

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON FIRE AND EMERGENCY
MANAGEMENT

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APRIL 30, 2018
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HELD AT: 250 Broadway-Committee Rm, 16th Fl.

B E F O R E: JOSEPH C. BORELLI
Chairperson

COUNCIL MEMBERS: Justin Brannan
Alan Maisel
Fernando Cabrera

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

John Sudnik, Chief of Operations, FDNY

James Booth, Chief of EMS, FDNY

Edward Dolen, Deputy Commissioner for Strategy
and Policy, FDNY

John Benanti, Deputy Commissioner for Support
Services, FDNY

Purnima Kapur, Executive Director of City
Planning

Oren Barzilay, President Local 2507

Darryl Chalmers, Deputy Chief Inspector Bureau of
Fire Prevention, FDNY

Michael Reardon, Deputy Chief Inspector, FDNY

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COMMITTEE ON FIRE AND EMERGENCY MANAGEMENT

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3 (UNKNOWN): Test, test This is the
4 Committee on Fire and Emergency Management Services.
5 Today's date is April 30, 2018 and this recording is
6 being recorded by (inaudible).

7

8 CHAIRPERSON BORELLI: Quiet please.
9 [gavel] Good morning everyone. Much to the benefit of
10 all, I have a bit of a cold today so I'll limit my
11 speaking to extremely few things. Good morning, I'm
12 Council Member Joe Borelli, I'm Chair of the
13 Committee on Fire and Emergency Management. I want
14 to thank the public for attending today's hearing and
15 I would like to acknowledge the Committee Members who
16 are here currently. That is just, the only punctual
17 member of the City Council, Justin Brannan, who like
18 me has probably the furthest commute of the Committee
19 Members that are on the Committee. Regarding the
20 subject of today's hearing the Committee will conduct
21 an oversight portion related to Emergency Service
22 needs in response to population shifts in New York
23 City. In addition we will hear three reporting bills,
24 all of which I'm the prime sponsor, Intro. 744 would
25 require the Fire Department to report on emergency

1 medical services supervisor to battalion staffing
2 ratios. Intro. 745 will require the Fire Department
3 to report on the effect of rezoning's between 2002
4 and 2013 on department resources. And Intro. 746
5 would require the Fire Department to annually report
6 on its new needs based on rezoning's that occurred
7 during the previous year. As we all know the FDNY is
8 historical and continues to do an excellent job
9 responding promptly to fire and medical emergencies.
10 During today's oversight portion of the hearing, we
11 want to make sure that this remains the case even as
12 our City has seen a robust increase in population
13 growth over its past decade. Our City's bravest and
14 best continue to have the resources they need to
15 protect the public. We are all interested in
16 examining the overall nature of how the FDNY
17 evaluates and addresses the needs for emergency
18 services when it deals with large population shifts
19 in New York City. We also want to take a look at
20 several areas relating to potential new emergency
21 service needs which include examining the Fire
22 Department's general preparation for increases in
23 population and density for areas where there is a
24 construction boom, and what equation is used by the
25

2 FDNY to prevent inadequate emergency services to
3 areas with an increased population density. Lastly,
4 we hope to learn more about the coordination of
5 efforts made by all City agencies involved in this
6 planning process in addition to the oversight
7 proportion of the hearing, we will hear three bills
8 which I discussed earlier in my opening remarks. We
9 anticipate the Department will provide testimony on
10 this legislation allowing us to get a better
11 understanding of their position on the three bills.
12 It is my firm belief that these bills will allow the
13 Council to identify the FDNY's needs, particularly
14 how such rezoning's impact the Departments needs
15 which regard to personnel, equipment, vehicle and
16 station location. I would ask those members of the
17 Administration who plan to testify to please state
18 your name for the record, and raise your right hand
19 as the Committee Council administers the oath.

20 COMMITTEE COUNCIL: Do you affirm to tell
21 the truth, the whole truth and nothing but the truth,
22 in your testimony before this committee and to
23 respond honestly to Council Member questions?

24 CHIEF SUDNIK: Good morning, John Sudnik,
25 Chief of Operations, I do.

2 DEPUTY COMMISSIONER DOLAN: Ed Dolan,
3 Deputy Commissioner for Strategy and Policy, I do.

4 CHIEF BOOTH: James Booth, Chief of EMS, I
5 do.

6 DEPUTY COMMISSIONER BENANTI: John
7 Benanti, Deputy Commissioner of Support Services, I
8 do.

9 CHIEF SUDNIK: Good morning, Chair
10 Borelli, and all of the Council Members present. My
11 name is John Sudnik and I am the Chief of Operations
12 for the New York City Fire Department. I am joined
13 today by Chief of EMS, James Booth. Deputy
14 Commissioner for Support Services, John Benanti. And
15 Deputy Commissioner for Strategic Initiatives, Edward
16 Dolan. Thank you for the opportunity to speak with
17 you today about evaluating Emergency Service needs in
18 response to population shifts. As the Council Members
19 present are aware, New York City has seen a steady
20 increase in real estate development in the past 10 to
21 15 years due to rezoning and re-development
22 throughout the City. We know that there are
23 additional rezoning's planned and likely more coming.
24 The demand for Fire and Emergency Medical Services
25 has increased in recent years and it is expected to

1 continue increasing as additional development
2 projects are completed in the next 15 to 20 years.
3 While in the past, the Department has always work
4 with the Mayor's Office and our partner agencies to
5 ensure that we could provide sufficient coverage to
6 meet growing needs, the recent spate of large scale
7 development has resulted in us taking an even more
8 proactive approach. We know from experience that
9 Capital Projects to build or expand Department
10 resources can take a long time to develop. So we are
11 currently improving and streamlining this process.
12 Generally speaking, the Fire Department comes to a
13 decision to build new facilities in a few different
14 ways. Sometimes we are forced to adapt to emergency
15 conditions such as the closure of a hospital that
16 hosts an EMS station. Other times, (clears throat)
17 excuse me, other times the decision to create a new
18 or different facility is driven by a trend in
19 response times that we want to address. In some cases
20 we are able to convert existing Fire Department
21 facilities into a different type of resource such as
22 an EMS station. In other cases, we work with fellow
23 City agencies such as the Department of City
24 Planning, and the Department of City Wide

2 Administrative Services to find locations that are
3 suitable for our operational needs. The Departments
4 Management Analysis and Planning Unit, along with my
5 team, the Bureau of Operations, monitors and
6 evaluates both daily and long term performance
7 metrics including incident responses and type
8 resource deployment, response times, and overall
9 effectiveness in our response and handling of
10 emergencies across the City. We are always looking at
11 one key objective-how can we improve our operations.
12 We know that major rezoning's are often accompanied
13 by growth in daytime and residential populations. The
14 surge of people in a given location can lead to
15 increased fire and medical calls which can, in turn,
16 lead to decreased availability of FDNY resources and
17 longer response times. Given what we've learned from
18 past rezoning's, earlier this year, Commissioner
19 Nigro instructed senior leadership to create a
20 Facility Planning Workgroup to focus specifically on
21 the issue of address long term facility needs in a
22 more proactive manner. This workgroup, which includes
23 representatives from a variety of agency units
24 including Support Services, Management Analysis and
25 Planning, Fire Operations, and EMS Operations, who

2 will review rezoning's and other developments that
3 lead to changes in department operations or response
4 times. In addition, the Department of City Planning
5 has indicated to the FDNY that if a development being
6 rezoned requires an Environmental Impact Statement,
7 EIS, FDNY should be aware of those proposals. To that
8 end, DCP will send the scoping notices for projects
9 preparing an EIS to the FDNY prior to the scoping
10 meeting. FDNY will also be involved with the Mayor's
11 Office of Environmental Coordination's work regarding
12 City sponsored rezoning actions. It is worth noting
13 that although this hearing is on rezoning's, rezoning
14 actions are the source of only a sliver of all
15 redevelopments and growth in the City. Only a small
16 degree of new developments are the result of recent
17 rezoning changes. FDNY is focused on protecting and
18 planning for population changes. The vast majority of
19 which will come from, as a right of development that
20 is not part of a recent rezoning. I'd like to speak
21 briefly about the legislation proposed today.
22 Introduction 746 would require the Fire Department to
23 report annually on its new needs based on rezoning's
24 that occurred during the previous year. We support
25 this bill, but we would like to address the language

1 to specify that it covers significant rezoning's
2 rather than all rezoning's in the City. Introduction
3 744, would require the Fire Department to report on
4 emergency medical services supervisor to battalion
5 staffing ratios. We understand that this legislation
6 is meant to provide for greater transparency around
7 span of control statistics and we support this bill.
8 However, we are uncertain about the use of battalion
9 and division in the text and we would like to suggest
10 amending the language to reflect reporting on these
11 categories by division only, which reflects the way
12 we actually operate. Introduction 745, would require
13 the Fire Department to report the effect on
14 Department resources of significant rezoning's in the
15 City between 2002 and 2013. We appreciate that this
16 bill creates a standard for defining significant
17 rezoning's, however, given the large number of
18 significant rezoning's over the course of those 12
19 years, the analysis that is called for in the
20 legislation would be time consuming, burdensome and
21 not likely to yield useful information moving
22 forward. Our data specialists are now fully engaged
23 in analyzing real time data. So we are concerned
24 about the prospect of devoting significant resources
25

2 to this backwards looking canvas. However, we are
3 open minded about this topic and perhaps, if the
4 Council is able to articulate the specific goal of
5 the legislation, we can find a less burdensome way of
6 reaching that goal. I would be happy to take your
7 questions at this time.

8 CHAIRPERSON BORELLI: Thank you, gentleman
9 for coming. Can we just go through how the Department
10 now would handle a case like Hudson Yards? A large
11 rezoning and how would the process go where you would
12 project the future needs?

13 CHIEF SUDNIK: Well, like I mentioned in
14 the testimony, we have developed at the Fire
15 Commissioners request, a Facility Planning Workgroup,
16 that will address these significant rezoning's going
17 forward. So, in the case of a future development like
18 Hudson Yards, we would have the input from not just
19 the various bureaus and units within the Fire
20 Department, convening and discussing the issues and
21 the impacts of that type of development, but we'd
22 also collaborate with other City agencies in that
23 regard as well.

24 CHAIRPERSON BORELLI: So, then what teeth
25 does the Department have in making sure that when

2 developments like Hudson Yards, when they get passed
3 in the Council a decade prior, what teeth does the
4 Department have to ensure that the adequate resources
5 are built into the plan as its being developed?

6 CHIEF SUDNIK: I'm not quite certain what
7 you mean by teeth, but I think being at the table and
8 discussing what our potential needs would be is what
9 we would expect in any one of these large
10 developments. I think that a representative at those
11 planning meetings would be useful and also beneficial
12 to the City in analyzing these. That being said, it's
13 difficult to predict in some cases, although we do
14 have good models for predicting, until it's actually
15 built it would be difficult to say exactly what type
16 of resources and where we would locate them, but
17 being at the table is an important step I would
18 think.

19 CHAIRPERSON BORELLI: But Hudson Yards
20 essentially is building a new city that is the size
21 of other cities that would be considered large.
22 Meaning over 100,000 people and if you look at a
23 comparable sized city, Fort Lauderdale, they have 11
24 fire stations. So, with the population growth of that
25 one rezoning, and the 65 to 70,000 daily visitors in

2 office buildings, how does it happen that we are in
3 construction and there doesn't seem to be an
4 agreement on the placement of an EMS station? And I'm
5 not blaming you, I'm actually blaming the planning
6 going into this. That we're now on our back step
7 hoping to find something.

8 CHIEF SUDNIK: Yeah, you know, in
9 hindsight I think what would have been beneficial
10 back when Hudson Yards was being planned, is if we
11 could have identified a location for a facility to
12 put potential resources in that area. Again, the type
13 of resources that are required would require some
14 further analysis that likely wouldn't come to
15 fruition until after the development was built. And
16 it just doesn't include the 13 acre site in the West
17 Railyards. It includes the whole rezoning development
18 for I think it's a 59 square block area. So, yes, I
19 think that if we had an opportunity to identify a
20 potential location for this facility that would be
21 beneficial. Let me just say also that if in any type
22 of area or development if the Fire Department
23 requires additional needs as far as resources, we do
24 provide that. We are fortunate in the sense that
25 we're the largest fire department in the United

2 States. The second largest in the world. We are
3 resource rich and we can deploy and redeploy our
4 resources as need be. And we do that on a regular
5 basis. For example, if we anticipate that we're going
6 to have an increase in workload for an impending
7 storm, or due to some other type of event whether
8 it's a protest or some other parade, we do deploy
9 additional resources in anticipation of increase
10 activity. So, we could do the same thing on a regular
11 basis if we determine that there was going to be a
12 need. I think what we're talking about here is the
13 long term planning. And putting resources into a
14 facility that's been predetermined, into an area that
15 has the potential for an increase in population.

16 CHAIRPERSON BORELLI: Yeah, I mean just to
17 clarify the goals of the bill, it seems as though the
18 Council has some cognitive dissonance when it comes
19 to Fire and EMS resources as compared to Parks and
20 Schools. Because when we deal with a rezoning here,
21 the Council is aware of the school seats that are
22 needed, the need to preserve some portions of the
23 property for open space, and these are sort of built
24 into the zoning requirements. And then of course
25 there are the other infrastructure needs like sewage

2 and things like that. From our standpoint it just
3 seems as though this doesn't exist with the way the
4 FDNY is treated during the rezoning planning. So,
5 just to give you a question, in Brooklyn by the
6 Barclays Center, are you aware of how many more
7 emergency responses to the firehouse on Dean Street
8 goes to now that that projects been developed?

9 CHIEF SUDNIK: Sure, we can get that
10 information for you. We monitor those statistics and
11 response patterns, response activity on a regular
12 basis. So, any rezoning's or any building that's
13 going on, we certainly keep track and monitor any
14 additional workload that those projects create.

15 CHAIRPERSON BORELLI: So, let's assume the
16 number is 50 percent more runs, if that's the case
17 with that firehouse and there is additional runs in a
18 number of adjacent firehouses and the Department
19 decides that, yes, we do need additional resources in
20 the area, would we not be on our back foot then
21 having to initiate an acquisition perhaps, a larger
22 capital project, the construction of a firehouse?

23 CHIEF SUDNIK: Again, I'm not disagreeing
24 with you. I think that going forward we'd like to
25 have a more significant seat at the table if you

2 will, to identify these locations of potential
3 facilities going forward. Again, if we had any type
4 of immediate or emergent need to address an increase
5 in activity, whether it's runs or response times, or
6 fire activity, emergency medical activity, we do
7 address those. And we will address those going
8 forward. I can tell you for now, we have been meeting
9 those needs although those, I'm certain, those units
10 have increased to a degree. Again, I don't have the
11 exact statistics in front of me here, but they have
12 been meeting those needs.

13 CHAIRPERSON BORELLI: When in the past two
14 or three decades has there ever been, with the
15 exception of the ambulance tours that are added when
16 hospital systems stop providing ambulance service,
17 but has there ever been an expansion in the number of
18 fire companies and EMS units that are in the City as
19 a result of the population increase? I guess a better
20 way to ask that is when did we stop building
21 firehouses and adding companies in correlation with
22 the population.

23 CHIEF SUDNIK: Well in the 90's we added a
24 Ladder Company in South Jamaica and then more recent

2 than that we added a Fire Company as an EMS station
3 is Rossville, Staten Island.

4 CHAIRPERSON BORELLI: So, just to give you
5 an example, so Rossville 168 was built, and that was
6 probably the only Company that opened in Staten
7 Island in 30 years. And in probably the 30 years
8 between 1980 and 2010, the population of Staten
9 Island grew by probably 33, or 35-36 percent. So the
10 number of Companies only increased by 4 percent,
11 let's just use a rough number. I mean is that
12 something you guys feel is problematic or is that...
13 are the new construction materials, the new sprinkler
14 systems, et cetera, is there just less of a need?

15 CHIEF SUDNIK: Again, we appreciate that
16 we're having a conversation here about adding Fire
17 Department resources, I really do because for a
18 number of years we were, the discussion was more
19 about reducing Fire resources. So, certainly from my
20 perspective anyway, we appreciate that conversation.
21 But, you know, I don't know, I'll leave this up to
22 the Management Analysis and Planning Unit to
23 determine exactly where our resources and how many
24 resources and the type. And after they run that
25 analysis and that data and they run it by me, and

2 Fire Operations to determine where and if we need
3 additional resources, but so generally speaking a
4 population is only one of the factors that are taken
5 into consideration when you're making an analysis on
6 additional resources. So, it depends on the type of
7 demographics, fire activity, response times, there's
8 a whole host of things that our Maps Unit takes a
9 look at when they run those numbers, so while it
10 would not disappoint me particularly if we opened up
11 additional resources. We do understand that there are
12 resources and budgets are limited. And I think what
13 we're trying to do is analyze the given the
14 constraint of limited resources. Where we're best
15 able to locate those additional resources. And if
16 Staten Island happens to be the place, based on the
17 criteria that we analyze, then that'll be the place.

18 CHAIRPERSON BORELLI: I completely agree.
19 Just when it comes to Parks and open space, there
20 doesn't seem to be a problem for the Administration
21 to take over the maintenance of a new park when we
22 rezone properties and stuff like that. Just turning
23 to Intro. 744, the other bill quickly, you said that
24 you would prefer different language used than
25 battalion/Division? What better language would you

2 mean? In other words that's not addressing how you
3 actually stratify the EMS corps?

4 CHIEF SUDNIK: Okay, well I'll probably
5 defer to Chief EMS, Chief Booth on this, but
6 generally the way we currently operate as per EMS
7 Division, not battalion. Chief Booth, do you want to
8 comment any more on this?

9 CHIEF BOOTH: Sure. Currently the way the
10 battalion wording came from the merge in 1996. That's
11 a fire operations term and initially when we merged
12 to the Fire Department they re-designated areas as
13 battalion areas. We've since gone back to, on the EMS
14 side, to divisions. Each division is basically a
15 borough, except for Staten Island where you get a
16 little bit of Brooklyn South. And within the division
17 there are ambulance stations, not battalions. That's
18 where that comes from.

19 CHAIRPERSON BORELLI: And specifically
20 again on 744, do you think there are areas and
21 neighborhood within the five boroughs that there is
22 an identified need that the Department has
23 identified, but the resources are not there?

24 CHIEF BOOTH: I think that what we do, as
25 Chief Sudnik said, we rely on the Management Analysis

2 and Planning to help guide us looking at call volume,
3 looking at what's going on in the neighborhoods to
4 understand the needs of the Department. We rely to be
5 guided by them.

6 CHAIRPERSON BORELLI: And just my last
7 question on this bill, so what is the current ratio
8 of EMS to supervisors, and is the variance by borough
9 or division, and I guess start with what's the goal
10 ratio? And then what is the actual ratio and is there
11 a variance?

12 CHIEF BOOTH: Well, EMS Supervision is
13 basically, per ambulance station there's an officer
14 that remains in doors, in quarters and basically runs
15 the administrative end of it. And then there's an
16 officer that's in the field, in the station response
17 area, and they oversee the general activities of the
18 ambulance crews in the field. When there is an
19 incident within the geographic area of let's say an
20 ambulance station, a fire, building collapse, large
21 car accident, and the complexity of the incident gets
22 larger, we add to that level of supervision by
23 relocating officers and redeploying officers to
24 augment and to safely make sure that all members can
25 do their job.

2 CHAIRPERSON BORELLI: (coughs) excuse me
3 again. Just going back the Intro 745 and 746, when it
4 came to 745 you guys have said that it would be
5 burdensome to go back and reevaluate because it's
6 something you're already essentially looking at, but
7 then because of the answer on 745, does that mean
8 it's even more important to pass something like 746
9 which forces us to evaluate these things before, and
10 I agree with your change about making significant an
11 operable term because every time we rezone something
12 it shouldn't be done. But because of what you said on
13 745, does that make the need for 746 even more
14 critical?

15 CHIEF SUDNIK: Yeah, I think that's a good
16 way to look at that based on if, again, hindsight if
17 we looked at this annually, 2002, there would likely
18 be a location that we would have pre-identified for a
19 potential facility. Again, 745, although it's
20 backward looking and it would be burdensome to try to
21 analyze what's happening over the past 11 years and
22 all the redevelopment certainly, at least taking a
23 cursory look at it, I think we'd be able to gain some
24 insight as to how would we best proceed going
25 forward.

2 CHAIRPERSON BORELLI: And then just my
3 last question and I'll turn it over to the other,
4 we're joined by Council Member Alan Maisel as well.
5 One last question on 745 then, would you be opposed
6 to just rewording the legislation to make it so that
7 you report publicly in whatever format you're already
8 doing?

9 CHIEF SUDNIK: Report publicly on prior
10 rezoning's? Is that what you're asking?

11 CHAIRPERSON BORELLI: As the Department is
12 going through its analysis of the population
13 development in areas that were rezoned. Would it be
14 easier to just report on what you're already doing?

15 CHIEF SUDNIK: Okay. I think we'll take a
16 look at that, and we'll let you know about that going
17 forward.

18 CHAIRPERSON BORELLI: I saw the coach
19 calling the plays over there. I'll turn it over to
20 Justin, do you have any questions?

21 COUNCIL MEMBER BRANNAN: Thank you, Chair.
22 I think you guys obviously do a fantastic job, but I
23 don't want you to be too proud to admit if you need
24 more resources, right, and that's why we're here. I
25 think the Chair brings up a great topic that as the

2 City has grown by leaps and bounds, we have to make
3 sure that we're providing for all of this growth. And
4 we're here to support that. I think the Chair really
5 covered everything, but something that sort of
6 remained through my district is the proliferation of
7 illegal conversions. I wanted to get an idea of the
8 frequency that you're seeing that or in areas that
9 are growing, I know Southern Brooklyn, some parts of
10 Queens, if you're seeing that more and more? Or if
11 it's still sort of exclusive to certain areas
12 throughout the boroughs.

13 CHIEF SUDNIK: Well, you know illegal
14 conversions are nothing new. We have a very large
15 City, we have a limited housing stock, we have a
16 growing population. I think common sense will tell
17 you that you'd probably see an increase in that
18 regard. That said, we do have a robust fire
19 prevention and inspection unit that will take a look
20 and try to locate, and enforce the code on illegal
21 conversions when we find them. Again, there is a
22 proposal to include basement occupancies and
23 legalizing basement occupancies throughout the City.
24 Our Bureau of Fire Prevention is looking at that very
25 closely with other agencies to determine what the

2 requirements for that would be. So, that's one way
3 that the City is attempting to address that shortage
4 of housing stock. So, it would include egress
5 requirements and in some cases sprinkler requirements
6 and things like that.

7 COUNCIL MEMBER BRANNAN: On that issue
8 too, if there are things that arise that you feel the
9 Departments hands are tied, I mean it's up to us to
10 help craft legislation that allows you to do that
11 work. So I know that when the Buildings Department
12 comes and knocks on peoples doors they don't answer,
13 but when the Fire Department comes they do. So if
14 there is ways we can make your life easier in making
15 sure people are safe, and First Responders are safe,
16 that's why we're here too. So, thank you.

17 CHAIRPERSON BORELLI: Thank you. It's
18 probably the axes at the door, I would let people in.
19 Council Member Maisel, you had a question?

20 COUNCIL MEMBER MAISEL: Yes, thank you. I
21 appreciate you gentleman being here. My district,
22 along with many other districts has something called
23 community driveways. A significant number of
24 developments were built where there is access to the
25 back and that's where people park their cars. If

2 there's a fire, it's important for the fire trucks to
3 get into the back, but because this is private
4 property many of these community driveways have
5 people who are parking their cars illegally. They're
6 blocking entrances or they're blocking access to the
7 community driveway itself. I've had numerous calls
8 over the years of people who are very concerned about
9 access for the Fire Department and what happens in
10 case of a fire. Do you have a policy about
11 investigating complaints with regard to these
12 blockages? I know I get complaints that people call
13 311 and nothing ever happens.

14 CHIEF SUDNIK: I'm just not familiar with
15 this. Is it Staten Island?

16 COUNCIL MEMBER MAISEL: Brooklyn.

17 CHIEF SUDNIK: Oh, Brooklyn, okay.

18 COUNCIL MEMBER MAISEL: [interposes]

19 Mostly Canarsie, Mill Basin.

20 CHIEF SUDNIK: Okay. I'm not too familiar
21 with that issue in your area. I know Staten Island
22 had some issues with that as far as private roadways
23 were concerned. And our City Planning Unit and the
24 Bureau of Operations has been dealing with those
25 developments and trying to come up with a solution.

2 And a lot of these private roads are not within the
3 jurisdiction of the New York City Fire Department so
4 it's more of a enforcement issue and we've been
5 working with the, I guess the boards of these private
6 communities. If that's what you were referring to?

7 COUNCIL MEMBER MAISEL: Well, the problem
8 with what we have in the 46th Council District is
9 that the community driveways were built 50-60 years
10 ago with no thought of a governance structure. So
11 that basically people have an easement, they're
12 allowed to use the driveways, but there is no formula
13 for people to get together to actually have an
14 organization that would require certain rules to be
15 followed, dues to be paid to fix the roads. Now, over
16 the last 10 years, if you do build a private
17 community its built in. there's an organization
18 structure built into the deed, but 50-60 years ago
19 nobody was thinking what would happen later on in the
20 future. And nobody ever dealt with it. And I'm trying
21 to craft legislation that would allow some kind of
22 formal structure to be developed. But in the meantime
23 we do have cases where cars, we cannot find out where
24 these cars are from. People just leave their cars
25 there or without license plates. It's very hard to

2 get them towed, police department says we don't want
3 to go on their property because it's private. But,
4 the police department does have an overriding
5 interest in this because obviously if you have to get
6 to a fire and you can't, it's a problem.

7 CHIEF SUDNIK: Well, I tell you we would
8 be more than happy, in the Fire Department to help
9 any way we can. If we can get together with our
10 partners, whether it's NYPD for enforcement, or DOT,
11 or whoever it is. Certainly if you want, I'll give
12 you my card and we could...

13 COUNCIL MEMBER BRANNAN: [interposes] We'd
14 be delighted.

15 CHIEF SUDNIK: Okay.

16 COUNCIL MEMBER BRANNAN: Thank you.

17 CHAIRPERSON BORELLI: Thank you very much.
18 And we were joined by Council Member Cabrera who is
19 suffering from vertigo. So I hope you guys are ready
20 just in case... he took my advice and stood behind
21 the yellow line I see. Just two more quick questions
22 about the working group that includes representatives
23 from City agencies, what does that group do and then
24 if a resource is needed, what's the protocol for
25 identifying a location?

2 UNIDENTIFIED: Okay. So the group is
3 actually coming together for the first time in a
4 couple of weeks. So this is something that the
5 Commissioner has just charged us with putting
6 together. We're basically looking at operational
7 priorities and needs assessment. The group is made up
8 of Fire Operations, EMS Operations, Support Services
9 which is the group that does the buildings and
10 facilities. Our governmental people and our planning
11 unit of course, and our management analysis group.
12 We're going to meeting bi-weekly to go over all of
13 the issues and then we're going to be setting up
14 quarterly meetings with Department of City Planning.

15 CHAIRPERSON BORELLI: I have a tremendous
16 amount of respect for the Commissioner. I don't
17 believe he is a Jackson Pollack who splats some paint
18 on the canvas. I think there is probably a reason why
19 the Working Group was formed then, if it was recently
20 formed could that be because of some of the problems
21 with identifying locations from past rezoning's and
22 the desire not to do that again going forward?

23 UNIDENTIFIED: No, I don't think that's
24 correct. I think the reason for the Working Group is
25 because there's more rezoning's now then there had

2 been. As the Chief had mentioned, our Planning Unit
3 has been very proactive in the past in making sure
4 that based on headcount and all of the priorities,
5 that we're able to do this. But again, it's because
6 there is more rezoning's coming in the pipeline. We
7 wanted a tighter fit and a more structured way of
8 doing this.

9 CHAIRPERSON BORELLI: The last question is
10 on the City Planning scoping notices, what are the
11 details that come with a scoping notice and what does
12 it actually entail? What does it look like? City
13 planning... do you have a statement to make as well?

14 UNIDENTIFIED: No.

15 CHAIRPERSON BORELLI: Okay. So, please,
16 thank you.

17 PURNIMA KAPUR: So, good morning. My name
18 is Purnima Kapur. I am the Executive Director at City
19 Planning. So, scoping notices are sent out for
20 projects that require and Environmental Impact
21 Statement and they include details about the
22 proposal, include what is projected to be developed
23 as part of the actions. It lists all of the actions
24 that are being proposed. Projected development
25 compares it to the current situation as well. So it

2 gives a good sense of what is to be developed. In
3 terms of buildings, in terms of projected, as you
4 said, school seats, other things so the population
5 increase is part of that.

6 CHAIRPERSON BORELLI: So, in your opinion,
7 since it involves a calculation of the density, the
8 projected number of residents and projected number of
9 office, square footage. Do you think that's enough to
10 give to the Department to plan their operations?

11 PURNIMA KAPUR: I mean that is the basis
12 of the decision makers making a decision on a certain
13 action. So, I'm assuming the Fire Department would
14 take that information and project based on their
15 calculus, what the needs would be. However, I want to
16 point out that many of the larger City initiated
17 rezoning's, as the Chief said here, are multi-year
18 projections. So these get built out over 10, 20,
19 sometimes longer than that, so.

20 CHAIRPERSON BORELLI: So, I love City
21 Planning. I think you guys do a wonderful job and
22 sometimes I see the schematic designs of future
23 rezoning's or the agencies planning down the road.
24 And you always see open spaces for parks, and you see

2 the little school buildings drawn in there. Do we not
3 draw little fire stations with those things?

4 PURNIMA KAPUR: My understanding, and the
5 Fire Department can speak better to it, is that the
6 Fire Department is constantly reviewing their needs.

7 CHAIRPERSON BORELLI: Okay. Thank you,
8 guys, appreciate it.

9 PURNIMA KAPUR: Okay.

10 CHAIRPERSON BORELLI: Do you have any
11 questions?

12 UNIDENTIFIED: No.

13 CHAIRPERSON BORELLI: Thank you,
14 appreciate it. And next we'll call up Oren, Darryl,
15 and Michael. I guess we'll start left to right, or
16 right to left. Whoever wants to go first, Oren?

17 OREN BARZILAY: Good morning, Chairperson
18 Borelli, and Committee Members. My name is Oren
19 Barzilay, President of Local 2507. Thank you for the
20 opportunity to speak today with regards to the issue
21 of evaluating Emergency Medical Services needs in
22 response to population shifts and the Fire Department
23 report on the effect of rezoning. On March 8, 2018, a
24 hearing was held by your committee on FDNY
25 preliminary budget for fiscal year 2019 and expanding

1 operations. I was not able to attend that hearing. A
2 few key issues were mentioned that I would like to
3 briefly discuss today. During the March hearing,
4 Commissioner Nigro testified that 186 tours have been
5 added to the EMS budget since 2014. While we are
6 greatly thankful for the FDNY and the City for adding
7 additional resources, to an already over worked, over
8 stretched service, but we need more, as the demand
9 for EMS continuously increases. Our headcount has
10 significantly increased in recent years yet our
11 facility count has remained the same with the
12 exception of one tactical trailer facility added in
13 Queens. Our EMS battalions are busting at the seams
14 with personnel. Most of our stations are designed to
15 hold five to six units. Now they hold 10, 11,
16 sometimes 14, if not more. This is a health and
17 safety issue for our members. For example, Brooklyn
18 EMS station 5-7, the station is so over stretched
19 that lockers are on the apparatus floors. Our female
20 members have to either change on the open floors, or
21 take their clothes and go to another room to change.
22 Brooklyn, Battalion 40, the station was overcrowded
23 with FDNY vehicles that the community complained
24 through the proper channels. Last year that station
25

2 was decompressed by a few units, sending them to
3 other stations that are already over the limit.
4 Queens Battalion 5-4, dozens of members are with no
5 lockers. A station designed for five to six units now
6 houses about a dozen units. State Island, the third
7 largest borough, 58 square miles with a population of
8 approximately half a million. Yet there are only two
9 EMS stations in the entire island. Bronx Battalion
10 15, and old firehouse that was handed down to EMS. A
11 building that's over 100 years old. The building is a
12 hazard to all that work there. The walls are
13 cracking, equipment stored next to blood borne area
14 where EMS crews clean their equipment which is
15 leaking to the basement area contaminating other
16 areas. EMS Battalion 2-6 in The Bronx, a facility
17 that currently holds about 90 employees. One third
18 are females, the male locker room has three stalls
19 and three showers while the women's has one stall and
20 one shower. On numerous occasion the women have been
21 forced to use the male restroom while there is a line
22 to the women's restroom or when the toilet is broken.
23 Furthermore, our occupation exposes us to many
24 hazards. One being blood borne pathogens and which
25 our crews must return to the station for a status

2 that is referred as BBP. A status that places our
3 crews off service so they can clean themselves off
4 from blood borne pathogen soiled uniforms. There has
5 been occasions in which one crew member is forced to
6 remain in soiled uniform while the other is
7 showering. Again, due to the lack of showers in the
8 female restroom. Blood borne pathogens which consist
9 of blood, fecal matter, vomit and all other body
10 secretions such as amniotic fluid from post-delivery
11 of a child. It is unjust that our members have to
12 wait to clean themselves in a timely fashion. These
13 issues have been addressed with no resolve. These
14 issues are not just isolated to one facility or one
15 borough. It's systemic issue City wide. Our EMS
16 battalion infrastructure is in need of major
17 adjustment and growth. In 1996 New York City EMS
18 merged with FDNY and we were told the planning for
19 EMS would be 70 Battalion's City wide. Here we are,
20 22 years later with 37 Battalions to date. EMS is
21 bleeding, the pay is so low that we are losing
22 employees every day to other job opportunities. The
23 FDNY Financial Commissioner Rush testified that they
24 spend \$4,000.00 on training each EMT and \$20,000.00
25 on each paramedic. Multiply that by 400 to 600 EMTs a

1 year and 120 paramedics a year that go through our
2 academy each year. That's millions we spend on
3 training people that are not staying. They're taking
4 that training and utilizing it elsewhere with better
5 paying jobs. Attached to my testimony is a study
6 showing survivability increase due to experienced
7 EMTs and paramedics. EMS is not just a job, it's a
8 calling. If you ask anyone as to why they left EMS
9 they will all say, the pay. The FDNY also needs to
10 reinstate the grad program you mentioned in March. We
11 used to have a 5,000 forgivable loan to our EMTs so
12 they can train on the outside to become paramedics.
13 Currently we have a severe shortage of paramedics. We
14 train anywhere from 60 to 120 paramedics a year.
15 That's simply not enough. Most get promoted or leave
16 for higher paying jobs. We need to give people more.
17 We need to give more people, more opportunities to
18 become paramedics. I don't want to sound like a
19 broken record, but that is the reality in FDNY EMS.
20 Community hospital take over. Recently FDNY took over
21 its BLS EMT unit covering that area. We couldn't take
22 over the ALS paramedic unit due to paramedic
23 shortages. This one again goes back to my earlier
24 statement about wages within the FDNY. My testimony
25

2 today consists not of harsh criticism of FDNY, but is
3 an effort to enlighten Committee members to the
4 reality our members are faced with every day. In
5 closing, FDNY EMS is a great job. Commission Nigro
6 has been instrumental in approving our needs,
7 however, we need your help. FDNY is known as the
8 bravest, NYPD is known as the strongest. FDNY EMS is
9 known to be the best. Help us be the best. I forward
10 for the chance to work with this Committee and the
11 Department to remedy these issues and build a
12 stronger FDNY EMS for New Yorkers. Thank you.

13 CHAIRPERSON BORELLI: Thank you. I just
14 want to interrupt for a quick question. The
15 Department didn't have an answer for this, or at
16 least they didn't say it a few minutes earlier. What
17 is the staffing ratio goal in your opinion and then
18 do you know of whether or not there is variance of
19 those ratios between boroughs? I figured you'd be
20 able to...

21 OREN BARZILAY: Can you break that down a
22 little?

23 CHAIRPERSON BORELLI: So, we had asked
24 them whether there was a difference in the ratio
25 between EMS Supervisors to EMS technicians and

2 paramedics. And whether there was variance between
3 the boroughs.

4 OREN BARZILAY: Well, right now, let's say
5 for Staten Island, there's two patrol cars in the
6 entire borough. In other boroughs you have, if you
7 have seven stations you have seven patrol officers.
8 If you have, in The Bronx, I believe they have, I
9 think they have 10 stations in The Bronx so you have
10 10 people patrolling. From my understanding our ratio
11 is one to 20 on the EMS side. One supervisor per 20
12 EMTs or paramedics.

13 CHAIRPERSON BORELLI: Thank you. And now
14 we'll go Michael next I guess, we'll go down. Darryl,
15 okay. Michael is just there for support and looks.

16 DARRYL CHALMERS: Oh, thank you,
17 Chairperson for this Committee. My name is Darryl
18 Chalmers, I'm also a Deputy Chief Inspector in the
19 Bureau of Fire Prevention along with Michael Reardon.
20 Executive board members of Local 2507 representing
21 uniformed EMT, Paramedics, fire protection inspectors
22 and supervising fire protection inspectors. The New
23 York City Fire Departments Bureau five prevention is
24 a life, and safety, and revenue producing bureau
25 generating approximately \$85 million annually for the

2 department. The Bureau of Fire Prevention members
3 consist of 360 fire protection inspectors and I'm
4 saying 360 because we have a class of 50 in right
5 now. So that brings that number up to 360. And its
6 special units which check for compliance of all fire
7 building code, regulations directly related to fire
8 safety. Fire protection inspectors are tasked to
9 inspect and witness testing of safety equipment in
10 buildings for firefighting operations such as
11 standpipe systems, sprinkler systems, et cetera, at
12 various locations throughout New York City including
13 our bridges, tunnels, piers, rooftops, ladders,
14 subways, construction sites, restaurants, basements
15 in commercial/residential high rise buildings. Fire
16 protection inspectors make sure that the systems used
17 for firefighting operations on premises are in
18 working order. Plus protecting the lives and property
19 of City residents, employees and visitors. The effort
20 of the fire protection inspectors over the past
21 several years has resulted in significant reduction
22 of fires, deaths related to fires at a record low in
23 the history of the Fire Department within the five
24 boroughs of the City of New York. What I wanted to
25 say, before Mike speaks is that Commissioner Nigro,

2 Chief Leonard and the rest of the people in the Fire
3 Department, they have been very supportive of fire
4 prevention with Chief Spadafora. And I've been here
5 25 years and this has been the best I've seen, which
6 Commissioner Nigro when it comes to us. They take the
7 effort, Chief Leonard is outstanding when it comes to
8 us and the stuff that we do for the safety, for the
9 public and the firefighters. A lot of time
10 firefighters don't know what we do. That's something
11 that the Fire Department is working on, trying to
12 teach them in the Academy, to explain. But our main
13 job is to make sure it's safe for them and the
14 building you're in now. We make sure that this
15 building is safe, that everything is working as far
16 as fire protection inspectors. We're the ones who go
17 out and check these systems constantly, every day.
18 The only buildings we don't get involved in that we
19 have the greatest fire fighters is private houses.
20 When it comes to private houses we're not involved in
21 private houses, but any commercial building and
22 residential building, we're in charge of making sure
23 those systems are working so fire fighters can get
24 water. All right, so I'm going to leave it to Mike
25 Reardon to continue.

2 MICHAEL REARDON: Good morning, City
3 Council Members. My name is Michael Reardon. I'm the
4 Deputy Chief Inspector, New York City Fire
5 Department. I also sit on the executive board 2507.
6 Fire prevention inspectors who led the inspection
7 group during extremely dangerous Legionnaires disease
8 epidemic that spread from the cooling towers
9 throughout the City. Our members did a great job
10 under the guidance of Fire Prevention Chief
11 Spadafora. He also us a plaque for the diligent work
12 that everybody had performed during that time. Each
13 fire inspector earns a salary of \$46,600.00 and
14 brings in approximately \$250,000.00 per year. With
15 that, we never have a pay increase. We stay at our
16 salary. There is no increase in salary pay for us.
17 Whatever we start at, there is no step pay. There has
18 never been a step pay for us which we tried at our
19 last negotiation and it didn't work for us. 75
20 percent of New York City Department Building
21 inspectors have cars, whereas we have only one car
22 for every protection inspector. A lot of our
23 inspectors work in the five boroughs of the City of
24 New York, they're either taking public transportation
25 or using their own cars which the union frowns upon

2 because if they get in an accident it's on them. With
3 the ongoing construction boom, the round for five
4 boroughs, there are only inspectors with 840
5 construction sites to be visited on a monthly basis.
6 On the other hand, suppression unit has only 41
7 inspectors with 58,000 sprinkler, standpipe accounts
8 and growing 8 percent every year. In 2008 and 2014,
9 the fire code provisions for more detailed
10 inspections which put a substantial load on the
11 existing issue with the man power compared to the
12 extensive workload on the bureau. District office is
13 operating at a capacity of just over 50 percent. If
14 we had more fire protection inspectors we would be
15 able to operate at 100 percent and could generate
16 over \$100 million annually for the City. Thank you
17 very much.

18 CHAIRPERSON BORELLI: I just have one
19 question, maybe two. 41 inspectors for 58,000
20 sprinkler and standpipe systems, how often are they
21 required to be inspected?

22 MICHAEL REARDON: They're required to be
23 inspected every five years.

24 CHAIRPERSON BORELLI: Okay.

2 MICHAEL REARDON: All right, but if they,
3 a lot of buildings that the suppression unit goes out
4 to, our main thing is if they see any other problems
5 on their way as they're doing the inspection they
6 will actually go there and just do an inspection. If
7 we get, sometimes we'll get, the battalion chief will
8 call or the division may call and say they've done BI
9 and they've seen a problem with the standpipe or the
10 sprinkler system so they'll call us to come out and
11 we'll do an inspection. Or, if we see a building that
12 requires, where they took the system out, we make
13 them put the system back in the building.

14 CHAIRPERSON BORELLI: Is the 41 inspectors
15 adequate to make 58,000 inspections in five years?

16 MICHAEL REARDON: No, not at all.

17 CHAIRPERSON BORELLI: And just rough
18 estimate, and again unofficially, what is the
19 percentage of standpipe systems that do not go
20 uninspected within the five year period?

21 MICHAEL REARDON: I can't give you that
22 number, I can probably get back to you, but it is a
23 lot.

24 CHAIRPERSON BORELLI: Is it half, is it 10
25 percent or is it?

2 MICHAEL REARDON: I would say maybe 40
3 percent.

4 CHAIRPERSON BORELLI: 40 percent?

5 MICHAEL REARDON: Uhm-hmm.

6 CHAIRPERSON BORELLI: And then just so in
7 a borough like Staten Island where there's just not
8 any public transit in some parts, if I was an
9 inspector I would roll my eyes if you sent me to
10 Staten Island, but it would take on inspector and
11 entire day to inspect a building that's not near
12 public transit because you'd be hiking for a mile. Is
13 there a problem, is there a reduced rate even with
14 Staten Island specifically? Or other transit deserts
15 that we've identified?

16 MICHAEL REARDON: Well, I would say Queens,
17 we have a lot of, we have a problem with Queens
18 getting to a lot of places. And Brooklyn because
19 those boroughs are very big. Staten Island we have a
20 district office, District Office 8, well 12-8 we call
21 it because it splits Brooklyn and Staten Island.
22 They're able to get out there and they do
23 inspections. Remember, Staten Island doesn't, I used
24 to live in Staten Island for many years (inaudible)
25 anyway, Staten Island is great. I'm not knocking that

2 now. The problem is that you have a couple of high
3 rise buildings, but not as many as Manhattan and
4 Brooklyn. If you could see Hudson Yards, that's my
5 project, I'm the Deputy Chief Inspector in charge of
6 Hudson Yards. So, Staten Island, we're able to cover
7 Staten Island as far as inspectors for easement
8 (sic), sprinkler, we're able to cover Staten Island
9 pretty well.

10 CHAIRPERSON BORELLI: And even on the rare
11 case where a unit does BI and just calls you guys in,
12 then you, no problem responding?

13 MICHAEL REARDON: No, no problem at all.

14 CHAIRPERSON BORELLI: That's all I have,
15 Justin do you have any questions?

16 COUNCIL MEMBER BRANNAN: Thank you, guys,
17 appreciate it.

18 MICHAEL REARDON: All right.

19 CHAIRPERSON BORELLI: All right, so no one
20 else, thank you very much everyone.

21 [gavel]

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1 COMMITTEE ON FIRE AND EMERGENCY MANAGEMENT

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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 29, 2018