
16 Ours three landmark strategic efforts, the Committee
17 Parks Initiative, or CPI, Anchor Parks, and Parks
18 Without Borders are all moving into their final
19 phases. CPI, our multi-year effort to reimagine and
20 reinvigorate local community parks that had not seen
21 investment in decades is over 70 percent complete
22 with 47 of the 67 sites completed, with the remaining
23 sites nearing completion. Based on a preliminary
24 study by the CUNY School of Public Health, usership
25 in the initial CPI renovated parks that were studied,

2 increased by 50 percent. Anchor Parks are 150
3 million investment in five flagship parks across the
4 five boroughs to make those old parks new again, are
5 mostly in construction with Astoria Park. The
6 initial wave of long, needed improvements was
7 delivered seven months ahead of schedule. Lastly,
8 the majority of the capital projects created by the
9 Parks Without Borders, our initiative to make our
10 parks or open and welcoming, are in construction. In
11 fact, we recently celebrated the completion of the
12 Parks Without Borders project and Seward Park in
13 Manhattan and I can tell you the park and the role it
14 plays in the local community has been fully
15 transformed. Well beyond these signature
16 initiatives, we have demonstrated our commitment to
17 keeping our parks in the best condition possible,
18 investing hundreds of millions of capital dollars for
19 renovation and reconstruction of playgrounds, ball
20 fields, courts, natural areas. I am proud to know
21 that we have completed over 700 capital improvement
22 projects in the first years of-- first six years of
23 this administration. Our yearly average on time
24 completion rate has increased by 18 percent, by 67 to
25 85 percent when compared to projects from previous

2 administrations. Upon my arrival at the agency,
3 there was a backlog of nearly 131 pre-existing
4 capital projects that had run into serious delays,
5 stuck in a bureaucratic mire, sometimes for years.
6 After directing significant energy and attention on
7 these stalled projects, I can proudly report to you
8 that these projects are back on track under this
9 administration. 106 of that 131 have been completed,
10 23 are now in construction, and two will start
11 construction soon. We have spoken with the Council
12 at length, both publicly and privately, about the
13 city's complicated and lengthy capital process and
14 our dedicated effort to reform those aspects of the
15 process that we can control. Despite these
16 challenges, Parks is focused on continuing to improve
17 our internal procedures. Even though we're coming to
18 a closure on some of our ambitious undertakings, we
19 are still continuing to innovate and launch some
20 exciting new efforts. As the Mayor announced in the
21 State of the City Address, we are going to undertake
22 a massive expansion of our recreation and public
23 program opportunities available to the public,
24 especially for the youth of New York City. First, we
25 will be eliminating the 25 dollar annual membership

2 fee for 18 to 24-year-olds so all young New Yorkers
3 can enjoy free access to our recreational centers
4 around the city, as well as significantly expanding
5 our evening and weekend hours at these recreation
6 centers. Young New Yorkers will have increased
7 access to the positive programming and recreational
8 opportunities. New Yorkers can look forward to the
9 creation of nine that new recreation centers around
10 the city that currently lack such a facility and the
11 additional existing recreational centers will receive
12 significant capital to create or improve New Yorkers
13 access to our centers which all for vital and while
14 Ms. benefits to the public. In addition to these
15 exciting improvements, I would also like to talk
16 about the positive impacts for our park system that
17 we were able to make by the generous infusion of
18 funding from the city Council that was delivered in
19 fiscal year 2020 as a result of the Play Fair
20 Campaign led by New Yorkers for Parks and many other
21 Park advocate groups. If you don't mind, I am not
22 going to read all of the accolades because I am
23 sensing the mood of the city and want to get directly
24 to your questions. I will highlight a few. You do
25 have my testimony and I will go further if you want

1 to know specifically some of the impact of the Play
2 Fair campaign, if that is okay. So, I'm just going
3 to name a few. I had a borough by borough, but I
4 will talk about some of the overarching ones for the
5 entire city. With the additional staff gardeners
6 hired with the increased Play Fair funding, have had
7 a great impact in our parks and playgrounds
8 throughout the city. For example, in Marconi Park
9 and Jamaica playground in Queens, they were weed
10 infested and had been overgrown with shrubs, but the
11 gardeners hired, with the increased funds and
12 provided consistent care and preventative attention
13 even beyond our usual responsiveness to observe
14 conditions or complaints. Our Bronx horticultural
15 team was able to deploy a dedicated crew to our young
16 streets tree pruning and mulching project, completing
17 work a full two weeks early, allowing them to focus
18 on maintenance of other areas, such as our local
19 Green Streets. Our New York City Forest Street
20 division recovered dedicated funds-- received
21 dedicated funding from the Council for though forest
22 stream management framework, multi-year, strategic
23 plan, created in partnership with the Natural Areas
24 Conservancy in 2018. Focusing on natural forest
25

2 restoration and planting, trail management and
3 increased stewardship of our city's forests.

4 Utilizing this increased funding, our team has been
5 able to complete our initial benchmarks for the

6 framework, caring for nearly 1000 acres of natural

7 forest and engaging nearly 2000 additional volunteers

8 and planting over 20,000 native shrubs, trees, herbs,

9 nearly double our projected amount. Our urban park

10 rangers division was able to add 50 ranger lines,

11 more than doubling staffing levels and expanding our

12 reach to all for programming in underserved areas of

13 the city. In the second half of 2019, rangers were

14 able to offer environmental education, recreation,

15 mentoring for programs, and all 51 Council districts.

16 We were able to quadruple the number of weekend

17 adventure and pop-up programs, which were enjoyed by

18 nearly 26,000 park visitors, a 400 percent increase

19 in the program attendance compared to the same period

20 of last year. My testimony will show you how this

21 impact through Play Fair has been improved on a

22 borough by borough bases, but, at this point, I will

23 conclude and entertain your questions. I want to

24 thank you for the opportunity to testify before you

25 today and for your dedication to providing great

2 parks and open spaces for all New Yorkers. We look
3 forward to continuing to work alongside the city
4 Council to create a bright, green future with a more
5 equitable and innovative park system. We now would
6 be happy to answer any questions that you may have.

7 CHAIRPERSON KOO: Thank you, Commissioner
8 Silver, for your leadership and your staff. It's a
9 hardworking job for our city. So, I'm going to ask a
10 few questions and then I'm let the members ask
11 questions. So, we are also [inaudible 00:20:13] by
12 Council member Van Bramer. Thanks. Once again, we
13 are beginning the budget process, as mandated by the
14 city charter and ultimately will lead to the adoption
15 of the fiscal 2021 budget. So, Commissioner, can you
16 help us in this process by explaining to the
17 Committee of the year to year changes and spending in
18 the Department's budget? Especially for maintenance
19 and operations and for the capital projects division?

20 COMMISSIONER SILVER: Thank you for your
21 question, Council member. In terms of the main
22 difference between the two, which is not reflected in
23 this budget, those are the Play Fair 150 CPW in
24 horticultural workers. That is not included in this
25 budget. The stump removal of 1 million that was a

2 Council one shot increase that is not in this budget.
3 The beaches and pools extended from one week was also
4 not included. City Council-- other allocations for
5 one-shot discretionary funding for park related
6 nonprofits. The Play Fair for the Part Enforcement
7 Patrol, Play Fair for the rangers, Play Fair for the
8 green thumb, and Play Fair for the forestry. Those
9 are the significant changes from last budget to this
10 one. In terms of the additions on the expense side,
11 we now have baseline funding for four positions for
12 the Dikeman Marina. These positions help maintain
13 the Marina which was taken over by Parks in the fall
14 of 2019. In terms of on the capital side, there is
15 some significant recommendations for state of good
16 repair. This goes to the Tony Dapolito [sp?] Rec
17 Center, East 54th Street Recreation Center, Hamilton
18 Fish Recreation Center, the Rockaway Beach Resiliency
19 Improvements-- which I mentioned in my testimony--
20 sidewalks damaged by trees, and Play Fair capital
21 work, which is, basically, moving some of the green
22 thumb dollars and expense this year into capital so
23 we can help improve sidewalk improvements associated
24 with the green-- and fencing associated with the
25 green thumb program.

2 CHAIRPERSON KOO: So, what criteria does
3 your department used to determine the effectiveness
4 of these programs?

5 COMMISSIONER SILVER: Of the Play Fair
6 program?

7 CHAIRPERSON KOO: All. All the programs
8 you mentioned. How do you measure the effectiveness?

9 COMMISSIONER SILVER: In terms of
10 effectiveness, for all of our maintenance work, we
11 have a parks inspection program and we also look at
12 the Mayor's Management Report. We conduct roughly
13 about 6000 inspections a year and that makes a
14 determination about what is the condition of our
15 parks. In addition, we hold monthly operations
16 meetings to digest those inspections to determine
17 exactly how each one of our park districts are
18 performing, where they need support, and so we're
19 able, on a monthly basis, to determine exactly how
20 our maintenance operations are performing. And we
21 have those very strong metrics in the Mayor's
22 Management Report.

23 CHAIRPERSON KOO: Since the preliminary
24 budget was announced almost two months ago, has the
25 department made any additional budget requests from

2 the office of OMB? If so, what was the outcome and
3 dollar value of your request?

4 COMMISSIONER SILVER: As you know,
5 throughout every budget process, these conversations
6 are ongoing. I suspect they will continue to on go
7 as we work with both OMB, the city Council, as we
8 move through the process as it continues. So there's
9 nothing specific. These are ongoing conversations
10 every year as we enter the budget process, but there
11 is nothing specific I can share other than we're just
12 continuing a dialog with OMB.

13 CHAIRPERSON KOO: As a result of the
14 Council's negotiation with the administration, the
15 fiscal 2020 adopted budget include 23.8 million
16 dollars in new funding to support parks maintenance
17 and operations including-- the allocation includes
18 4.1 million dollars for additional 50 urban park
19 rangers and 6 million dollars to hire additional 80
20 park enforcement patrol officers. PET officers.
21 Have all those positions been filled already? If
22 not, why not? And how many positions remain to be
23 filled?

24 COMMISSIONER SILVER: In terms of the
25 positions, the only ones that have not been filled

2 because they are going through the Academy is on the
3 Park Enforcement Patrol. Right now they are in the
4 Academy. We always have a level of vacancies within
5 the Park Enforcement Patrol, but in terms of all the
6 money given, we went out there and had several
7 Academy classes. So, there is always that attrition
8 we have in Parks Enforcement Patrol. They happened
9 to be very popular recruits among the corrections and
10 NYPD and so we are always making sure we are hiring
11 more, but those vacancies are more attributed to
12 attrition than it is to not filling those positions.
13 But on the other positions, all of them had been
14 filled.

15 CHAIRPERSON KOO: So, [inaudible 00:25:37]
16 for the committee how the department measures the
17 impact of additional staffing?

18 COMMISSIONER SILVER: I'm sorry. Could
19 you repeat the question again?

20 CHAIRPERSON KOO: Could you detail for the
21 committee how the department measures the impact of
22 the additional staffing?

23 COMMISSIONER SILVER: I can go very
24 detailed because we were able to sit down with New
25 Yorkers for Parks and Play Fair and even the city

2 Council to explain the impacts these changes have
3 had. I did not include that in my testimony, but I
4 can go in more detail and I can go very, down into
5 the way, so to speak.

6 CHAIRPERSON KOO: [inaudible 00:26:12]

7 COMMISSIONER SILVER: capsule, let me
8 know when I'm saying a little bit too much.

9 CHAIRPERSON KOO: Yeah.

10 COMMISSIONER SILVER: So, on the monument
11 care and maintenance, thanks to the MNR resources,
12 permanent art and historical monuments on Parkland
13 benefited from increased annual maintenance. This
14 includes the Veterans Memorial's circle, Blazing
15 Stars Starke Cemetery, Bronx Victory Memorial,
16 Chelsea Recreation Center Mosaics. In terms of our
17 gardens across the city, we are able to make a major
18 impact at Coddnum [sp?] Plaza. It was replanted
19 three years ago, but had suffered some changes and so
20 we were able to send in a crew to our gardeners based
21 on the Play Fair in the Bronx. The additional Play
22 Fair on the Bronx horticulture was able to deploy an
23 entire extra team for the young streets tree pruning
24 program, which I mentioned in my testimony. In
25 Queens, the gardeners have made a difference to

1 several Queens's playgrounds, including Marconi Park,
2 Jamaica playground. Both of these sites I mentioned
3 in my testimony were weed infested. We were able to
4 address it. In Staten Island, we had staff that
5 helped to find paths and beds in Willowbrook Park.
6 The picnic area. In this was a wonderful training
7 opportunity for some of the news staff. In terms of
8 green thumb, we were able to hire nine additional
9 staff to help engage universal 550 community
10 gardeners. And so we were able to make an impact on
11 at least 350 of which are on parks property, managed
12 by groups licensed by the city. In terms of PEP, 64
13 new seasonal PEP officers have been hired and, in
14 terms of rangers, 15 new seasonal rangers have been
15 hired. And I did share with you, momentarily just a
16 few minutes ago, the impact that they have had with
17 some of their program that increased while over 400
18 percent. I also mentioned the benefits of our forest
19 management framework, working with the natural area
20 Conservancy, street tree removal. Stump removal. We
21 anticipate we will be able to remove 10,000 stumps
22 this year due to the Play Fair increases. And we
23 also, in years past, with beach and pool, we were
24 able to use that funding to extend our beach and pool
25

2 season by one week. So, those are some of the
3 highlights. We have also captured in terms of the
4 maintenance and operations what our ratings were in
5 our parks and we actually did continue to maintain or
6 exceed the Mayor's Management target. So, across the
7 board, we have made very good use of the Play Fair
8 employees and I, again, highlighted some of the
9 benefits of the impact they have had for this
10 program.

11 CHAIRPERSON KOO: Thank you. Yeah. So,
12 what is the current head count for urban park rangers
13 and PEP officers? What would be--

14 COMMISSIONER SILVER: Just give me one
15 second.

16 CHAIRPERSON KOO: in the next fiscal year?
17 Will it be the same?

18 COMMISSIONER SILVER: But for the one
19 shots, it will not be the same. But, again, that
20 will be subject to negotiations during this budget
21 process. Just give me one second for us to get those
22 numbers. PEP is budgeted for 249 and we will give
23 you the rangers number in a second. Rangers are
24 budgeted for 40.

2 CHAIRPERSON KOO: So, would it be the same
3 for the fiscal 2021?

4 COMMISSIONER SILVER: Note. Because of
5 the Play Fair one shots, it would go back to the
6 levels I just--

7 MATT DRURY: No. Those are baseline.

8 COMMISSIONER SILVER: Oh. Those are the
9 baseline.

10 MATT DRURY: Those remain the same.

11 COMMISSIONER SILVER: Those remain the
12 same. So, it would be the 40 plus the 249.

13 CHAIRPERSON KOO: Okay. So, how long is
14 training for the PEP officers?

15 COMMISSIONER SILVER: I believe it's
16 about 10--

17 CHAIRPERSON KOO: And what is the average
18 cost for this training per trainee?

19 COMMISSIONER SILVER: We don't know the
20 cost, but it is about a 12 week training program for
21 the Academy. I can get you the cost if we can see
22 what that is. I don't know about offhand, but it is
23 about a 12 week training Academy.

24 CHAIRPERSON KOO: So, how long the
25 training for the PEP officers? Six months or--?

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2 COMMISSIONER SILVER: No. That's 12
3 weeks, so it is roughly three months.

4 CHAIRPERSON KOO: Oh. Three months.

5 COMMISSIONER SILVER: Right. And we're
6 running several academies because we had so many new
7 recruits coming in.

8 CHAIRPERSON KOO: How are they - in all 50
9 urban park rangers and 80 PEP officers distributed
10 across the city? Can you give us a breakdown by
11 borough of the head counts? Yeah.

12 COMMISSIONER SILVER: If I don't have it
13 in my notes per borough, we can certainly get that
14 back to. I too have the numbers for maintenance
15 workers, but just give us a second to see if we have
16 the numbers by borough.

17 [Background comments]

18 COMMISSIONER SILVER: All right. On
19 average, in terms of the Play Fair distribution, but
20 for Staten Island, there were roughly either 15 or 16
21 additional per borough.

22 CHAIRPERSON KOO: Okay. So, can you walk
23 the committee through the functions of the [inaudible
24 00:31:11] unit? The subdivision of the urban park
25 rangers within the public programs? What is the

2 total headcount of this unit? What do they do in the
3 wildlife unit?

4 COMMISSIONER SILVER: In the wildlife
5 unit?

6 CHAIRPERSON KOO: Yeah.

7 COMMISSIONER SILVER: The wildlife unit
8 right now-- this was created several years ago.
9 They are very focused right now. We need to have
10 wildlife routers city and, as part of the urban park
11 ranger program, they do significant education. We do
12 have our deer management program in Staten Island.
13 There are sightings of animals throughout the city.
14 The most popular one this year seems to be the coyote
15 and the north part of Central Park. So, they are out
16 there to educate the public. We put out posters,
17 materials to really help the public understand that,
18 basically, our wildlife are the new New Yorkers and
19 we have to-- by having a better environment, we are
20 now seeing an influx of more wildlife. So, they do a
21 lot of education. They are the point person working
22 with other agencies, whether it is Department of
23 Health when we do have animals within our Park system
24 and may play a very vital role and they've been very,
25 very effective since it was created. We did play--

2 They did have a role in the past, but now we
3 formalize it with the wildlife unit. I'm guessing
4 there may be about five or six within the division.
5 Okay. I'm sorry. There is 12. So it has grown.

6 CHAIRPERSON KOO: 12?

7 COMMISSIONER SILVER: Yes.

8 CHAIRPERSON KOO: How about the staff?

9 How many staff there?

10 COMMISSIONER SILVER: About 12.

11 CHAIRPERSON KOO: Oh. So, according to
12 the preliminary Mayors Management Report, major
13 felonies in the 30 largest parks, excluding Central
14 Park, increased by 21 or nine percent and compared to
15 the same four months. Last year. So, Commissioner,
16 can you tell the committee why crimes are going up in
17 parks?

18 COMMISSIONER SILVER: Based upon your
19 numbers, New York City, in terms of the parks system,
20 one percent of all crimes have been in New York City
21 parks. We continue to work very closely with NYPD to
22 determine exactly where we have to deploy our staff
23 so that we can address some of the quality of life
24 issues and some of the crime that is occurring. It
25 is a partnership. We have long existed with the NYPD

2 and is something I believe you can direct more that
3 NYPD and exactly why those crimes are increasing.
4 But, in terms of our role with NYPD, where working
5 closely with them. We well deploy some of our
6 patrols to help support NYPD to ensure our parks are
7 safe for the public. But in terms of specifically
8 the reasons why, we are proud to say that, still, one
9 percent of all crime in parks-- occur in parks and
10 our parks are safe. But we will work with NYPD to
11 figure out what is that slight bump and how can we
12 address it.

13 CHAIRPERSON KOO: Deal the breakdown of
14 the number of PEP officers assigned to each of the 30
15 major parks that saw an increase in crimes against
16 property?

17 COMMISSIONER SILVER: All right. In
18 terms of-- Well, generally, we have tours that cover
19 entire districts, but there are certain parks like
20 Flushing Meadow Corona Park, because we saw some
21 additional activity in the park, we now have assigned
22 PEP for that park specifically. Not all parks,
23 because we have 249. Citywide, it is very difficult
24 to sign PEP and all of the parks. And so, they do
25 rotate, but there are certain parks who we are to

2 have a fix patrol. Flushing Meadow Corona Park
3 happens to be one of them and that happens to be the
4 park that we are seeing the most activity happening
5 in our parks system.

6 CHAIRPERSON KOO: so, do you have the
7 breakdown of all the numbers?

8 COMMISSIONER SILVER: We have the top a,
9 if you want--

10 [background comments]

11 COMMISSIONER SILVER: So, we have
12 dedicated PEP patrol, at least two officers at all
13 times, seven days a week. But in terms of jazz the
14 dedicated--

15 MATT DRURY: Fact that Flushing Meadows.

16 COMMISSIONER SILVER: Oh. So, that is in
17 Flushing Meadows. So, at Flushing Meadows, there are
18 at least two officers at all times seven days a week,
19 8 a.m. to 12 midnight. Reno's Island Park, we have
20 one Sergeant and two officers. Coney Island, we have
21 a dedicated PEP from May through September. In
22 Washington Square Park, we have a dedicated PEP
23 patrol of one Sergeant and four officers. Union
24 Square Park is patrolled by PEP. Manhattan South,
25 mobile patrol. Prospect Park, dedicated one Sergeant

2 and six officers. Morningside, we have now one
3 Sergeant and six officers. And that was just a new
4 edition as a result of what occurred at the end of
5 last year. And then Sarah D. Roosevelt where is
6 patrolled by Manhattan South, mobile unit. The other
7 parks are covered by mobile patrols, but these are
8 the top a parks that we now have fixed crews there or
9 mobile units as a result of our trends on criminal
10 activities.

11 CHAIRPERSON KOO: So, what actions of the
12 department taken our plans to take to ensure the city
13 parks remain safe? And the other parks, too. How do
14 you ensure that?

15 COMMISSIONER SILVER: On regular basis,
16 we have both our borough commissioners, as well as
17 our urban park service. We work very closely with
18 NYPD on a regular basis. As in the case of
19 Morningside Park, we then had an awful murder. We
20 sat down with NYPD and our staff and decided to put a
21 substation in Morningside Park. We continue to reach
22 out to NYPD, whether it is cameras, whether it is
23 lighting, whether it is just shrubbery that needs to
24 be cut down. We are evaluating all those parks to
25 determine how do we make them safer. This is what we

2 call crime prevention through environmental design.
3 Parks Without Borders as part of that approach to
4 make sure we eliminate some of those blind spots and
5 actually illuminated, if that is what is necessary.
6 So, we work very closely with NYPD to work on how we
7 can make our parks safer. But it is an ongoing
8 effort both between our borough commissioners, as
9 well as our deputy commissioner and urban park
10 service.

11 CHAIRPERSON KOO: So, Commissioner, do you
12 believe that additional PEP officers can reduce--
13 Can help to reduce the number of crimes in our parks?
14 And what is the appropriate number of officers that
15 are needed to staff our parks?

16 COMMISSIONER SILVER: We always want to
17 make sure that the PEP are peace officers. Their
18 primary role is to enforce quality of life rules.
19 That is why we were very closely with NYPD when it
20 comes to crime. Can PEP be eyes and ears? Yes.
21 They have radios. They contact NYPD when they need
22 assistance, but we have to make sure, with 249
23 citywide, we have to have a strong partnership with
24 NYPD. And that is what we are doing. We could
25 always benefit from more PEP officers, but we also

2 know, as we go through the budget process, we have to
3 have that conversation as it goes forward, but we
4 have to have that close relationship with NYPD-- and
5 we need to have that relationship-- to make sure we
6 reduce crime. But I just want to remind people that
7 PEP and enforce quality of life roles, but they also
8 serve of eyes and ears on their patrol.

9 CHAIRPERSON KOO: so, you always mention
10 NYPD. So, do you have a good relationship with NYPD?

11 COMMISSIONER SILVER: We have a very good
12 relationship with NYPD and part of that conversation,
13 working with a youth. The mayor and the State of the
14 City announced his entire strategy. Both the
15 Commissioner of NYPD-- and I agree-- having more
16 resources for young people will be good, expanding
17 recreational opportunities, opening more rec centers.
18 It is targeting a population that needs to stay busy
19 and active and stay off the street and learn at the
20 same time. So, we need to share the same philosophy
21 about reducing crime, having safer parks, having
22 safer city. But also offering opportunity for our
23 youth.

2 CHAIRPERSON KOO: NYPD has so many
3 precincts and all over their five boroughs. Do all
4 the precincts -- all are cooperative of you?

5 COMMISSIONER SILVER: I am very proud--

6 CHAIRPERSON KOO: [inaudible 00:39:33]

7 COMMISSIONER SILVER: that our borough
8 commissioners--

9 CHAIRPERSON KOO: Yeah.

10 COMMISSIONER SILVER: I know almost-- I
11 know sometimes they change around, but our borough
12 commissioners have an excellent relationship with
13 NYPD, the commands, the captains, the chiefs. And
14 that has been long-standing relationship and it
15 continues going forward. So the answer to the
16 question is yes. All of our borough commissioners
17 have a great relationship. I'm sure they even have
18 their own cell phone numbers as they need to make a
19 quick contacts. So, the answer to that question is
20 yes.

21 CHAIRPERSON KOO: What would be the
22 appropriate staffing level for urban park rangers
23 program?

24 COMMISSIONER SILVER: It's hard to say
25 what is the appropriate level.

2 CHAIRPERSON KOO: Yeah.

3 COMMISSIONER SILVER: What we are able to
4 do, as we have in the past-- because now we have
5 more PEP than we have had in the past, that we focus
6 on hotspots and we-- I'm sorry.

7 [background comments]

8 COMMISSIONER SILVER: Oh. Rangers. I'm
9 sorry. I thought you said-- Oh. I thought you
10 said-- Well, I'll answer the PAP and then I will go
11 into the Rangers. In terms of the PEP, we always go
12 to hotspots and have patrols that all areas are
13 covered. In terms of rangers, which can also enforce
14 quality of life rules, is to really provide
15 programming and education to the public. They are
16 adored by the public by virtue of seeing some of
17 these events increasing by 400 percent, camping
18 overnight, learning how to understand the
19 environment. And so, it is very valuable to have our
20 rangers, which is a real educational resource for
21 people understanding the natural environment. So,
22 it's a huge benefit to the city. It's hard to say
23 what the staffing level is. We have nature centers,
24 but there are also pop up experiences where they will
25 have an event and a park and now we can increase

2 their programming because we have more rangers and
3 cover more places. They also go to those schools to
4 educate our young children. And so we are able to
5 deliver more services by having more rangers.

6 CHAIRPERSON KOO: Can you tell the
7 committee how much funding you currently have in the
8 proposed fiscal 2021 budget for PEP officers?

9 COMMISSIONER SILVER: We don't have it by
10 the vision. We can, again, give you the numbers of
11 the 249, but that is something we can get back to
12 you.

13 CHAIRPERSON KOO: Okay. So, about a mile,
14 how much is for contracted PEP services to Hudson
15 River Park and Battery Park City? And how many PEP
16 officers are assigned to those parks?

17 [Background comments]

18 COMMISSIONER SILVER: Yeah. So, there
19 are 81 grant-funded positions. And those parks--
20 and this is not part of the 249. This is separate.

21 CHAIRPERSON KOO: Uh-hm.

22 COMMISSIONER SILVER: Brooklyn Bridge
23 Park, the Met, East River Park, Pier 15, Hudson Yard,
24 Hudson River Park, Madison Square Park, the Highline,

2 Reno's Island, Riverside Park, Washington Square
3 Park, and West Harlem Piers.

4 CHAIRPERSON KOO: Okay. The funding for
5 additional urban park rangers and PEP officers are
6 not base lined and they are not included in the
7 fiscal 2021 preliminary budget by the administration.
8 If this funding are not including at the time of
9 budget adoption, what impact do you anticipate you
10 will have on the parks and on the newly hired staff
11 covered by these allocations?

12 COMMISSIONER SILVER: Well, first, the
13 budge process is ongoing, so we will certainly
14 determine at that point in time, should it not be
15 funded, how it will impact our agency. In terms of
16 urban park rangers, we will not be able to offer as
17 many of those educational services, as we have had in
18 the past. But on the PEP side, since we always have
19 a lot of attrition, we will be able to backfill some
20 of those vacancies. But, over time, you will see
21 fewer PEP out there covering New York parks. What
22 we've done in the past, as I have said before, is
23 that we look at our hotspots and assign those patrols
24 based on what we are seeing in our park system, so we
25 will be able to address and make sure the quality of

2 life concerns for the park system remains at the
3 highest level as possible.

4 CHAIRPERSON KOO: Commissioner, you
5 mentioned in your testimony you will eliminate the 25
6 dollars annual membership for any teens 18 to 24
7 years old so that they can enjoy free access. So,
8 how much do you charge senior citizens?

9 COMMISSIONER SILVER: Just give me one
10 second. I think it is 25 dollars.

11 CHAIRPERSON KOO: For senior citizens?

12 COMMISSIONER SILVER: For senior
13 citizens.

14 CHAIRPERSON KOO: So, maybe you should
15 consider waiving those fears, too, for the seniors.
16 They always help out the community. The volunteer
17 for the parks and do different times to help you.
18 So, I think you should be fair and treat seniors the
19 same as teenagers. Yeah.

20 COMMISSIONER SILVER: We will take your--

21 CHAIRPERSON KOO: [inaudible 00:44:38]
22 both sides. Yeah.

23 COMMISSIONER SILVER: recommendation on a
24 consideration.

2 CHAIRPERSON KOO: Yeah. A recommendation
3 for you. Yeah. So, I'm going to ask more questions
4 in a little bit. I will let some members ask
5 questions first. We are also joined by Council
6 member Rivera, Borelli, and Levine. So, Council
7 member Holden as the first and followed by Council
8 member Cohen.

9 COUNCIL MEMBER HOLDEN: Thank you, Chair.
10 And thank you, Commissioner, for all your work in
11 your testimony. As someone who has volunteered in
12 parks for 30 years or more, I can attest to how
13 important our parks are in New York City and I
14 appreciate your leadership. But I have a few
15 questions on budget. And you said you were
16 streamlining the capital projects design process and
17 construction and that is been a sore point for all of
18 us in the Council for many years and continues, at
19 least, the frustration of not only the cost of the
20 projects-- and I know the hurdles you have, but why
21 it is the most significant hurdle that you are seeing
22 in the capital projects? I mean, design takes a
23 year. We know that, right? About. Is there any way
24 to even streamline that? That's the second part of
25 the question.

2 COMMISSIONER SILVER: Procurement, as
3 I've said, that multiple hearings, specifically even
4 for the capital process is a wand that is the most
5 challenged that could range anywhere from seven
6 months to two years. That was the subject of some
7 conversations. The hearing specifically on the
8 capital process. We do have recommendations about
9 how to address it. We are not the only agency that
10 is addressing it. There is no parks capital process,
11 it's a citywide capital process. And so, this is a
12 topic where some forms are made, but it certainly is
13 open to improvement further. So, I will entertain
14 your question on design, but, in terms of
15 construction, we are actually 27 projects last year
16 were actually done 30 days ahead of schedule, so,
17 construction we are fine. Designed, I'll wait for
18 your question, but procurement seems to be the area
19 where the most row form can take place to really
20 streamline the project further.

21 COUNCIL MEMBER HOLDEN: So you said they
22 are listening? Is there any movement? Like is there
23 any some-- anything promised in procurement?

24 COMMISSIONER SILVER: Yes. Things have
25 improved. MOCS, for example, have streamlined the

2 process through their-- of how we work with vendors.
3 So, over the years, yes. There has been improvement.
4 There are some difficult ones ahead. There is both
5 policies and laws and other restrictions. All those
6 were on the table. They are ongoing conversations,
7 but, over the years, there have been improvements,
8 but there is always room for more improvement.

9 COUNCIL MEMBER HOLDEN: Yeah. We've put a
10 lot of money in the capital over the decades that I
11 have been involved in parks, but I always,
12 historically, see not enough in maintenance and
13 security, even. Like we talked about PEP earlier,
14 but what I would like to see is more in the
15 maintenance area. I think most people would like
16 that because we make these billion-dollar-- billions
17 of dollars investing in our parks and, yet, a smaller
18 amount-- much smaller amount-- and maintenance.
19 Which, I know, has been an issue over the decades,
20 but can you address that? That we--

21 COMMISSIONER SILVER: Sure.

22 COUNCIL MEMBER HOLDEN: actually well put
23 more money of the budget--

24 COMMISSIONER SILVER: Well, Council
25 member, always pleased, you know, to work with the

2 local borough Commissioner to identify some of those
3 issues. We have trades in house that can do repairs.
4 We also have a state of good repair, so I control
5 about a 20 million dollars state of good repair
6 budget that could handle contracts between 40 and
7 700,000 that can get to the maintenance. I am
8 assuming you are talking about maintenance about the
9 upkeep of material versus the cleaning of the park.
10 Is it is an upkeep of the equipment, we have both
11 trades in house, but we also have state of good
12 repair, so any place where you feel that there is a
13 concern that doesn't require full capital improvement
14 or renovating the entire playground, we need to have
15 the state of good repair money to make those fixes to
16 anything that may be deficient.

17 COUNCIL MEMBER HOLDEN: And just switching
18 gears on the both tree removal and tree planting, I
19 know there is been some hurdles on tree plantings
20 this past year. We are getting less and less, it
21 appears. Have you overcome some of the hurdles with
22 the vendors?

23 COMMISSIONER SILVER: We have. Our major
24 obstacle were the prices that were coming in. They
25 were higher than in the past and so we had to rebid a

2 couple of times until we got a price, even though it
3 is higher, that was more workable. I'm going to
4 defer now to the First Deputy Commissioner that can
5 go and do a lot more detail, but that was a challenge
6 for a while. The prices went up significantly and we
7 felt, as being a steward of the public's money, we
8 had to do a better job to see how we could get those
9 prices down. So, that did stall some of those tree
10 planting contracts for a while. But I'll let the
11 Commissioner see if he wanted to add anything.

12 FIRST DEPUTY COMMISSIONER KAVANAUGH:

13 Council member, yes. We are looking at a number
14 of factors that we think may have driven up the bid
15 price is that we received on a number of our
16 contracts and, yes, it did cause a delay in the FY 19
17 planting program. We did not want to accept bids
18 that way didn't think were reasonable. So, there are
19 a number of elements that we have identified in the
20 project. One of the house to do with the disposal of
21 fill. The cost for that item went up significantly.
22 It had nothing to do with the contractors. It was a
23 regulatory-- a new regulatory interpretation that
24 made it more expensive and that is a standard item in
25 our contracts. But we're looking at other things

2 that we think may help reduce some of the increase is
3 that we are seeing. It hasn't played out in better
4 bins just yet. You know, there is usually a sword of
5 a lag between when we issue new specifications and
6 ways see the impacts in our contracts, but we are
7 intently focused on making tree planting as
8 economically--

9 COUNCIL MEMBER HOLDEN: [interposing]

10 There's a ripple effect in this. You know, if we
11 don't plant enough trees and we lose a lot because of
12 the storms--

13 FIRST DEPUTY COMMISSIONER KAVANAUGH: Yes.

14 COUNCIL MEMBER HOLDEN: then we are behind
15 the curve. And so, if we could catch up, once we
16 figure it out with the praise says, but I am also--
17 I just have a question on tree removal. Dead tree
18 removal. In my own case, I have a dead tree in front
19 of my house for well over a year. Have put it in to
20 311 and the branches keep falling. And as a small
21 tree, actually. I could push it over. And yet the
22 branches keep falling as it gets older and older and
23 rots away and it is causing property damage. You
24 know, if a car parks next to it-- it already hit one
25 car and we had to remove the branches. So, I am

2 getting complaints from constituents about that in
3 particular. That we are not keeping up with-- not
4 only is-- I think there is a 10 year gap in pruning,
5 but we are not keeping up with the tree removal. Is
6 there any more in the budget for this coming fiscal
7 year?

8 FIRST DEPUTY COMMISSIONER KAVANAUGH: We
9 have a relatively healthy budget for tree pruning.
10 We are on a seven year cycle. We are pruning upwards
11 of 70,000 trees a year just for that program
12 ourselves-- alone. We, ourselves, internally
13 probably prune another 15 to 20,000 trees. So, in
14 pruning, yes. We cannot respond to every request as
15 quickly as everyone would like. We have a pretty
16 solid program. With the other tree maintenance, as
17 you may be aware, we adopted a risk management
18 approach to in-house tree care, specifically for
19 removals and, you know, conditions that are
20 potentially hazardous and we followed that pretty
21 rigorously. We are seeing good results from it. And
22 if you want to give me your address afterwards, we
23 will look into it--

24 COUNCIL MEMBER HOLDEN: Well, I don't
25 want--

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2 FIRST DEPUTY COMMISSIONER KAVANAUGH: to
3 make sure--

4 COUNCIL MEMBER HOLDEN: I don't want any
5 special favors.

6 FIRST DEPUTY COMMISSIONER KAVANAUGH: No
7 special treatment, but--

8 COUNCIL MEMBER HOLDEN: I don't want to get
9 in trouble for that.

10 FIRST DEPUTY COMMISSIONER KAVANAUGH: No.
11 No. We just want to make sure it is been properly
12 inspected and addressed.

13 COUNCIL MEMBER HOLDEN: Okay.

14 COMMISSIONER SILVER: Council member, I
15 just wanted to make one point because you mentioned
16 earlier about the cost and I don't know if that's one
17 of your next questions, but you now understanding
18 some of the dilemma that we are in. When people say
19 prices are getting out-of-control, when we find a bid
20 that comes in that is way too high, we will not
21 accept it and rebid it. But then we are told we are
22 taking too long to initiate the project. So, when a
23 high bid comes then, we have a difficult choice.
24 Either say, no. Rebid it. Or accept their price so
25 the project stays on track. So, that in lies the

2 dilemma that either prices are too high or you are
3 taking too long. If you rebid it, that can delay a
4 project several months and is something that we are
5 trying to streamline the process. That is all the
6 procurement process I mentioned earlier, so I'm just
7 open a conversation--

8 COUNCIL MEMBER HOLDEN: Okay.

9 COMMISSIONER SILVER: more about how we--

10 COUNCIL MEMBER HOLDEN: Just one final
11 question, Chair. I'm sorry. I don't want to
12 monopolize this, but in 311, there's no way for the
13 public-- I brought this up at a previous hearing.
14 There's no way for the public to contact PEP on
15 nagging issues. Some civic leaders know how to do
16 it, but by and large, I would like-- and I suggested
17 and I think there was some agreement-- that there
18 should be a mechanism where 311 operators connect us
19 with a PEP office or officer-- you know, or area.
20 And how much more would that be in your budget to
21 make that a reality? Because I can contact, through
22 311, I can contact DOB. I can contact a number of
23 other city agencies they will put us in contact with.

24 COMMISSIONER SILVER: My understanding is
25 when 311 comes in, it goes directly towards central

2 communication. I'm not sure going directly from 3112
3 PEP is-- I know there was a hearing. I'm not up to
4 speed about exactly what occurred, but my
5 understanding is, when a call comes in, it gets sent
6 directly to our Central command, which deploys it
7 out.

8 COUNCIL MEMBER HOLDEN: But sometimes
9 it's-- you have to explain things a little bit more.
10 And, when I am saying is they will-- 311 well not
11 even give us a phone number to a PEP, which is, I
12 think, a flaw in the system and we are trying to
13 correct that. Because my committee oversees 311--

14 COMMISSIONER SILVER: Right.

15 COUNCIL MEMBER HOLDEN: technology and I
16 would like that address. And, obviously, you might
17 need more personnel, you know, and PEP to do this, to
18 answer this, but to actually talk to somebody.

19 COMMISSIONER SILVER: I will circle back
20 with staff about your request. I'm not sure all P AP
21 have phones. I do know they have radios, but it is
22 something that well huddle after this meeting--

23 COUNCIL MEMBER HOLDEN: Okay. And--

24 COMMISSIONER SILVER: based upon your--

2 COUNCIL MEMBER HOLDEN: Yeah. Because it
3 is an issue where like the nagging issues, there is
4 no communication, so it is very, very import and to
5 improve that. And, yes, I think we well have to put
6 more in the budget, but I think there should be 1000
7 PEP officers rather than 249 because they are
8 terrific. They don't get paid enough. I will just
9 throw that out there. They do great work. They are
10 peace officers. They should be paid accordingly.
11 And they too have a tough job of approaching someone
12 and issuing a summons when doing the right thing in
13 parks. And that is-- and they are not armed. So I
14 think, at this point, PEP is great. We need to
15 expand it, though. Thanks so much. Thanks, Chair.

16 CHAIRPERSON KOO: Thank you. Council
17 member Cohen.

18 COUNCIL MEMBER COHEN: Thank you, Chair.
19 Good morning, Commissioner.

20 COMMISSIONER SILVER: Good morning.

21 COUNCIL MEMBER COHEN: I do think that,
22 you know, I'm looking forward to-- I think you and I
23 have a number of groundbreaking and ribbon-cutting
24 schedule for the spring, so I am very excited about
25 that and I think it is to your credit. I believe the

2 back, you know, you have done it in terms of capital
3 reform. I think whatever is within the agency's
4 power to try to streamline the process, I think that
5 you have done it and I think that you do deserve
6 credit for that. I think that we both would agree
7 that there are some real citywide issues in terms of
8 the capital process. To that extent, I am wondering
9 if you could talk a little bit about ways that you
10 have used expense. And, if there is not an
11 opportunity to expand my, you know, sometimes-- like
12 as simple as resurfacing a basketball court, it
13 shouldn't be a 2 million dollar project if we could
14 somehow-- if you had the ability in house to do
15 these kinds of things, I think it could make a big
16 difference. Can you talk a little bit about the--

17 COMMISSIONER SILVER: Yeah. Maybe we
18 could present a list, but you would be surprised how
19 many in-house projects we are doing. We are
20 experiencing Staten Island on a comfort station. A
21 lot of our synthetic turfs we have done in-house. We
22 do on our own seal coating and repairing, so we are
23 doing a lot in-house. We have been amazing trades
24 that are both citywide and then each borough has
25 them. And the work they are doing, so, some of our

2 spaces, I had a goal of improving some space is built
3 and Robert Moses [inaudible 00:57:20] is working.
4 And that was all done by our trades. So, it is a
5 great idea and I think we can follow up in the future
6 to share with you the amazing work done with our in-
7 house crews. So, we do that. But we also have the
8 state of good repair money. On average, it is about
9 20 million. It is about to go up another 3 million.
10 This is base lined. And all the boroughs are able to
11 use that. But, again, this limited in between
12 expense contract for-- I'm sorry. A contract
13 between 40,000 and 700,000. And so, right now, we
14 are using a lot of those funds to repair a lot of our
15 pavements because that is where most of our parks
16 fail, for paving. Cracks. Deficiencies. And so, we
17 are doing a lot of the stuff not normally Council
18 members want to fund, but something we know is
19 critical to the infrastructure and vitality of the
20 park. So, we are using it effectively, but it is a
21 great question and maybe we should follow up at a
22 future meeting to show all the in-house work that
23 we're doing to really maintain our parks that is not
24 part of capital.

2 COUNCIL MEMBER COHEN: I would be totally
3 supportive of that and I would be interested in
4 seeing the information. So, that would be great. In
5 terms of-- I just want to follow up on a PEP
6 question or two. And I know we had a hearing on this
7 last month, but could you just talk a little bit
8 about the-- you know, it is great that we are having
9 the trainings, but it's the attrition is really the
10 problem. Can you talk about some of the retention
11 problems? And, you know, I think there is a pay
12 issue there. Could you just talk a little bit about
13 that?

14 COMMISSIONER SILVER: Well, the pay issue
15 is directly an issue. One, to address the pay, we
16 felt it was prudent to expand the number of hours
17 then we went from 35 to 40 and so the pay for the PEP
18 officers did increase. In terms of the attrition,
19 these are highly qualified, highly intelligent
20 individuals that, once they are in for a while, many
21 of them end up going either to corrections or NYPD.
22 And so we are seeing that attrition.

23 COUNCIL MEMBER COHEN: But where they
24 prefer to leave, is the question?

2 COMMISSIONER SILVER: I'm going to have
3 to make an assumption. It could be salary. I don't
4 think it is the work experience. Those that are in
5 PEP love the job, love the work. Being a part,
6 interacting with the public, educating the public.
7 So, we highly respect our PEP officers. They do an
8 invaluable job saving lives and keeping people safe.
9 But we have other options and professions that are
10 always looking for recruits. Again, I cannot say the
11 reason why. I can only assume. But both corrections
12 and NYPD are the two likely places where we are
13 seeing our attrition losses.

14 COUNCIL MEMBER COHEN: People have told me
15 off-line that there is a wage issue there in terms
16 of-- that really is-- I think it's really in your
17 agency's interest, in order to be able to better
18 retain these people, and you are spending the money
19 on the training anyway--

20 COMMISSIONER SILVER: Agreed.

21 COUNCIL MEMBER COHEN: So, I think that
22 there might be a better way. I just also would like
23 you to expand a little bit. When you talked about
24 the relationship between the NYPD and the agency, I
25 have a recurring issue that maybe I should do a

2 better job of kind of coordinating myself, but, you
3 know, after-- I didn't even know that PEP stayed on
4 duty until midnight. I thought PEP was done at 10
5 usually. But I have a lot of late night people, you
6 know, who started their celebration in the park at 10
7 a.m. and decided they wanted to go until 10 a.m. the
8 next day. I feel bad for people. I get social media
9 complaints in the middle of the night like I can't
10 sleep because there is this party going on in the
11 park. And, particularly, in Van Cortland Park
12 because Van Cortland Park is, you know-- it falls
13 all in the 50th precinct, however, it is the eastern
14 side of Van Cortland Park is very far from the 50th
15 precinct. So, can you talk about the formal
16 structure of the relationship between you and parks?
17 How you communicate formally?

18 COMMISSIONER SILVER: well, right now,
19 it's permanently based. We have an assistant
20 commissioner over the urban Park service and both he,
21 the deputy commissioner, and all the borough
22 commissioners have relationships with both the local
23 precincts and the borough commands. So, that is just
24 an ongoing relationship where they talk to one
25 another. Just for clarification, Flushing Meadow

2 Corona Park, because that tends to be the park that
3 gets the most activity, that is the location-- we
4 extended it to 12. Most places, as you said, is
5 still 10 p.m. but we need to have this close working
6 relationship. Just most recently in Morningside
7 Park. After the incident, we had to coordinate very
8 closely at about how we could make the public feel
9 safe at Morningside Park and we decided to go ahead
10 and put a substation there because of the concerns
11 the committee was having. But that is something we
12 work routinely with NYPD. We do surveillance to see
13 how could we make the park safer? Is it lighting?
14 Is that cameras? Is there reducing some of the
15 shrubbery? And they're very helpful. In fact, they
16 have their own [inaudible 01:01:54] team. Crime
17 prevention through environmental design. And I was
18 very pleased to know that. I didn't know. And so,
19 there is this close relationship between all of our
20 borough commissioners and you can talk to them
21 directly about who their contacts are. But this is a
22 partnership we need to keep our parks safe.

23 COUNCIL MEMBER COHEN: Yeah. Like I said,
24 I have an issue in Van Cortland Park, and
25 particularly on the south and the east side. Just

2 two more. My email inbox. I don't know much about
3 the issue, find IM getting a lot of emails about
4 community gardens and the license agreements. Could
5 you talk a little bad about what is going on there?

6 COMMISSIONER SILVER: Every few years, we
7 have a new agreement. This year there was some
8 concern-- and I will have Commissioner Biederman
9 respond a little further. To date, we had about 87
10 percent of the gardeners signed a new license
11 agreement. There was some concerns about liability.
12 There was some concerns about reporting of certain
13 programs. This was just based upon some past
14 practice. And so, right now, we continue to have
15 conversations and there was a gentleman here. There
16 were conversations. Some gardeners would like those
17 conversations to continue for those that did not
18 sign, but I will have Commissioner Biederman give
19 more specifics about what is going on.

20 COMMISSIONER BIEDERMAN: Yes. Hello.
21 So, as Commissioner Silver said, was have about 87
22 percent of the licenses in. and of those license
23 that remain, we estimate about half of the licenses
24 are from groups that are just having some
25 administrative issues getting together, you know,

2 internal roles about the garden and half are groups
3 that have an objection to certain items within the
4 license. But, you know, we are in contact with
5 Councilman Koo's office and-- Elaine, and specific--
6 about this issue, as well.

7 COUNCIL MEMBER COHEN: Okay. Just the 13
8 percent are sending a lot of emails.

9 COMMISSIONER BIEDERMAN: Yes. Yes.
10 I'm sure.

11 COUNCIL MEMBER COHEN: Just letting you
12 know. And then, lastly I'm going to ask about the
13 rockaways because I have a soft spot. You talked a
14 little bit in your testimony about the removal of the
15 wooden jetties. It's my understanding, though, that
16 eminently or, very shortly, a large project with the
17 Army Corps. Could you talk about how the two
18 projects are related and--

19 COMMISSIONER SILVER: They are related.
20 It was not part of the Army Corps' project, but I
21 will let Commissioner Kavanaugh go into a lot more
22 detail about why we are spending the money to get to
23 that part of the project.

24 FIRST DEPUTY COMMISSIONER KAVANAUGH: We
25 asked the Army Corps to-- if they could possibly

2 remove the wooden jetties while they were installing
3 the new groins and redesigning the existing groins.
4 They are grade to include that in their solicitation.
5 It is called a betterment in the Army Corps
6 contracting language. The city, as the commissioner
7 mentioned in his testimony, provide it, I think,
8 about 8 million dollars in the next capital budget to
9 cover those costs. We don't know what the costs will
10 be at. The project hasn't been bid. And we don't
11 know if it will cover all of the wooden jetties just
12 yet, but the Army Corps, as they always are, has been
13 very cooperative and is working with us to make that
14 happen.

15 COUNCIL MEMBER COHEN: Could you talk a
16 little bit about the timeline for that project and,
17 you know, there has been may be a lack of
18 communication or just maybe I am not as on top of it.
19 Are they going to do the growing replacement from
20 Beech Ninth Street all the way to 149th Street or--?

21 COMMISSIONER SILVER: It doesn't go all
22 the way to Beech Ninth Street. It starts, I think,
23 at Beech 36th and goes up to 149th, in fact.

24 COUNCIL MEMBER COHEN: Good. It does.

2 COMMISSIONER SILVER: There are 18 groins
3 that are going to be either newly created. I think
4 it is 11 new groins and seven that will be redesigned
5 to better prevent erosion. The corps is scheduled.
6 They are out to bid right now. They may be able to
7 open bids at the end of this month. There were some
8 administrative things that still needed to happen for
9 that. It is on an extremely accelerated timeline
10 that they were able to do this, and we are grateful
11 for that. It is unclear as to when work will
12 actually start. That depends on the contractor,
13 their ability to mobilize staff. You know, this type
14 of contract to work is in demand all over the country
15 and, you know, the procurement of the materials that
16 are needed to actually build the groins. So, it is
17 moving very quickly. They should have more
18 information within the next month, but there is still
19 some unknowns out there.

20 COUNCIL MEMBER COHEN: And just lastly on
21 this point, they are also going to do the dune
22 replacement as part of this project?

23 COMMISSIONER SILVER: Not in the initial
24 phase. The first phase is only going to be for the
25 growing and the wooden jetty removal. Subsequent

2 phases well installed these structure dunes and the
3 crossovers and a beach replenishment. A full
4 replenishment of the beach.

5 COUNCIL MEMBER COHEN: So, we're talking
6 about several-- five use? Six years? Seven years?
7 A long-term project?

8 COMMISSIONER SILVER: I think that is a
9 safe assumption.

10 COUNCIL MEMBER COHEN: Thank you very
11 much, Chair.

12 CHAIRPERSON KOO: Thank you. And I was
13 told by the administration-- central staff that we
14 have time until 1 o'clock, so, we have to be-- make
15 our questions short and concise. Okay? Yeah. We
16 are joined by Council member Adams. And the next one
17 asked questions is Council member Rivera. And please
18 can you ask in three minutes? Four minutes time?
19 Less than four minutes.

20 COUNCIL MEMBER RIVERA: How much time do I
21 have? I blame BOB.

22 CHAIRPERSON KOO: Yeah.

23 COUNCIL MEMBER RIVERA: Okay. So, okay.
24 Well, I'm just going to ask my questions, Peter. We
25 will get through this. I want to ask a couple

2 follow-up questions about the community gardens,
3 specifically on the licensing agreements. You
4 mentioned that many of the gardeners have signed the
5 licensing agreements, however, some of them clearly
6 is not. Are you going to meet with them?

7 FIRST DEPUTY COMMISSIONER KAVANAUGH: So,
8 we have met many times with the NYCCGC and [inaudible
9 01: 07:57] and we are very happy-- and actually have
10 set up some meetings moving forward with certain
11 guarding groups. Individual garden groups who have
12 not yet signed the license. So, yes. We will talk
13 to any garden.

14 COUNCIL MEMBER RIVERA: So, you are
15 committed to following up with the gardeners to
16 discuss their concerns? Even though you may have met
17 with them before, you will follow up with them,
18 correct?

19 FIRST DEPUTY DIRECTOR KAVANAUGH: Is. We
20 will follow up with individual gardens. Yes.

21 COUNCIL MEMBER RIVERA: So, personal
22 liability is a huge concern for the gardeners. They
23 are all volunteers, as you know, and give countless
24 hours. So, the feedback that I have gotten from the
25 gardeners in my community is that the guidance on the

2 liability to individuals who sign the licenses have
3 been a bit murky.

4 FIRST DEPUTY COMMISSIONER KAVANAUGH:

5 Yeah.

6 COUNCIL MEMBER RIVERA: well, can we get
7 clarity on who holds the liability for incidents in
8 the gardens? I know that insurance would cost
9 250,000 dollars. Can parks cover the cost of this
10 insurance to the gardeners?

11 FIRST DEPUTY COMMISSIONER KAVANAUGH: So,
12 if I can split out-- I think there are two issues
13 there, right? So, it's the issue of liability. Who
14 signs the license? The definition of the party the
15 signs the license, the licensee right, is written
16 into the license and it is our guidance, our legal
17 guidance, that we can't provide a detailed
18 explanation as to-- you know, hypothetical
19 explanation as to who would be liable for what in a
20 hypothetical situation. That is something for the
21 gardeners to the outside legal counsel. Now,
22 regarding the issue of insurance, it is, you know,
23 our guidance from our lawyers and from city law that
24 it is not structurally possible or legally possible
25 for the city to purchase insurance for licensed

2 groups. We don't do this for groups who license with
3 the parks department.

4 COUNCIL MEMBER RIVERA: But you're imposing
5 additional requirements for events in the garden
6 without demonstrating that-- actually, what the
7 gardeners can handle what is going to be an
8 additional volume of paperwork. So, are you planning
9 to, at least, provide additional staff to ensure that
10 the gardeners can hold their events without worrying
11 about having the necessary permits? What kind of
12 additional administrative support are you going to
13 provide, considering that this is another burden for
14 a group of volunteers?

15 FIRST DEPUTY COMMISSIONER KAVANAUGH: So,
16 if it is possible, I'd like to clarify the point
17 about events and permitting events. So, that is true
18 that, in the new license, there is a requirement that
19 gardens give the green thumbs staff a prior
20 notification the-- if they are to hold a public event
21 in the garden. Now, we did this because, in the
22 past, there were some events where, unfortunately,
23 people were hurt, so we wanted a heads up about what
24 these events were going to be. We have taken every
25 effort to make the approval for events as quick as

2 possible and as lighter burden on the gardeners as
3 possible. So, there is a Google form that they can
4 fill out. It is one page. There are some radio
5 buttons and a quick field for a description of what
6 the event is. Thanks to the Play Fair funding, we
7 have been able to add some staff members and some
8 outrage coordinators, which have allowed us to turn
9 around those approvals very quickly.

10 COUNCIL MEMBER RIVERA: So, we understand
11 them are thankful that you eliminated that indemnity
12 clause, but just-- you know, the gardeners in my
13 neighborhood, they're worried about assuming personal
14 liability for these events because they assigned the
15 license. So, I know we have work to do. I don't
16 have a lot of time, so I just ask-- many of my
17 constituents are here. I ask that we really try to
18 work on something. You know, the history of the
19 gardens and what they do and why they are there is
20 really important and needs to be honored and
21 respected. The last thing I'll just ask-- Mr.
22 Chair, I'm just going to ask for them to give me an
23 update on Albano Park and the MTA being responsive to
24 parks in transferring this playground so construction

2 can begin. And thank you, Mr. chair, for being so
3 gracious with time.

4 CHAIRPERSON KOO: Thank you. Yeah.

5 COMMISSIONER SILVER: Council member, the
6 law department is working on this one. We don't have
7 any updated information. This is a concern of us, as
8 well, but there is just no new update we can share
9 with you.

10 COUNCIL MEMBER RIVERA: Please let me know
11 if there is anything I can do. Please.

12 COMMISSIONER SILVER: Okay.

13 COUNCIL MEMBER RIVERA: It's been ongoing
14 dating back to my predecessor and I appreciate you
15 trying. Thank you, Mr. Chair.

16 CHAIRPERSON KOO: Yeah. So, Commissioner,
17 follow up on the community gardens. All right. So,
18 in your memory, how many incidents on lawsuits
19 against the city involving community gardens in the
20 past? Do they always have accidents that were they
21 have none? So?

22 [Background comments]

23 COMMISSIONER SILVER: We don't have that
24 number. We can get that for you.

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2 CHAIRPERSON KOO: Does it happen? As it
3 happened before?

4 COMMISSIONER SILVER: Incidents to occur.
5 That is, but, in terms of how many, since I have been
6 here in my six years, that is something we will have
7 to get back to you.

8 CHAIRPERSON KOO: And do you have any high
9 amounts of payout or--? You know, million dollars?
10 [Inaudible 01:13:19] or really minor--

11 COMMISSIONER SILVER: [inaudible
12 01:13:20]

13 CHAIRPERSON KOO: payouts?

14 COMMISSIONER SILVER: in terms of
15 incidences and losses, that is--

16 CHAIRPERSON KOO: Yeah.

17 COMMISSIONER SILVER: something we will
18 have to get back to you.

19 CHAIRPERSON KOO: Okay. Council member
20 Levine, can you limit your questions of five minutes?

21 COUNCIL MEMBER LEVINE: Okay.

22 CHAIRPERSON KOO: Yeah. Council-- Five
23 minutes here. Sergeant at arms?

24 COUNCIL MEMBER LEVINE: Good morning,
25 Commissioner, and to everybody here. So, I am

2 wearing the Play Fair sticker and I am a brother in
3 arms with all of you here who are in this fight for
4 great green space. And especially our community
5 garden. So, we have a really tough fight now. But
6 we are in the midst of a pandemic and I can't ask
7 anything non-about that right now. What portion of
8 your staff is doing administrative or office work as
9 opposed to out in the field?

10 FIRST DEPUTY COMMISSIONER KAVANAUGH:

11 Approximately 20 percent.

12 COUNCIL MEMBER LEVINE: 1200 about?

13 COMMISSIONER SILVER: I'm trying to think
14 really quickly. No.

15 COUNCIL MEMBER LEVINE: Okay.

16 FIRST DEPUTY COMMISSIONER KAVANAUGH: It's
17 about 800, I would say.

18 COUNCIL MEMBER LEVINE: What is the plan
19 for telecommuting for them today?

20 COMMISSIONER SILVER: Those conversations
21 are ongoing. We identified the titles, the staff,
22 and now we are looking at the infrastructure to
23 support them. But, actually, as soon as I leave this
24 hearing, we are going to start to have that
25 discussion to see how it can be deployed.

2 COUNCIL MEMBER LEVINE: When will that plan
3 be announced?

4 COMMISSIONER SILVER: We are working
5 together with the Mayor's Office and all the agency
6 is exploring telework. I believe, like I said, today
7 is one we are going to go back. We have done all the
8 work in terms of identifying the employees. Now it
9 is the infrastructure, which means just access,
10 laptops, etc., so that we can go ahead and implement
11 it. But we do have the list.

12 COUNCIL MEMBER LEVINE: Are you still doing
13 large-scale meetings internally?

14 COMMISSIONER SILVER: We have now, with
15 the announcement yesterday, we are contacting anyone
16 with an event more than 500 to have those events
17 canceled. And in terms of even our internal
18 meetings, our meetings we are now moving toward
19 either go to meetings or conference calls with a lot
20 of the commissioners you see here to prevent travel.
21 And so, we are looking even further about our other
22 events. That, also, conversation what happened
23 today. But we are relying on, also, the guidance
24 from the Department of Mental Health and Hygiene.

2 COUNCIL MEMBER LEVINE: What is the maximum
3 size for a permitted internal meeting?

4 COMMISSIONER SILVER: In terms of an
5 internal meaning, I don't think there is a permitted
6 size at this point. It is limited by our space, but
7 we are now tamping down on any new events and
8 permitted events until we get more guidance from
9 DOHMH. In terms of our office itself, we are space
10 saying ourselves in conference rooms as we sit, but
11 those are other conversations that are happening
12 today. Our initial guidance from the Mayor's Office
13 Emergency Management and the Mayor's Department of
14 Health was to implement all the guidance they gave us
15 to our staff and to the general public in terms of
16 cleaning, in terms of developing the telework policy,
17 and staggering staff. All of those are, right now,
18 in movement and we are going to talk further about
19 internal meetings and gatherings within parks.

20 COUNCIL MEMBER LEVINE: This needs to be
21 resolved today. You've got to have a commuting
22 policy. You've got to have-- you've got to be
23 staggering commutes. You've got to push
24 teleconferencing. You've got to have limits on
25 meetings of your staff. Anybody who cares about the

2 park system needs your team to function and, if on
3 top of every other below the city is enduring, the
4 park system breaks down, the mental health impact,
5 the public policy impacts, the impacts on our body
6 and our spirits are going to be unacceptable.

7 COMMISSIONER SILVER: Council member,
8 take this very, very seriously. We were in close
9 contact with the Mayor's Office. Our team has been
10 having daily calls with the administration and
11 internally. There are daily meetings. We have
12 gotten all the information to go ahead and pull the
13 switch to start this activity. Probably may have
14 been a day or Monday. But we are taking this very
15 seriously. The men at this hearing is over, I am
16 heading back up to our headquarters to-- and
17 everyone is waiting for me to get back there to
18 figure out how we can start moving forward on
19 [inaudible 01:17:46]--

20 COUNCIL MEMBER LEVINE: [interposing] If
21 you are getting resistance from the law department or
22 some other player like that, just act.

23 COMMISSIONER SILVER: It's not the law
24 department.

25 COUNCIL MEMBER LEVINE: Just act.

2 COMMISSIONER SILVER: It's just making
3 sure that we have the infrastructure, laptops for
4 people to telework and work at home. They have to
5 have access to-- Some, believe it or not, do not
6 have laptops or computers at home and [inaudible
7 01:18:05].

8 COUNCIL MEMBER LEVINE: A lot of logistics.

9 COMMISSIONER SILVER: And so we have to
10 make sure--

11 COUNCIL MEMBER LEVINE: I understand.

12 COMMISSIONER SILVER: we have the
13 infrastructure for them to actually--

14 COUNCIL MEMBER LEVINE: Who is in charge of
15 making sure there is soap in every parks bathroom?

16 COMMISSIONER SILVER: That is our, both
17 our First Deputy and a chief operating officer.

18 COUNCIL MEMBER LEVINE: Are we inventorying
19 that? What is our status today?

20 FIRST DEPUTY COMMISSIONER KAVANAUGH: Our
21 status on basic supplies such as hand soap, toilet
22 paper, paper towels, is very good. We do have
23 concerns long-term about disinfectant. As you know
24 what I've heard from press reports, there is not a
25 lot available on the market. We have a good store

2 and supply right now. Long-term, we do have concerns
3 about that.

4 COUNCIL MEMBER LEVINE: There are really
5 robust intense deep cleaning protocols in place now
6 in mass transit, in public schools. What about on
7 parks water fountains? On playground equipment?

8 COMMISSIONER SILVER: In terms of our
9 water fountains, where going to delay turning those
10 on. Typically, we do it next week. We're not going
11 to do that until we get further instruction from the
12 Department of Health. So, we are putting turning or
13 water fountains on on hold. Our focus has been on
14 interior spaces. We sent out directives to staff
15 about how often we will be creating interior space
16 is, wreck centers, bathrooms, work areas. All of
17 that protocol has been sent earlier this week to all
18 staff. I'm sorry. Last week to all staff about what
19 they're cleaning protocols are going to meet them.
20 But, at this time, we're going away for guidance from
21 Department of Mental Health and Hygiene to determine
22 how we should be handling outdoor facilities.

23 COUNCIL MEMBER LEVINE: Okay. I could go
24 on and on and on. I just going to give one more
25 question. The PEP officers are emergency responders.

2 COMMISSIONER SILVER: Yes.

3 COUNCIL MEMBER LEVINE: Their role now is
4 probably more critical than ever. The public is
5 going to be turning them for assurance, potentially
6 for rescue. How are you re-envisioning the PEP
7 officer role in this crisis?

8 COMMISSIONER SILVER: Well, right now,
9 they continue to maintain their patrol about
10 educating the public. They will be out there in the
11 field to assure the public. They have been
12 instructed, like all of our staff, that we're
13 encouraging New Yorkers to exercise social
14 distancing, personal hygiene. And so, they are in
15 communication with the rest of our command about what
16 they should be doing. But, again, we also want to
17 make sure is the Mayor's Office for Emergency
18 Management, we're also taking direction about what
19 role they should play and so we stand ready to
20 implement whatever action and protocol they will be
21 giving us.

22 COUNCIL MEMBER LEVINE: Right. The job of
23 the PEP officers has changed today relative did two
24 weeks ago and you're going to need to review every
25 aspect of equipment, protocols, of messaging, staff

2 allocation. We're in an emergency and these are
3 emergency responders than they are in the parks that
4 we need to remain safe and comfortable for people.
5 I'm just going to close and say that, if you care
6 about this agen-- I know you do. Those of us who
7 care about this agency, those of us who care about
8 public space and green space remaining available to
9 the public in the midst of a crisis when it is
10 arguably more necessary than ever, are going to have
11 to radically change our thinking about every aspect
12 of operation in this system and have a system in the
13 city. And we need to pass a great budget. We need
14 to fund everything that my colleagues are talking
15 about. I'm glad they are carrying that because I
16 can't today. But the world is changing right now for
17 the indefinite future and the Parks Department is not
18 immune to that. Thank you. Thank you, Mr. Chair.

19 CHAIRPERSON KOO: Thank you, Council
20 member Levine. Now we go to Council member Adams.

21 COUNCIL MEMBER ADAMS: Thank you very
22 much, Mr. Chair. Commissioner, good to see, as
23 always. In your team. Thank you for being here
24 today. I will be brief. I just had a follow-up
25 question to Council member Rivera who was asking

2 about community gardens. I, too, am concerned a bit
3 about community gardens and the liability issue that
4 has been put before them. Now, I understand, from
5 one of our gardening groups, apparently in the half
6 that do object to the document, that there were
7 contradictions in the document and not the document,
8 the licensure document, perhaps, contradicted a
9 handbook that was given to them by green thumb. Can
10 you address that?

11 COMMISSIONER BIEDERMAN: So, yes, I
12 can. Thank you, Councilwoman. So, we would
13 actually-- I want to explain the difference between
14 my license and handbook very briefly, if I could.
15 So, the licenses, of course, a legal document that we
16 want our licensed gardeners to sign that lays out the
17 legal rights and responsibilities of the garden
18 groups, vis-à-vis the gardens on which they practice.
19 In certain elements of the license, it does refer to
20 the handbook. The handbook is a more robust
21 document. It is not a legal document. It is subject
22 to changes and at regards garden practice, garden
23 best practices, how to plant, when to plant, safest
24 way to hold an event, etc. As far as we have been
25 able to determine, we have not been able to identify

2 inconsistencies between the license and the handbook.
3 Now, in conversations with the groups who have had
4 questions about the license or have resisted signing
5 the license, we have made some changes to the
6 handbook in order to clarify certain elements of the
7 handbook. Indeed, one of these clarifications was
8 about how clarifications are made to the handbook and
9 giving advance notice via email, social media, and US
10 mail about changes made to the handbook. But,
11 interact and serve your question, no. We are not
12 aware of any direct contradictions between the
13 license and the handbook.

14 COUNCIL MEMBER ADAMS: Okay. I was
15 informed that there was actually another document
16 provided to green thumb that was rejected and to take
17 a look at some of the contradictions, but you are not
18 aware of that. So--

19 COMMISSIONER BIEDERMAN: So, we have
20 gotten quite a few letters and documents and have
21 been, you know, in conversations with both groups of
22 gardens and individual gardens themselves about
23 critiques to the license and disagreements with
24 certain items in the handbook, as all. So there are

2 a lot of documents going around. I am afraid I can
3 speak to--

4 COUNCIL MEMBER ADAMS: Sure.

5 COMMISSIONER BIEDERMAN: the exact one.
6 Yeah.

7 COUNCIL MEMBER ADAMS: Sure. Sure.

8 Understood. Understood. My final point is as I
9 understood you to say that they city can't provide
10 insurance for individual groups. That was my other
11 question on where the whole liability issue file and
12 why this would now fall on individuals and individual
13 groups. I am sure that-- You look like you want to
14 say something.

15 COMMISSIONER BIEDERMAN: Well, no. I
16 do want to take the opportunity to contextualize a
17 little bit--

18 COUNCIL MEMBER ADAMS: Sure.

19 COMMISSIONER BIEDERMAN: very briefly
20 about the issue of liability. So, in previous
21 licenses, there was a cause that made it explicit.
22 That garden groups were liable for what happened in
23 the garden. In response to an unprecedented outreach
24 effort to the gardens as we move forward to this most
25 current license, we actually removed that clause. We

2 lifted an explicit burden of liability. So, these
3 licenses actually have less of liability burden on
4 the gardens and the previous licenses.

5 COUNCIL MEMBER ADAMS: I'm hearing a
6 little objection in the ranks. I will just say this
7 and I will conclude with this that I do hope that you
8 continue your meetings with those that do object to
9 this new policy. The licensure and all of that.
10 Just to hear them out for complete fairness and
11 transparency.

12 COMMISSIONER SILVER: And, Council
13 member, before this hearing started, I was presented
14 with a petition. There were conversations.
15 Conversation had stopped for a while. And so we are
16 open to restart those conversations--

17 COUNCIL MEMBER ADAMS: Great.

18 COMMISSIONER SILVER: again so we can
19 hear those that still have--

20 COUNCIL MEMBER ADAMS: Terrific.
21 Terrific. I'm sure that everyone in the room is
22 happy to hear that. Thank you much.

23 COMMISSIONER BIEDERMAN: Thank you.

24 CHAIRPERSON KOO: Thank you. Next is
25 Council member Moya.

2 COUNCIL MEMBER MOYA: Thank you, Chair.
3 How are you, Commissioner? Thank you for being here.
4 One quick question. Local one Flushing Meadows
5 Corona Park, as you know, the November 2019 plan
6 included 3.4 million in fiscal 2024 capital
7 improvements and Flushing Meadows Corona Park. It
8 was our understanding that the funding is part of an
9 agreement with the USTA to commit 5 million in six
10 installments to improve the park and to expand the
11 national tennis Center in Flushing Meadows Corona
12 Park. Can you share with the committee some of the
13 details on the planned capital improvements and
14 Flushing Meadows Corona Park for fiscal 2020 and
15 2021?

16 COMMISSIONER SILVER: Council member, I
17 want to be clear. Is this funds that went to the
18 alliance of Flushing Meadows Corona Park? There was
19 an agreement that there was an alliance-- we need
20 clarification about the USTA. I'm to know that, as a
21 result of that, there were some funds--

22 COUNCIL MEMBER MOYA: Right.

23 COMMISSIONER SILVER: that were dedicated
24 to the creation--

25 COUNCIL MEMBER MOYA: To the alliance.

2 COMMISSIONER SILVER: of the alliance.

3 If that is the question, I can tell you how the
4 alliance has been assigned those dollars for capital
5 improvements. That I can--

6 COUNCIL MEMBER MOYA: Yep.

7 COMMISSIONER SILVER: share with you.

8 Those funds are very strict about what can be used.
9 I served as Chair of the alliance up until this year.
10 They have been purchasing vehicles. It's very
11 limited about what it can and cannot purchase. I
12 don't know specifically what it was, but it did fall
13 within the guidelines that it went from one amount
14 and then decreased over years. They are now in their
15 decreased level. It because it is not a significant
16 amount-- it's over a 20 year period-- that they've
17 been able to partially purchase what would be called
18 a gaiter [sp?] And saw mother more capital items
19 that were eligible for capital, but, in terms of
20 paying for Annie major capital improvements, such as
21 sites or buildings, there weren't enough funds to
22 cover that, so they focused more on the equipment
23 side that was capitally eligible.

24 COUNCIL MEMBER MOYA: And is there
25 somewhere where we can see what was spent?

2 COMMISSIONER SILVER: Oh. Absolutely.
3 You can actually go online to the alliance.

4 COUNCIL MEMBER MOYA: Okay.

5 COMMISSIONER SILVER: And, if not, you
6 can speak to the administrator. As Chair, we
7 detailed every step how that money was spent because
8 it was restricted. As Chair, I would tell our board
9 members what could and could not be spent with this
10 money. The concern is now decreased for a lower
11 amount and so, now, is going to propel the alliance
12 to do a lot more fundraising sense, again, these are
13 allotments over a long period of time.

14 COUNCIL MEMBER MOYA: Great. Thank you
15 so much.

16 COMMISSIONER SILVER: All right.

17 COUNCIL MEMBER MOYA: Thank you.

18 CHAIRPERSON KOO: Council member Gjonaj?

19 COUNCIL MEMBER GJONAJ: Thank you, Chair.
20 Good to see you, again, Commissioner.

21 COMMISSIONER SILVER: Thank you.

22 COUNCIL MEMBER GJONAJ: It's a new day with
23 crisis and chaos, which is going to force many of our
24 departments and agencies to rethink the future and
25 the possibility that the budget may not be what we

2 once hoped it would be. In the process and knowing
3 how the cost of capital projects and reconstruction--
4 I presented this to you before and I used Orchard
5 Beach is a prime example. We have a 71 million
6 dollar project on going there and that is only for
7 phase 1 and several other phases thereafter. Parks
8 department should be looking at RFPs for concessions
9 so that we can save taxpayer dollars are put this
10 into the hands of businesses which we value. So a
11 partnership of government and business approach.
12 Private and public funds where they can make the
13 investments that are needed and maintain those
14 properties. We need to rethink all of our capital
15 projects where we can use concessions as a means to
16 save taxpayer dollars and invest those very valuable
17 and limited resources and other areas. Is there any
18 movement on this discussion from the last time that
19 we met?

20 COMMISSIONER SILVER: In terms of the
21 Orchard Beach, specifically, there concessions there.
22 Smaller concessions. And there will be an
23 opportunity for other concessions in the future. A
24 lot of it has to do with the amount of capital they
25 want to invest and, since our agreement is done by

2 terms, they would have to amortize that investment so
3 the business decision makes sense. Someone is not
4 going to want to invest 20 or 30 million dollars and
5 figure out how that pencils out for them to recoup
6 the dollars over the term of the agreement. But we
7 are always looking for opportunities for
8 concessionaires. We have four under concessions in
9 New York City that generate between 60 and 65 million
10 dollars that goes into the general fund. And so, for
11 us, it is beneficial and wise for us to explore those
12 opportunities. And we do every year. We find out
13 where it makes sense. And Orchard Beach is going to
14 have quite a few. It may be seen as an all. I'm not
15 sure if it's going to be around, based on its
16 location, but it is something that our team is
17 looking at as they Orchard Beach project evolves.

18 COUNCIL MEMBER GJONAJ: Right. Thank you,
19 Commissioner. And that is where I am headed with
20 this. Orchard Beach offers parking for thousands of
21 cars. Phase 2 is the major development that, if we
22 came up with a concession with a long-term
23 understanding that that is going to be a considerable
24 amount of time before the businesses can actually
25 benefit from it-- it's a heavy, high investment

2 moving into it, but an arena of a sort where the
3 sports complex that can be used year-round where that
4 parking is year-round available is a missed
5 opportunity. That concession and build a major
6 portion of phase 2 which is in the tens of millions
7 of dollars. The way we can alleviate using these
8 taxpayer dollars and put it into the hands of
9 business. I'm hopeful that we can look at this from
10 a bigger picture prospective instead of individual
11 concessions on the minor investments that they would
12 be making into opening up. We are looking at big
13 picture.

14 COMMISSIONER SILVER: If you are talking
15 Stadium level, it is at another Rome. I certainly
16 don't mind sitting down with you and going over the
17 details because, when you do something that is now--
18 When you start looking at a stadium, it is on another
19 level that way certainly have to tell you what is
20 involved in building-- whether it is a USTA or city
21 field. I'm not sure exactly what the scale is, but
22 when we look at a concession that, at the maximum, is
23 20 years, how much does someone want to invest so
24 that they can recoup that cost over that period? And
25 if someone is going to invest some thing at a level

2 of 50-- 100 million dollars, they are going to have
3 to find out how they are going to get paid back.
4 And, yes. There is a lot of parking. We are
5 exploring, as a concept, some type of larger
6 concession on one side of Orchard Beach, but not to
7 the level that you are talking about. But,
8 certainly, we can sit down with our concession team
9 to go over the numbers so you will understand we have
10 to scale a concession based upon the term of the
11 agreement and how much they recoup to make this
12 project work.

13 COUNCIL MEMBER GJONAJ: Thank you,
14 Commissioner. With a little bit of time that I have,
15 just want to touch on a few things. The Bronx has
16 the largest park of the mall. Pelham Bay Park. I
17 need a breakdown on headcount compared to the other
18 boroughs, as well as the tree pruning stump removal
19 program, the share by borough. We're nowhere near
20 where we need to be. We have so much more work to do
21 in my community has been asking for a tree pruning
22 and they have been on this long-awaited list. The
23 borough of the Bronx a few years back was one of the
24 few boroughs that received no tree pruning and we are
25 trying to remake or catch up to that demand. In the

2 last question is PEP officers. We are in the middle
3 of the budget. Now, more than ever, PEP officers are
4 needed. In this should be a baseline increase in our
5 budget for PEP officers. And not just the two shifts
6 that they are currently doing because most of our
7 issues and complaints are at night with the homeless
8 crisis where they've taken over parks and created --
9 and there are security concerns and man around our
10 parks. We need three tours of PEP officers out
11 there. They are our first line of defense when it
12 comes to our parks department. This should not be
13 the burden on the NYPD. We should baseline the
14 funding that is needed to match the need of PEP
15 officers for all of our parks. There is a Council
16 member that is happy with the number of PEP officers.
17 We know that we have increased it. We just need
18 more, whether it be fighting barbecuing or illegal
19 activities or summons during the day, we need them
20 equally on that third shift at night. And I just
21 can't help but give a shout out to my own
22 Commissioner Iris Rodriguez Rosa. She is awesome.

23 [Applause]

24 COMMISSIONER SILVER: I'll touch on a
25 couple of them. We agree with you the value our PEP

2 officers offered to this city. It is something, as
3 we continue the conversation, we are very pleased
4 with the Play Fair one shot and we hope that, as this
5 conversation continues, we can continue servicing the
6 city with our amazing PEP. On a park maintenance
7 time, I can give you the numbers, not per park, but
8 certainly by borough and so it fluctuates. Bronx is
9 between 677 and 875, both peak and off peak.
10 Brooklyn is 928 to 1287. Manhattan 805 to 1034.
11 Cleans 888 to 1003. In Staten Island 345 to 457.
12 Again, that is between peak and off-peak. If you
13 want to come back with specifically with Pelham bag,
14 we can certainly get you that numbers specifically
15 for that park.

16 COUNCIL MEMBER GJONAJ: And the tree? Tree
17 stump?

18 FIRST DEPUTY COMMISSIONER KAVANAUGH:

19 Council member, we have had a regular tree in
20 stump removal program for years. The Bronx receives
21 a proportionate share of the funding, commensurate
22 with the size of the tree population. There has been
23 pruning in the Bronx every year of this
24 administration.

2 COUNCIL MEMBER GJONAJ: I believe in 2017,
3 the borough of the Bronx did not receive-- or 2017
4 or 2018-- I can't recall now. The Bronx did not
5 receive the tree pruning services that it needed.
6 And it was due to budget constraints, unless I'm--

7 FIRST DEPUTY COMMISSIONER KAVANAUGH:

8 Council member, I'm not aware of any budget
9 constraints. This is a program that has been running
10 very effectively for a number of years now.
11 Certainly, the entirety of this administration, but I
12 will provide you with the specifics for what happened
13 each year in the Bronx.

14 COUNCIL MEMBER GJONAJ: Thank you.

15 FIRST DEPUTY COMMISSIONER KAVANAUGH:

16 You're welcome.

17 CHAIRPERSON KOO: Thank you.

18 Commissioner, yeah.

19 COMMISSIONER SILVER: We actually have
20 those numbers. Okay. We have the numbers, but there
21 has been, on average, we don't see a dip. It's been
22 over 7000 for FY 17, over 7000 for FY 18. So it's
23 showing that there was no reduction in service for
24 the tree pruning program.

2 CHAIRPERSON KOO: Thank you.

3 Commissioner, the last budget adoption, the Council
4 negotiated with the administration to provide over 90
5 million dollars for 300 park maintenance workers
6 consisting of 200 city park workers and 100
7 gardeners. Please help the committee understand the
8 importance of these workers to parks maintenance.

9 COMMISSIONER SILVER: We're always
10 thankful for additional park workers. And, by all of
11 our metrics, all of our additional worker are making
12 a difference and we have seen our ratings meet or
13 exceed the mayor's management target. It is always
14 good to be able to deploy and focus on hotspot. If
15 you are call a few years ago, with the additional
16 staff, we were able, for the first time-- in parks
17 department, we actually had cleaning seven days a
18 week by addressing some of the top hotspots
19 throughout the city, so staff was able to clean on
20 weekends, so it would be cleaned when it was at the
21 peak of visitation from our park users. So, it is
22 been very invaluable to have additional staff to
23 maintain our park system. It is something I welcome,
24 but I also know it is also subject to budget
25 consultations, but I can tell you, personally of the

2 invaluable service of all of our park employees to
3 help keep our parks clean and safe.

4 CHAIRPERSON KOO: So, how is this
5 additional staff distributed across the city and what
6 distribution-- what distribution strategy does the
7 department use?

8 COMMISSIONER SILVER: Well, for one, we
9 had a lot of consultation about what made sense. We
10 were guided largely by our PEP ratings. These are
11 inspection ratings to determine which parks need the
12 most help. And, generally, signed by fixed post at
13 specific areas. Gardeners will be part of borough
14 wide cruise, that though way the distribution worked
15 in the Bronx got 23 percent-- I'm sorry. 15 percent
16 at 23 individuals. Brooklyn 41. Manhattan 29.
17 Queens 35. Staten Island 10. We also deployed nine
18 to our rec centers, one to our arts of antiquities
19 team, and then a Start House Trust got one, for a
20 total of 150. So, this is how we were able to deploy
21 them. But we sat down, communicated this also with
22 the Play Fair advocates so they understood how we
23 were going to distribute these resources. We also
24 looked at the metrics to see what impacts they have
25 had. So, all of this has been positive and a great

2 addition to both New York City and, of course, to our
3 parks system.

4 CHAIRPERSON KOO: So, half of these
5 additional 300 park maintenance workers are funded
6 for only one year and fiscal 2020. Can you tell the
7 committee what happens to those 150 maintenance
8 workers come July 1st? If the [inaudible 01:41:00]
9 baseline funding of 9.6 million dollars is not
10 restored? What would be the impact on parks
11 maintenance?

12 COMMISSIONER SILVER: Well, as in years
13 past, we're always able to work effectively with the
14 staff that we have. This process is ongoing and we'd
15 like to hold on to every employee as possible, but
16 there is also a budget process that is ongoing and
17 that will, of course, continue. We watch very
18 carefully about where we could continually keep our
19 rankings up through our parks inspection, through the
20 Mayor's Management Report. Prior to the 150, we met
21 or exceeded the Mayor's targets. We will continue to
22 look how, with the reduction of forces, we could
23 still meet or exceed those management report targets.

24 CHAIRPERSON KOO: So, what is the training
25 process like for new seasonal hires or temporary

2 workers? And how long is it and how often does the
3 agency have to do this kind of training?

4 COMMISSIONER SILVER: It is a lot
5 shorter. I am going to defer to the first deputy
6 commissioner. But, yes. For our seasonals, there is
7 some training involved in the maintenance and care of
8 our parks.

9 FIRST DEPUTY COMMISSIONER KAVANAUGH:

10 Council member, very depending on the titles that
11 the person is placed in, and the assignment, but
12 everyone gets training and all of the standard Parks
13 and Recreation standard operating procedures. All of
14 the personnel rules and regulations. They get
15 training in vehicle operation, and small equipment
16 operation and maintenance, in the standards that we
17 applied to all of our facilities. It's an extensive
18 package, but given that they are seasonal workers, it
19 probably lasts a total of about two weeks. In
20 addition back, they do receive on-the-job training
21 from their colleagues and supervisors who are
22 explicitly assigned the responsibility for developing
23 their skills and making them into effective
24 employees.

2 CHAIRPERSON KOO: Thank you. Yeah. Do
3 you consider current total headcount and of to ensure
4 that all council districts are being sufficiently and
5 equally served? And what are the metrics that you
6 used to come up with that determination?

7 COMMISSIONER SILVER: Council member, as
8 Commissioner, I will accept as many employees as
9 possible. We all put them to a productive use. But
10 regardless of what our staffing level is, we look
11 very carefully at our PIP inspection ratings, as well
12 as the Mayor's Management targets, to ensure that we
13 are meeting or exceeding clean parks, general
14 condition for our parks. So, as our staff
15 fluctuates-- we meet on a monthly basis to make sure
16 how do we meet those targets? And so about something
17 I am committed to do, as well as all of our-- from
18 the First Deputy Commission are to our chief
19 operating officer and borough commissioners. This is
20 something we meet on a monthly basis to ensure we are
21 making those targets. So as we see a reduction in
22 ranks, we still have to strategize about how we
23 continue to meet those goals and we are meeting those
24 goals year after year.

2 CHAIRPERSON KOO: Can you explain why all
3 eligible [inaudible 01:44:09] are not staffed with a
4 program associate?

5 COMMISSIONER SILVER: In terms of the
6 playgrounds, I know, growing up, we're all used to
7 that playground associate in the playground. Most of
8 our parks are cleaned by mobile crews. We do not
9 have the resources. I think we have 1000
10 playgrounds. It would be a very different approach,
11 going forward, to have a park worker in each one of
12 those playgrounds. We have moved to a model now
13 where we have mobile crews that will go in and care
14 for those public spaces. There are some parks that
15 does have a playground associate with the comfort
16 station, but right now there is not the budget to
17 have a playground associate in each and every one of
18 our playgrounds.

19 CHAIRPERSON KOO: Going back on the
20 metrics you use to inspect all the playgrounds are
21 all the parks, you said, overall ratings, 88 percent
22 or--

23 COMMISSIONER SILVER: Just give me one
24 second. So, in terms of park cleanliness, the
25 condition, and cleanliness of our parks, of course,

2 is our top priority and, according to this year's
3 preliminary MMR, New York City parks has been
4 consistently over 90 percent for our cleanliness.

5 CHAIRPERSON KOO: Hm. So, who gave you
6 those ratings? Some agency or--

7 COMMISSIONER SILVER: No. We have--

8 CHAIRPERSON KOO: [inaudible 01:45:39]

9 COMMISSIONER SILVER: an audit division.

10 CHAIRPERSON KOO: third party agency or?

11 COMMISSIONER SILVER: Yes. So, we have a
12 parks inspection unit that is separate from
13 maintenance and operation. And they, basically, our
14 auditors. They conduct 6000 detailed inspections
15 each year and that information is compiled and then,
16 as a management team, we come together once a month
17 to review those inspections. And we could determine
18 parks that are not doing well. We have to make some
19 type of change and determine what is going wrong so
20 we can rectify it. So, that is pretty accurate and
21 that is how we focus. And it is very detailed.
22 Whether it is playground equipment, pavement,
23 graffiti, glass, waste from animals-- and we
24 determine how well this park is rating and then we
25 sit down with the borough commissioners and chief of

2 operations and discuss exactly what we need to do.

3 So, this is done every single month and this is why

4 we are able to make sure we meet those targets.

5 CHAIRPERSON KOO: How do you ensure that

6 all the bathroom, parks or playgrounds have soap and

7 toilet paper? Soap is really important to wash their

8 hands, no?

9 COMMISSIONER SILVER: Even today. Extra

10 important.

11 CHAIRPERSON KOO: Yeah.

12 COMMISSIONER SILVER: That's part of the

13 inspection, as well. The inspectors will go out, go

14 into the bathroom, determine the toilet, the soap, is

15 a claim? So that is also part of the inspection of

16 the 6000 that I had mentioned earlier.

17 CHAIRPERSON KOO: If a park user goes into

18 the bathroom and finds no toilet paper, does he or

19 she have a remedy to call somebody? Hey, some

20 bathroom papers or if they are low on soap in the

21 dispenser?

22 COMMISSIONER SILVER: We have protocol

23 about how often both toilet and soap-- the bathrooms

24 are serviced. That should not happen. If it does

25 happen, we would have to tell them to call the agency

2 or 311. That is unacceptable. It is our goal to
3 make sure the bathrooms have both soap-- but it
4 needs to function for the public.

5 CHAIRPERSON KOO: Yeah. Because,
6 personally, when I go to the park and I went in the
7 bathroom, usually, they are not up to the standard.
8 You know? Because they have water all over the floor
9 because nobody mopped the floor there. And people
10 wash their hands and majors dripped all the waters on
11 the floor.

12 COMMISSIONER SILVER: We have standards
13 about how often those comfort stations are cleaned.
14 Anything like that, of course, is unacceptable. But,
15 based on our inspections, we are not finding that.
16 If it is so, it is noted and then we talk to the
17 supervisor to ensure that that gets rectified.

18 CHAIRPERSON KOO: Maybe, we can use some
19 outside agency to like-- outside groups like secret
20 shoppers. Right? Hires some senior volunteers so
21 they can do the reading for you.

22 COMMISSIONER SILVER: We have, basically,
23 within our agency. It's like an audit division.
24 They are separate from maintenance and--

25 CHAIRPERSON KOO: Yeah. Separate.

2 COMMISSIONER SILVER: They report to
3 someone different. So they actually are the outside
4 secret shoppers. And, as a Commissioner, I'm also a
5 secret shopper that I am known to go to parks off
6 duty to inspect them myself and, yes, there are
7 visits to comfort stations so I can first hand. And
8 I've been pleasantly surprised. Literally all have
9 been in very good conditions.

10 CHAIRPERSON KOO: Yeah. Really--

11 COMMISSIONER SILVER: And staff is aware
12 I do make these--

13 CHAIRPERSON KOO: [inaudible 01:48:47]

14 COMMISSIONER SILVER: secret shopper
15 visits.

16 CHAIRPERSON KOO: All right. So, I have
17 two more sets of questions. And so at the last
18 budget adoption of the Council, the Council provided
19 500 [inaudible 01:49:02] million dollars for a parks
20 equity initiative, of which the majority of the
21 funding support efforts to do programming in small
22 neighborhood parks. Can you provide the committee
23 with a status update on the impact of this initiative
24 is on parks programming?

2 COMMISSIONER SILVER: Well, we are very
3 pleased that, from your finding, one is but, based
4 upon my notes, it was 5.8 million that had 312
5 discretionary allocation. About 3.4 that is active
6 third-party awards and 91 percent are nearing the
7 contacting phase. 2.2 million directly to parks.
8 Nearly all on their way to implementation,
9 contributing to dozens of movie nights, family fun
10 days, playground Associates, as well as field in
11 court improvements. Also, we were able to fully fund
12 a staff members through partnership for parks to work
13 on technical issues and assistance teams with a lot
14 of our parks groups. So, this money was put to good
15 use and we want to thank you for making that
16 contribution because it has been a valuable addition
17 to working with our partners.

18 CHAIRPERSON KOO: So, today, is the
19 program meeting its intended goals of enhancing
20 programming in smaller parks? And what indicators
21 are you using?

22 COMMISSIONER SILVER: Well, one we have
23 serviced and our parks in general 1.9 million
24 children, both through the Council programs to our
25 public programs. We tried to activate our parks as

2 much as possible. We also work with partnership for
3 parks that a number of events, so we know that
4 activating parks is the best way to keep our parks
5 safe. Good uses tend to push out bad uses. And so,
6 for us, having the social gathering events-- of
7 course, we're going to have to change our protocol
8 going forward-- help provide a great experience for
9 New Yorkers. So, this is something we find extremely
10 valuable.

11 CHAIRPERSON KOO: As Chair of the
12 Committee, I would like to encourage the department
13 to do more program involving youngsters and adults
14 for physical exercise because like the general public
15 now, there are many, many reports that say almost
16 half of the population is obese, morbidly obese, no?
17 So, in general, when people are obese, we have to pay
18 their bills when they go to the emergency room's or
19 hospital stays. And so it would be nice that the
20 department creates more outdoor activities to
21 encourage youngsters to come in and do whatever--

22 COMMISSIONER SILVER: Right.

23 CHAIRPERSON KOO: physical exercise and
24 dances or all these things. And, especially some
25 senior citizens, too. I encourage them until walk

2 and do their daily walking. 10,000 steps or 58,000
3 stabs of day. All those things and may have some
4 rewards for them.

5 COMMISSIONER SILVER: Council member, I
6 agree with you. In light of the current epidemic, we
7 are just taking a pause until we make sure, as we
8 ramp up our programming going forward, we will be
9 taking guidance from the Department of Mental Health
10 about how we're going to program our activities in
11 the future. But, clearly, there is no question. The
12 parks department has a history of providing program
13 shape up, specifically for seniors, walking groups.
14 We have kids in motion for our children. We
15 understand the importance of having healthy New
16 Yorkers and parks is one of the main destinations for
17 that.

18 CHAIRPERSON KOO: Thank you. The last
19 question is on parks security. The fiscal 2021
20 preliminary capital commitments include 27 million
21 dollars for parks security measures citywide. Can
22 you provide the committee with some details on this
23 project? We know that [inaudible 01:53:05] are
24 already active. What is the scheduled completion
25 date for these sites?

2 COMMISSIONER SILVER: In terms of the
3 security measures, this is ongoing analysis. This is
4 a result of unfortunate potential security measures
5 of vehicles that could get access to our parks and
6 create harm. We are examining some of our more high
7 profile parks that work is underway about how we can
8 secure those parks from vehicles entering the parks
9 and creating harm to our park goers and our visitors.
10 So, that right now is ongoing. We can come back to
11 you once we have a more specific example. But there
12 are locations, hot spots so to speak, where we are
13 looking to put in some security measures to prevent
14 vehicles from accessing public areas.

15 CHAIRPERSON KOO: So, how many more sites
16 will this entire project include?

17 COMMISSIONER SILVER: We're working with
18 NYPD and our own homeland security to determine what
19 are the proper locations. We do have them. And so
20 we can talk to you specifically where they are. If
21 you notice, for example, Times Square is a location
22 that have been secured. We have other big
23 destination that-- Coney Island and others that we
24 want to make sure our secured for the public to enjoy
25 it without the threat of been the terrorist incident.

2 CHAIRPERSON KOO: Any question from our
3 members? Seeing men, thank you very much. Yeah.

4 COMMISSIONER SILVER: All right. Thank
5 you.

6 CHAIRPERSON KOO: Now, we go to public
7 participation. Due to the amount of people who want
8 to speak, so everyone is mandated to two minutes
9 each.

10 [background comments]

11 CHAIRPERSON KOO: The first panel will be
12 Emily Walker, New Yorkers for Parks, and Julie Tye,
13 NYLCU, and Heather Newbaugh, City Parks Foundation.

14 [background comments]

15 CHAIRPERSON KOO: You may start. Please
16 identify yourself first.

17 EMILY WALKER: Thank you. Good
18 afternoon. My name is Emily Walker and I am the
19 director of outreach and programs for New Yorkers for
20 Parks. Our organization is a founding member of the
21 Play Fair coalition which now includes over 230
22 organizations from every corner of New York City.
23 Many of our coalition partners are here with us
24 today, both virtually and in person to testify about
25 the importance of adequately funding our parks and we

2 thank the city Council committee on parks and
3 recreation for inviting us to speak about the FY 20--
4 FY 21 preliminary budget. Last year, the city
5 Council and Mayor made a historic investment of 44
6 million dollars to increase the expense budget for
7 NYC parks, as a result of our coalition's advocacy.
8 This additional funding was just a start, however,
9 towards addressing decades of chronic disinvestment
10 in our cities Park system. Today, we urge you to not
11 just preserve last year's hard-fought funding, but to
12 continue resources for NYC parks. To that end, we
13 are asking the city to commit an additional 200
14 million dollars to the preliminary budget for parks
15 in FY 21. A 100 million dollar increase in the
16 expense budget and a 100 million dollar increase in
17 the capital budget. NY for P and the Play Fair
18 coalition firmly believe that now is the time for the
19 city to invest in both the infrastructure of our
20 parks and the people that keep them clean, safe, and
21 beautiful. Now is the time to Play Fair for parks.
22 The most critical need is to make a 342 jobs created
23 by last year's funding from the Council permanent.
24 We believe these positions should be base lined by
25 the administration as it is unfair for the

2 neighborhoods citywide who are now seeing the results
3 and benefits of these increased staff to lose those
4 benefits and it is unfair to the hard-working New
5 Yorkers that now fill these Parks positions. For the
6 second year, we are also asking for funding to place
7 more fixed post crews at all eligible NYC parks
8 properties and to expand the zone management program
9 to serve more of our city's largest parks. Our Play
10 Fair coalition's new expense asks center on meeting
11 the chronic maintenance and operation needs of our
12 parks and gardens. We support funding pathways to
13 create permanent employment. I'm going to raise
14 through this. I do want to note that, last year, the
15 Council funded historic improvements and resources
16 for community gardens citywide. This was an
17 important and necessary first step, intended to
18 benefit all community gardens and gardeners who help
19 build healthier neighborhoods across the city. We
20 call on the city to maintain this investment, but
21 also ask that this funding truly reach every
22 community garden, regardless of license status.
23 Community gardeners have helped create resilient
24 neighborhoods for decades and their work deserves
25 recognition and investment. I will in quickly to say

2 that the full details of our ask our and our written
3 testimony, but I believe now, more than ever, our
4 parks are going to be, more pressing resource for
5 neighbor as we face this public health crisis and we
6 ask the Counsel to stand with us today in pushing for
7 200 million dollar addition to the budget. Thank
8 you.

9 CHAIRPERSON KOO: We have your full
10 testimony here. Yeah. So, next we will--

11 JULIE TYE: Am I on now? There we go.
12 Good afternoon. My name is Julie Tye. I am
13 president of the New York League of Conservation
14 Voters. We represent over 31,000 members in New York
15 City and we are committed to advancing a
16 sustainability agenda to make our people, our
17 neighborhoods, and our economy healthier and more
18 resilient. And thank you, Chair Koo, for the
19 opportunity to testify before the committee on the
20 fiscal 2021 budget. I want to start by saying thank
21 you. Last year you provided of 44 million dollar
22 increase to the parks, providing job certainty for
23 over 150 Park workers, adding PEP officers and urban
24 rangers and making investments and parks and all five
25 boroughs and we heard some of the great results of

1 that during Commissioner Silver's testimony. This
2 year, is Emily noted, in the second year of the Play
3 Fair campaign, our coalition is asking for the city
4 to commit 200 million dollars in additional funding
5 for the parks department, 100 million dollars for the
6 expense budget and the capital budget. We know that
7 the Mayor has identified in One NYC, great number of
8 environmental transportation and public health
9 priorities and our city is staring down a crisis of
10 existential importance, on top of the current public
11 health crisis. It is incumbent upon our elected
12 leaders to invest our tax dollars in climate actions
13 and solutions. The city's parks department plays a
14 critical role in that fight. We know that the parks
15 and green spaces are really the city's most valuable
16 assets from the environment. They provide the urban
17 tree canopy, which mitigates climate change, provides
18 clean air and habitats for native wild lives, and
19 contributes to the well-being of our residents and
20 our economy and preserving these spaces is the top
21 priority for us. The 2.6 million trees and parks
22 that the parks department is possible for removed
23 1300 tons of pollutants from the atmosphere and store
24 1 million tons of carbon each year. They are vital

2 for mitigating urban heat island effect and can lower
3 temperatures by up to nine degrees, cutting air-
4 conditioning use by 30 percent and reducing sheet and
5 energy is by further 20 percent. The New York City
6 parks also contribute to our resiliency by capturing
7 more than 2 billion gallons of storm water runoff.
8 Park use is surging to record levels and we don't
9 expect that that is going to slow down even despite
10 this current crisis. So, we are proud of being
11 members of this coalition and I again. As we
12 mentioned, there is more details of what our campaign
13 is asking for an hour budget, but we certainly want
14 to make sure that we are base lining those employees
15 that were added last year, adding additional staff,
16 making sure that we are dedicating the funding for
17 the framework, the Forrest framework management plan,
18 and provide an the critical capital needs that are
19 available. So, we would be happy to answer
20 questions.

21 CHAIRPERSON KOO: Thank you. Next.

22 HEATHER LUBAUB: Hi. I'm Heather Lubaub.
23 I'm the head of City Parks Foundation. We are a
24 private, nonprofit organization that works closely
25 with the parks department tampering programming to

2 New Yorkers and their parks all throughout the city
3 and, in particular, we work closely with the agency
4 partnerships for parks. I think we all agree that
5 our cities parks are our most fundamentally
6 Democratic public spaces, so we reached 310,000 New
7 Yorkers of all ages every year through Summer Stage,
8 the Swedish Cottage Marionette Theater, the puppet
9 Mobile, free sports programming, environmental
10 education programming, and, of course, partnerships
11 for parks. Everything we need to do is centered on
12 the fact that parks are important centers of
13 community, so I want to let everyone know that our
14 staff and board are deeply committed to resuming our
15 free programs and parks as soon as we possibly can
16 because we think that those free programs will be
17 increasing we relied upon during difficult times.
18 Chairman, you had mentioned the Parks Equity
19 Initiative. It has allowed us to expand our free
20 arts, sports, and educational programming. We have
21 added 12 partially funded staff members to the
22 partnerships for parks, we have added senior fitness
23 sites, we have added new sports programs for kids.
24 We have added to after school environmental education
25 programs. We have been able to bring more prominent

2 artists to Summer Stage, and we expanded partnership
3 for parks to support all of the community volunteers
4 with whom we work through workshops, through small
5 grants, through visioning programs, through
6 mentorship, and through the catalyst intensive
7 program, which is mentioned in the Commissioner's
8 testimony. We continue to save a demand-- our
9 demand increase for volunteer projects across the
10 city, which makes Parks Equity Initiative
11 particularly important. Last summer, thanks to
12 capital funding from the Council, we opened our newly
13 refurbished Summer Stage at rooms the playfield in
14 Central Park. And so, we really appreciate the
15 cities continued partnership on this important
16 program as we continue to improve our venue and
17 provide diverse performing arts programming all free
18 of charge. Most importantly, though, we are a proud
19 member of the Play Fair coalition, so we asked the
20 city to continue investing in our public parks and
21 green spaces. Thank you.

22 CHAIRPERSON KOO: Thank you for all your
23 advocacy. Okay. So, we have our next group. Or any
24 questions for--? Thank you. The next group will be

2 Joel Pulia, Marlana Gigga, and Stacie Garlunda, and
3 Ralph Basilles.

4 [background comments]

5 CHAIRPERSON KOO: Yeah. Ralph Basilles
6 from Local 983. Yeah. Yeah.

7 UNIDENTIFIED: Okay. Good afternoon,
8 Chair Koo, and the rest of the city Council people.
9 Happy Friday the 13th.

10 CHAIRPERSON KOO: Thank you.

11 UNIDENTIFIED: Okay. I know you have a
12 lot of difficult tasks, a lot of difficult decisions
13 to make and I appreciate all the good work that you
14 have done in the past. It is critical that we don't
15 lose any PEP officers. So, the ones that we
16 currently have from the last budget, the 80 plus the
17 50 rangers, it is key, it is essential that we do not
18 lose them. Again, this does not solve the problem.
19 Right? They barely, you know, are able to get out
20 into the field. It takes three months, as you heard,
21 for the parks department to train these individuals.
22 A lot of these people are still in the Academy. They
23 are not even have their foot on the ground in and for
24 them to be in job jeopardy is ludicrous. We need to
25 expand our numbers. If you look at NYPD, they have

2 28-- excuse me. 38,000 police officers. They have
3 4500 auxiliary police officers. School safety.
4 There is 5000 of them in the schools of New York City
5 and we have approximately 3000 traffic agents. We
6 have 250 PEP officers. We have over 3000 acres of
7 parkland. We have over 5000 buildings that the parks
8 department operates and needs numbers cannot continue
9 to adequately keep people safe in these parks and in
10 these facilities. And once the summer comes, all our
11 resources are deployed to the pools and beaches.
12 Again, I appreciate all your efforts, but, again, we
13 need thousands, not hundreds, of these individuals.
14 Okay? And I know I am talking to our friends and you
15 guys have been, again, wonderful, but we need to
16 really make these changes, especially now in these
17 times where we are involved in a pandemic. You know,
18 we need these people. We cannot work from home.
19 We've heard a lot of this work from home during this
20 crisis. Guess what? These individuals can't work
21 from home. You cannot do enforcement at home. You
22 know? You need them out in the field. You need to
23 keep the parks safe. They are first responders. I
24 hear the words eyes and ears. Oh, guess what? When
25 you are involved in an incident, you have to respond.

2 They are peace officers. They affect arrests. They
3 don't call the cops and say, here, I've got a bad
4 person. You know, they affected. They go to the
5 precincts. They process it and I don't want to take
6 a more time--

7 CHAIRPERSON KOO: Thank you. Yeah.

8 UNIDENTIFIED: But I'm open to
9 questions. Thank you.

10 CHAIRPERSON KOO: Thank you very much.
11 Next. Yeah.

12 MARLENA GIGGA: Good afternoon. My name
13 is Marlana Gigga. I've been a PEP officer for 20
14 years and the PEP officers and the Ranger have been
15 on the frontline of New York City in many aspects.
16 We were 911-- we were responders. The plane crash
17 on the Hudson, we responded. The retaining wall
18 uptown and also the terrorist attack on the West side
19 Highway, it was a parks officer about first call that
20 incident in. We respond to any calls to protect New
21 York City, putting our own safety before the public.
22 Our office serves our law enforcement officers, not
23 eyes and ears. We make arrests for anything from
24 illegal vending to assault, just to name a few.
25 Unfortunately, morale is at an all-time low because

2 of the working conditions, the lack of commands, this
3 phase, the overcrowding, the lack of vehicles, and
4 the current salaries at 50,000 dollars. We have an
5 extremely high turnover rate and the administration
6 does not also back there officers when they do their
7 job. This is why the attrition will not change.
8 Please help us support our officers. The parks will
9 fail if no one is making sure they are safe. I am
10 proudly from the Bronx. We have the highest
11 parkland, as you listened to the testimony. We have
12 the lowest amount of parks personnel, including PEP
13 and maintenance. So, we have to do better. I too
14 make it clear that we do not patrol with NYPD and it
15 is a slap in the face to constantly hear that. While
16 on patrol, whatever we see we take action and we make
17 the arrest ourselves. We would also like to ask for
18 more money in the budget for maintenance. APSW's,
19 the parks department is constantly outsourcing. Our
20 employee can do this ourselves, as far as cities
21 seasonally, we would like to have the city seasonal
22 aid in each park. Thank you.

23 CHAIRPERSON KOO: Thank you. Next. Yeah.

24 RALPH BASILLES: hello, everyone. My
25 name is Ralph Basilles. I've been a parks

2 enforcement officer for 15 years and I just want to
3 touch on the fact that we are always pleased down as
4 I was in the years. That is completely not the case.
5 In my own personal experiences, I have responded to
6 domestic violence and now parks to attempted rapes to
7 successful rapes, vandalism. During hurricane Sandy,
8 folks were scrapping out in Rockaway Beach. They had
9 us making arrests for scrapping people. We are not
10 just eyes and ears and we are constantly, constantly
11 downplayed and we are being told, oh, they are eyes
12 and ears. They don't handle this. When major
13 companies to construction within the park, they cause
14 damage. When there is a legal tree cards, you know
15 who they send off of parks property to serve the
16 summonses? They send parks rangers. That is not
17 quality of life issues. Not to mention, any quality
18 of life issue has the potential to raise to a felony
19 level. There is derelict vehicles in the park. We
20 go and check those. Guess what? That is grand theft
21 auto. We have to figure out, and, contact towing,
22 get rid of them. I'm just here to speak on behalf of
23 all the urban park rangers citywide, like my partners
24 here. The job is constantly downplayed. We need
25 more park rangers. We need more vehicles and we need

2 more money. Their salary needs to raise. They are
3 dealing with so much stuff that somehow is masked and
4 it goes under the carpet, intentional or not, it is
5 happening. Parks department needs to hire more PEP,
6 more money, and more vehicles. Thank you.

7 CHAIRPERSON KOO: Next, please.

8 STACIE GARUNDA: Thanks, Dan. Hi, my
9 name is Stacie Garunda. I have a gardener one Fort
10 Ryan Park. I am actually one of the 15 new gardeners
11 that were higher this year, so I'm very grateful for
12 the budget and I am grateful for all the amazing
13 gardeners that are part of our New York City parks
14 system. We do play a very vital role because, aside
15 from like the general presence in the park, we do
16 keep a lot of spaces cleaned, as mentioned earlier.
17 We take spaces that are just a weed infested,
18 complete eyesores, potential for being health hazards
19 due to the rats and dumb thing, and we turn them into
20 beautiful space is that is used by the public and
21 economic value to the nearby houses and it is just
22 something a lot of New Yorkers really do enjoy. I
23 would like to ask to keep the baseline for gardeners
24 that we have now and possibly add more. We have, as
25 we said earlier, 14 percent of the lands have been

2 taken care of. A very limited amount of gardeners.
3 It is important to keep in mind when we complete a
4 project, create a new garden. These things need to
5 be cared for in the long term. The growing season
6 does seem to end in winter, but we are always staying
7 busy. We are always planning ahead. We are very
8 skilled workers. We've taken so many classes to
9 prepare for the next growing season and gardeners are
10 just something that people do not think much of it
11 until summer comes and everything is in full swing.
12 So, us gardeners love our jobs and we want to keep on
13 providing New York City a very clean, adequate,
14 beautiful space that everyone can enjoy. Thank you.

15 CHAIRPERSON KOO: We are also joined by
16 Daniel Clay, personal local 1507. DC 37. Thank you.

17 DANIEL CLAY: Hi, there, Chairman Koo. Hi,
18 again. Hi, everybody else. Yes. I'm Daniel Clay.
19 I'm a gardener of 15 years now for New York City and
20 9 AM very, very proud to the rappers and our local
21 and our staff and I would like to thank you guys for
22 all that you have done in base lining our last 50
23 provisional gardeners and the additional staff, as
24 well as everything else, to the green thumb workers
25 and everything else you have done. And I would like

2 to ask that you do even more because there is so much
3 to do out there. There are plantings and parks in
4 underserved communities that just look drab and
5 woodlands that so quickly fell with thorny vines and
6 poison ivy and garbage and rants and we gardeners and
7 just all the boots on the ground, we are spread so
8 thin in the 39,000 acres of parkland. And there is
9 just a tremendous amount of work to do that we love
10 doing and-- one second. And, yeah. So, I would
11 just like to thank you and, hopefully, things get
12 better in the future. All right? Thanks again.

13 COUNCIL MEMBER HOLDEN: Yeah. I have a
14 question. I have a question for the PEP officers.
15 You heard the Commissioners say that you handle
16 quality-of-life. Now, are you told that if you see a
17 crime in progress, to back off and call the police?

18 MARLENA GIGGA: So, because the way our
19 special patrolmen and peace officers, that is
20 absolutely not the case. No matter what it is that
21 is going on, and if we are called there by central
22 communications or we happen to be on patrol and we
23 see a crime taking place, we must take action.

24 COUNCIL MEMBER HOLDEN: So, you must take
25 action and you are in harm's way. So, you are not

2 told to call the police for backup. You have to take
3 action if you see vandalism, if you see somebody
4 lighting a fire or anything or vandalizing play
5 equipment in progress, you act?

6 MARLENA GIGGA: We take action.
7 Absolutely. Is there is a safety issue where there
8 is multiple people involved, a crowd involved, then,
9 in that case, we may call for additional units and
10 for NYPD.

11 COUNCIL MEMBER HOLDEN: Okay.

12 RALPH BASILLES: I just want to say that
13 PEP officers are 24 hour peace officers, so whether
14 or not, and pursuant to their duties, they still can
15 affect arrests and, again, when they are first
16 responders, they have to handle that situation at
17 hand. If there is a need for NYPD were firearms, for
18 example, are involved, they do call for backup and
19 NYPD does respond. Again, they are proactive, not
20 reactive. When NYPD usually interferes or
21 intervenes, I should say, it is usually because they
22 are called upon and then leave the scene.

23 COUNCIL MEMBER HOLDEN: So, even if you
24 are-- let's say you are on your way home and you see

2 something, a crime in progress, you are told to take
3 action?

4 RALPH BASILLES: Well, we have the powers
5 to take action.

6 COUNCIL MEMBER HOLDEN: You have the power,
7 but does that happen?

8 RALPH BASILLES: It has happened and, as
9 peace officers, we do have a moral obligation--

10 COUNCIL MEMBER HOLDEN: Right.

11 RALPH BASILLES: To intervene. Yes.

12 COUNCIL MEMBER HOLDEN: Right. So did you
13 take offense to that remark about quality of life?

14 That that's what you're doing?

15 RALPH BASILLES: Well, I think the intent
16 is the quality of life and that's what parks--

17 COUNCIL MEMBER HOLDEN: That's the intent,
18 but did you take--

19 RALPH BASILLES: but the reality--

20 COUNCIL MEMBER HOLDEN: I feel that you
21 guys don't like that comment.

22 RALPH BASILLES: What happens is, because
23 what they do on a day-to-day basis involves more than
24 that and I think they feel like they are downplayed
25 into thinking that this is what they are limited to

2 and it is not the case. That, in fact, like, for
3 example, during 9/11, during Sandy, there were
4 actually there and they had to take action and right
5 there at the moment's notice. They had no time to
6 think or call other people. They just intervened and
7 they were there to help, you know--

8 COUNCIL MEMBER HOLDEN: Okay.

9 RALPH BASILLES: you know, the people
10 that area in parks.

11 COUNCIL MEMBER HOLDEN: Great.

12 RALPH BASILLES: Thank you.

13 COUNCIL MEMBER HOLDEN: Great. Okay.
14 Thank you. Thank you, Chair. Thank you. All the
15 best.

16 CHAIRPERSON KOO: The next group is--
17 first it's Rosanne Delgado, Friends of Pelham
18 Parkway, Scott Daley, New York Junior Tennis, Eva
19 Murfeson from Green Thumb, and Maureen Kelly from
20 [inaudible 02:18:35] Cultural.

21 UNIDENTIFIED: They said we can only do
22 four at a time.

23 CHAIRPERSON KOO: Yeah.

24 UNIDENTIFIED: So, we'll have to keep
25 it at four.

2 CHAIRPERSON KOO: Please identify yourself
3 and start. Yeah.

4 ROXANNE DELGADO: Yes. Hello, Chair. My
5 name is Roxanne Delgado with Friends of Pelham
6 Parkway. I'd like to say when I was sitting down, I
7 heard your words, the parks receives less than half
8 than one percent of the city budget for maintenance
9 and operations, yet it receives over four percent for
10 capital budgeting. And, yet, have Commissioner
11 Silver stated that in renovated parks, they received
12 an increase of 50 percent usage. So that means to me
13 we're getting less percent wise for the budget for
14 operation and maintenance and we are receiving more
15 usage of parks. That already is an issue. Just the
16 number itself. You don't even have to look in any
17 parks or any pictures. Anyone who analyzes the
18 number knows that we are heading towards the wrong
19 direction. The Mayor and OMB-- and I know we have
20 the city Council support, mostly of the city Council
21 and we appreciate that, but we need the mayor and OMB
22 to step up because we cannot continue playing this
23 game every year. Everyone wants to save the world,
24 which is great. I love saving the planet, but no one
25 wants to take care. And that's an issue. If you

2 can't even take care of your own parks, you are not
3 in the business of saving this planet. And second,
4 Chair parks, would like to say that regarding the 311
5 complaints, it does go to central communication. The
6 issue is not that it doesn't go. It takes over 72
7 hours before they receive it and before 311 processes
8 it and sends it to wherever parks unit, whether it is
9 parking enforcement or maintenance. It takes almost
10 72 hours. Now, that's okay if it is a dirty bench,
11 but when it comes to a legal barbecuing or someone
12 driving the motorbike in the park, that has to be
13 addressed in a timely manner. And the NYPD is not of
14 any assistance. They do respond to crimes of
15 violence, but when it comes to like quality of life
16 issues like illegal barbecuing, fireworks, large
17 gatherings, they will not address it. I've tried
18 calling the directly myself. They say they have
19 other issues to deal with. Now, regarding upkeep,
20 yes, they do upkeep equipment, but they are not up
21 keeping the trees and equipment can always be
22 replaced. Truth cannot be replaced. The lack of
23 upkeep of our trees is very sad, not just in the
24 Bronx. City wide. And regarding Orchard Beach, 100
25 percent guest concession stands on Orchard Beach

2 because, like the Chair said, we do have an issue of
3 obesity and, unfortunately, the Bronx and 62, so we
4 need less food in the park. Actually, concession
5 stands are negative and the park land. They actually
6 cause more money, taxpayers subsidizing on up keeping
7 these trash and rat issues that, concession stand.
8 We cannot make money on parks. If you want to make
9 money off parks, we've already lost the battle.
10 Thank you so much. Sorry.

11 CHAIRPERSON KOO: Thank you.

12 SCOTT DALEY: Good afternoon, Chairman Koo,
13 Council member Holden, my name is Scott Daley. I'm
14 the senior director of the New York Junior Tennis and
15 Learning free tennis program for kids and teens
16 throughout the five boroughs of the city of New York.
17 I am here to support the parks in any way I possibly
18 can. We service NYJTL through the parks. We are
19 located in 27 different parks. We run programs that
20 run from eight weeks to 20 weeks. We run all four
21 seasons a year. We are indoors at the National
22 Tennis Center. We have parks in the Bronx from
23 Crotona until Williams Bridge to the Brooklyn to
24 McDonald to Sparen Day [sp?] and in Manhattan, Seward
25 Park, Jackie Robinson. Over there in Queens, Juniper

2 Valley, Forest Park, and the list goes on and on and
3 on. Promenade Park. We couldn't do this without the
4 support of the city Council. We have asked for this
5 year, in our applications to the city, 1.2 million
6 dollars. We have been receiving, for the last 13
7 years we have been receiving 800,000 dollars. Go
8 back that far and you'll realize that, at that time
9 in 2008, budgets were cut all over the place. We are
10 seeking our restoration. We service over 85,000 kids
11 a year. We need the money. Back in 2008, the
12 minimum wage was six dollars 50 cents. Now, I have
13 to pay everybody 15 dollars just to start. Again, we
14 are seeking that restoration. We would be grateful
15 for anything you can do. Obviously, we want to hold
16 on what we have. We need your help. We will give
17 additional hours. There will be additional
18 programming. You have my full testimony up there. I
19 will gladly answer any questions and I thank you for
20 your time.

21 CHAIRPERSON KOO: Thank you.

22 SCOTT DALEY: Thank you.

23 CHAIRPERSON KOO: No questions? Next,
24 please. Yeah.

2 UNIDENTIFIED: Can you hear me? Okay.

3 Good afternoon, everyone. Thank you, Chairman Koo,
4 for having me here. I do not have a prepared
5 statement. I am just a community gardener from
6 Bedford Stuyvesant. I've been gardening for the last
7 25 years and I am informed Gardens and Bedford
8 Stuyvesant. On the parks committee, advocate for
9 community gardeners and I am here in support of
10 strengthening the budget for Green Thumb. Green
11 Thumb was created in the 70s to address and attend to
12 the issues of stakeholder gardeners that I've created
13 this movement. Before [inaudible 02:24:19], believe
14 it or not, the 60s, 50s, and we have come a long way
15 and we take credit for how the agency has bloomed and
16 blossomed then we would like that to continue. There
17 are issues on the record we want to stay with the new
18 licensing agreement that we are not in agreement with
19 and we want the record to state that we are in
20 support of working with the agency to address those
21 issues. But having said that, we still want to
22 continue-- the agency to continue to be able to
23 respond to the needs of community gardeners. And
24 then gardener that have been established all these
25 many years, we do need infrastructure. We have

2 infrastructure issues. We want to take it to the
3 next level. The last go around, parks budget was 40
4 million. 1 million was for community gardeners. We
5 are asking that is considered to even strengthen that
6 number because Green Thumb actually the only agent
7 say remaining that is able to respond to our needs
8 for materials that we use in the garden,
9 infrastructure issues like fencing. We would hope
10 that we would be able to take us to the next level to
11 give us-- actually give us water. To address the
12 issues of adding value to the work that we do in the
13 community gardens and to address the issues of an
14 aging infrastructure. And so, I would like to go on
15 the record in support of the agency to strengthen
16 their budget. Our city Council member, Robert
17 Cornegy, is a very active in making sure that happens
18 and we hope that it can continue. I want to say
19 hello to my ally over here, community garden-- New
20 York City Community Garden Coalition. We hope that
21 there's a space for them, too, because we do not
22 consider Green Thumb the anti-Christ. We can all
23 work together and there is power in numbers and,
24 therefore, thank you very much for--

25 CHAIRPERSON KOO: Thank you. Thank you.

2 UNIDENTIFIED: your time.

3 CHAIRPERSON KOO: Next, please.

4 MAUREEN KELLY: Hi. My name is Maureen
5 Kelly.

6 UNIDENTIFIED: Mic.

7 MAUREEN KELLY: Sorry about that. My
8 first time doing this. I'm a natural path exposition
9 and also the local community gardener at La Plaza and
10 not to belabor the point of the licensure agreement,
11 but we have been communicating with Green Thumb, or
12 trying to, on several occasions and sending them
13 many, many documents, meeting with them in person.
14 So, Bill Asasso's [sp?] colleague who was speaking
15 before about how he doesn't know where the documents
16 are, he gets too many documents. That is the
17 complete fallacy because we have met with them in
18 person many, many times asking them to change the
19 document or, at least, negotiate with us, which they
20 refused to do. They changed one part of the document
21 which involved the dogs, so that is something, but
22 gardens, NYCCGC and [inaudible 02:27:15] have tried
23 to communicate on multiple occasions to no avail. I
24 would hope that they would redact the assigned

2 licenses until they can further communicate
3 effectively with us on this issue. Thank you.

4 CHAIRPERSON KOO: Thank you. Any
5 questions?

6 COUNCIL MEMBER HOLDEN: Shout out for
7 Junior Tennis. Scott Daley. It's an amazing
8 program, well spent. Kids have fun. I'd like to
9 expand it, definitely, and I appreciate all your
10 advocacy, by the way, and the community gardens are a
11 valuable, valuable program inside our communities.
12 And but thank you all for your advocacy for parks.
13 Thank you.

14 PANEL: Thank you.

15 CHAIRPERSON KOO: Thank you all. The next
16 group would be Aziz Dehkan from New York Community
17 Gardens, Charles Rizzo from [inaudible 02:28:0]
18 United Neighborhood Gardens and Jose Molina, NYC
19 Parks and Recreation.

20 [background comments]

21 CHAIRPERSON KOO: Please identify yourself
22 and begin.

23 AZIZ DEHKAN: Hi, everyone. My name is
24 Aziz Dehkan. I'm the executive director of the New
25 York City Community Garden Coalition. I have in

1 COMMITTEE ON PARKS AND RECREATION 130
2 front of me the 17 page license that was issued. And
3 it is 10 pages longer than the previous license. And
4 this is what most of the gardeners think of it. If
5 the number is 87 percent of the people who have
6 signed this license, I would suggest to you that 40
7 percent of the have signed under coercion and not
8 coercion and is specifically being denied resources,
9 projects, and told that if they don't sign, they will
10 be locked out. So, you know, discussions are fine,
11 but they haven't discussed with us. Your office,
12 Councilman Koo, has been delayed a month in meeting
13 with them. We have tried to set up meetings with you
14 folks and each time, they have backed off meetings.
15 I'm going to be kind to Sam Biederman. He obfuscates
16 what he was saying about his testimony and,
17 specifically, I will tell you that the event permit
18 is 17 pages. It 17 pages. Says it is one page.
19 Yeah. It is one page to start, and then there is 16
20 pages behind it. 17 seems to be a magical number
21 here, right? So, there is the discrepancy that he
22 describes about between the license in the handbook.
23 The license refers to the handbook and then there are
24 rules and regulations within the handbook and then
25 the handbook refers back to the rules and regulations

2 of the parks department and those three components do
3 not jive with each other and they do not jive with
4 each other and then we have a potential of being put
5 under termination because we are not following rules.
6 Which rules do we follow? And they don't make that
7 clear. Oh, yeah. They'll mail you changes, but
8 those changes may be too late to be sent. Another
9 point they talked about the reason why they do this
10 event thing is because there was trouble at one
11 event. You know, that event was sanctioned by Green
12 Thumb, so they knew exactly what was going to go on
13 at that event. And, finally, the liability issue.
14 Look, this is New York City. I grew up in New York
15 City. This is the greatest city in the world. Are
16 you telling me you can't find a way to get a 300,000
17 liability policy to cover community gardens? It's a
18 rounding error to a rounding error of a rounding
19 error of this budget. It is insane to say this. And
20 they don't even want to come to the table and talk to
21 us. They hide behind legal counsel. We demand--
22 and Commissioner Silver said it today-- you should
23 hold him to this. He says he will meet with us, but
24 don't meet with individual gardeners. Meet with the
25 group. Because when you talk to individual

2 gardeners, you are coercing them to sign. You are
3 telling them that they are going to be locked out.
4 That they can't get projects. I know I am over time.
5 I have to say this. It's not fair. It is not fair
6 to community gardeners who provide 14 million dollars
7 in free labor to the city to the steward city
8 property. It's not fair that we have to go out in
9 the middle of the winter and shovel city sidewalks.
10 We just heard about all these people who are in the
11 parks department who are working. We work for free.
12 Thank you.

13 [applause]

14 CHARLES KREZELL: Yeah. My name is
15 Charles Krezell. I'm the president of LUNGS which is
16 Loisaida United Neighborhood Gardens. I've been a
17 gardener since 1996 on the lower East side. I
18 started LUNGS in 2011. It is a network of the 50
19 community gardens on the lower East side. Of those
20 Gardens, 38 are on parks property. Of those 38, 19
21 have signed this license agreement. The other 19 are
22 still opposed to it and we are very much opposed to
23 it. We have been trying to meet with Green Thumb
24 since September and they have refused to meet with
25 LUNGS and the garden coalition because we represent

2 umbrella groups for the entire gardens. They will
3 now meet with individual gardens and they are trying
4 to separate us. LUNGS last year and 25,000 dollars
5 in parks initiative money. We had six programs that
6 we provided free in the community gardens in my
7 neighborhood, so we are a network, true network, of
8 the gardens in the neighborhood. We have won awards
9 from Green Thumb for being an organized group, but
10 they will not meet with us now. Now, Green Thumb and
11 the parks department are using threats and coercion
12 to get other people to sign. For our purposes right
13 now, Green Thumb and parks are refusing to go along
14 with a HUD-funded capital improvement project for the
15 community gardens in our neighborhood because license
16 agreement has not been signed. So, they're trying to
17 kill a project that would improve city property,
18 capital improvements, green infrastructure. And they
19 will not even meet with us. They will not even
20 respond to us with a phone call or an email. This
21 has been going on since September. And we are at the
22 end of our ropes, really. We are really, really
23 tired of this. We feel like we have gone as far as
24 we can with good will. Well, now we have to go
25 public and make a stink about it and it's not what we

2 want to do. We want to be gardening. We want to
3 work with Green Thumb. We want to match something
4 that we can build upon, not something that is being
5 destroyed. Thank you.

6 [Background comments]

7 JOSE MOLINA: Good morning. My name is
8 José Molina and I am a proud employee of this great
9 agency. I am an associate Park service worker in the
10 Bronx for borough crews. I am here this morning to
11 express the need for a larger budget for the parks
12 department, in general, but especially for the
13 associate Park service worker. I don't understand
14 how we are one of the least budget entitles in the
15 city with having the same entities of other agencies.
16 Let me break it down a little bit on what we do in
17 the parks department. We lay down asphalt, concrete,
18 installed chain link fencing, and repaired guardrails
19 at the same level as the New York City Department of
20 Transportation. We drive 16 cubic yard garbage
21 trucks picking up tons of garbage daily without
22 limitations, unlike sanitation limits their
23 weightlifting to 50 pounds. We also operate plow
24 trucks for snow removal in and around our parks and
25 help the Department of Sanitation with plowing our

2 streets, but at half their pay rate. With all of
3 this, we still have to restore and maintain sports
4 fields. Baseball fields, cricket fields, soccer
5 fields, playgrounds, lawns, pools, beaches, special
6 events, and so many other things with our heavy
7 equipment. We are also the top agency when it comes
8 to storm removal for downed trees all over the city
9 without chainsaws, chippers, and loaders. We are the
10 only title to operate heavy equipment such as the
11 backhoes, the front end loaders, container trucks,
12 skid steers, six yard cubic yard dump trucks rack
13 trucks, bulldozers flatbeds, bucket tractors or all
14 the different changeable units. Serve rakes and
15 garbage trucks. We are very limited to these
16 equipment and are in need for a larger fleet in order
17 to continue maintaining our agencies properties. I
18 believe more money can be utilized by sourcing and
19 hiring more associate Park service workers who can do
20 the same and are doing some of the same work as
21 private contractors, but at a fraction of the cost
22 repairing parks properties. I pray and hope today to
23 please consider a major change in budget for the
24 unsung heroes in the parks department. Thank you
25 very much.

2 CHAIRPERSON KOO: Next, please.

3 UNIDENTIFIED: When it comes to APSW's,
4 like Jose Molina, they do a lot of the work in the
5 parks like paving. They do guard rail. They can do
6 things like build park houses. I think it costs an
7 average, I believe, of 3.6 million dollars for a
8 little park house bathroom. They can do the job.
9 They can do the pavers that you see in all these
10 parks. They can lay that down, again, at a fraction
11 of the cost. Why doesn't the parks department
12 consider insourcing? I know they tried to do it, or
13 so they say, but they never really implemented a
14 viable program that would save the city millions of
15 dollars. Thank you.

16 CHAIRPERSON KOO: So, I do have a question
17 for Mr. Aziz. So, how much produce-- you grow every
18 year? I mean, every season?

19 AZIZ DEHKAN: It really depends on the
20 gardens themselves. It depends on the weather. I
21 mean, we have an early spring. Trees are blooming
22 earlier than I've ever seen them bloom in New York
23 City. There's numbers that I don't have at hand
24 right now, but we produce an awful lot of food.
25 Along those lines, you know, a lot of people talk

2 about the community gardens are in neighborhoods that
3 are underserved and they are underserved with fresh
4 produce, in particular. And, so often, we call these
5 neighborhoods food deserts. Let's be clear about
6 this. These are not food deserts. This is food a
7 part time. This is, pretty much-- the system is
8 against people getting produce and so community
9 gardens are a major source of produce and giving
10 fresh produce where there is none in these
11 neighborhoods. And I can get you those numbers.

12 CHAIRPERSON KOO: So, what he used to with
13 the food and others? You give it away or sell it on
14 the market?

15 AZIZ DEHKAN: Most of them give it away.
16 There are people, you know, they grow for their own
17 growing, actually. They grow for their own use,
18 mostly. Charles, you can insert to that, too.

19 CHARLES KREZELL: Yeah. The gardens in my
20 neighborhood that grow food, they, basically, eat it
21 themselves. They share with the neighbors and
22 everything, but they don't sell it.

23 CHAIRPERSON KOO: Yeah.

24 CHARLES KREZELL: It's for the
25 neighborhood.

2 CHAIRPERSON KOO: So, there's a farmers
3 market for you guys?

4 CHARLES KREZELL: We run a CSA every week
5 out of the garden so people can come and, for 10
6 dollars a week, they can get a bag of fresh produce,
7 but we get it from a farmer upstate in Orange County.
8 We've been doing this for six years now.

9 CHAIRPERSON KOO: So, you only do this as
10 a hobby?

11 CHARLES KREZELL: I'm sorry?

12 AZIZ DEHKAN: I don't know so much as a
13 hobby. I think it's a passion, frankly.

14 CHAIRPERSON KOO: Passion. Okay.

15 AZIZ DEHKAN: Yeah. Yeah. I mean, we
16 steward land in the city and, you know, we try to
17 keep these spaces open and open a people and produce
18 as much food as we possibly can. Not every community
19 garden produces food. But they're called community
20 gardens because they are for communities.

21 CHAIRPERSON KOO: Thank you very much.
22 Thank you.

23 AZIZ DEHKAN: Thank you.

24

25

2 CHAIRPERSON KOO: Finally, the last panel
3 for Yolanda Belcher. East 43rd Street Community
4 Garden. And Elizabeth Maldonada, Community Gardens.

5 [background comments]

6 CHAIRPERSON KOO: Yeah. So, please
7 identify yourself and you may begin.

8 YOLANDA BELCHER: Okay. Good afternoon
9 and thank you, Mr. Koo for inviting us today. My
10 name is Yolanda Belcher and I am the president of
11 East 43rd Street community garden. One of the
12 gardens that was created as a result of a grant from
13 Councilman Jamani's office. So, it started from the
14 beginning when it was an abandoned city lot and it
15 took major construction for us to bring it up to all
16 working condition. But since then, the land was
17 transferred to the parks department because it was
18 leased land at that point. So, I am here to talk
19 about what we did at the community garden. We grow
20 vegetables. My particular box I grow and plant and
21 cucumbers and flowers and things like that and I,
22 basically, donated to the neighbors. I donated to
23 the grocery man around the corner allows us to use
24 his bathroom for kids. What I do is I also volunteer
25 my time to have the kids come into the park and we

2 teach them about mother nature. We also have third-
3 graders who comment to the park and after school
4 programs that we also teach them about mother nature.
5 We have a reading program that we partner with our
6 local Claridan [sp?] public library that come in and
7 bring in books and read to the cave. And they love
8 reading. And after they finish reading, they go to
9 our community bands that may look at the things that
10 they grow. They don't even know where the food comes
11 from, but when they see in the garden, they can
12 actually relate to nowhere the produce is grown.
13 Now, I am here at all so talk about Green Thumb and
14 the relicensing issue that I think is appalling in
15 that they ask us to assume the liability of the
16 premises owner. Now, I'm just a personal person and
17 I can't understand why an owner of the premises would
18 want me responsible for his responsibility to this
19 day. If somebody falls on the sidewalk outside, I
20 have to be responsible for that. I think it is a
21 little bit owner is that we have to be responsible
22 for any and everything. Soil containment. I work
23 and raised bags. The soil was already not good, but
24 I have to be responsible if I sign this relicensing.
25 And let's talk about indemnification. I think there

2 should be an apportionment of value. You are a
3 premises owner. I'm a volunteer. The volunteer work
4 that is not contained and are relicensing is what it
5 takes to do an event planning. I have to create a
6 flyer. I have to reach out to people in itself to
7 make an event worthy. I take 15 hours to create the
8 event and that is not actually running the event and
9 that is not including growing food. You know, there
10 is a lot of labor involved that this relicensing does
11 not include, but it makes sense saying that we are
12 not people. They don't treat as like we are people.
13 I have been a person where Green Thumb, they come in
14 and they're going to build raised beds because mine
15 has been canceled and they say to me, a month after
16 it happened-- Okay. Well, I just wanted to say that
17 Green Thumb doesn't necessarily treat us fairly. And
18 I want to express that.

19 CHAIRPERSON KOO: Okay. Next, please.

20 ELIZABETH RUTH MALDONADO: Hi. My name
21 is Elizabeth Ruth Maldonado. I want to thank the
22 city Council for everything they do for us and also
23 the parks department I appreciate a lot. I use the
24 parks every day. I am an associate professor of
25 humanity is at Boricua College and I've lived in the

2 Lower East Side for 40 years. I've been a community
3 gardener since the 1980s and I can attest to a lot of
4 the things that they are saying. I want to bring our
5 recommendations and demands right up front which I
6 that the gardens should not depend on funding or even
7 on their very existence on whether or not they sign
8 this license until it has been hammered out to the
9 agreement involved. So, that is my recommendation.
10 That you meet with us and that we get that squared
11 away. I want to make an appeal for the culture of
12 New York City and relate that to the gardens because,
13 you know, as New York City, as we look around, it is
14 getting less and less of the people by the people and
15 for the people which is what this room is supposed to
16 be about. So I do get emotional about that because I
17 hear a lot, well, what do you do for us? Well, we
18 are our community. You know, these gardens were
19 started by people and they are being-- a lot of the
20 people who started the gardens are contributing
21 culturally to the community and these license
22 agreements that are trying to get us to apply to be
23 able to gather. I mean, this is a really scary
24 thing, if you think about it. So I want everybody to
25 ask themselves. Do you want our city to be unique

2 and to have the qualities that the community gardens
3 have given it or do you want it to go the way of
4 looking like every other city in the country? If
5 your answer is, yes, you do want that, than please
6 consider your constituents who will be
7 disenfranchised and disempowered, including by-- one
8 of the parks that's being attacked right now which is
9 the East River Park. I have to bring that in the mud
10 time that I have. I'm almost out of time, but it
11 does tie together because we have had a delay in the
12 destruction of the East River Park. The original
13 agreement that was worked out with the community has
14 not been honored and now where there's life, there's
15 hope. So, please, do consider, as we still have our
16 trees, our 1000 old trees in the East River Park and
17 the habitats and also our own habitat because we live
18 outside of our homes in this park every day. So
19 please consider coming to a plan, when the park is
20 going to be modified for flood abatement, that it
21 will consider keeping these things alive and not
22 destroying as has been planned. So thank you.

23 CHAIRPERSON KOO: Thank you, professor.

24 Any questions? Any more public participations?

25 Seeing none, this meeting will be adjourned.

1 COMMITTEE ON PARKS AND RECREATION

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2 [gavel]

3 [background comments]

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C E R T I F I C A T E

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



Date _____ May 27, 2020 _____