

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

COMMITTEE ON CONSUMER AFFAIRS
AND BUSINESS LICENSING, JOINTLY
WITH THE COMMITTEE ON RESILIENCY
AND WATERFRONTS, JOINTLY WITH
COMMITTEE ON PARKS AND RECREATION
AND THE COMMITTEE ON ENVIRONMENTAL
PROTECTION

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September 14, 2020
Start: 10:20 a.m.
Recess: 2:41 p.m.

HELD AT: REMOTE HEARING (VIRTUAL ROOM 1)

B E F O R E: Andrew Cohen
Chairperson
Consumer Affairs and Business
Licensing

Costa Constantinides
Chairperson
Environmental Protection

Peter A. Koo
Chairperson
Parks and Recreation

Justin L. Brannan
Resiliency and Waterfronts

COUNCIL MEMBERS: Andrew Cohen

Justin L. Brannan
Margaret Chin
Peter A. Koo
Karen Koslowitz
Brad S. Lander
Kalman Yeger
Costa Constantinides
Stephen T. Levin
Carlos Menchaca
Eric A. Ulrich
Adrienne Adams
Joseph C. Borelli
Mark Gjonaj
Robert F. Holden
Mark Levine
Francis P. Moya
Carlina Rivera
Jimmy Van Bramer
Ruben Diaz, Sr.
Deborah L. Rose

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

Tim Cawley
Con Ed

Robert Schimmenti
Con Ed

Kyle Kimball
Con Ed

Matt Sniffen
Con Ed

Patrick Burke
Con Ed

Deanne Criswell
Commissioner

New York City Emergency Management
Department

John Grimm
Deputy Commissioner
New York City Department of Emergency
Management

Liam Kavanagh
First Deputy Commissioner
Department of Parks and Recreation

Jennifer Greenfeld
Assistant Commissioner
Department of Parks and Recreation

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1 COMMITTEE ON CONSUMER AFFAIRS AND BUSINESS 4
2 LICENSING JOINTLY WITH RESILIENCY AND WATERFRONTS,
3 PARKS AND RECREATION, AND ENVIRONMENTAL PROTECTION

3 SERGEANT AT ARMS HOPE: Good morning.

4 Would all sergeants please start your recordings.

5 SERGEANT AT ARMS SADOWSKY: PC recording
6 has started.

7 SERGEANT AT ARMS DAUTAJ: Power recording
8 is good.

9 SERGEANT AT ARMS HOPE: Thank you.

10 SERGEANT AT ARMS PEREZ: Back-up
11 recording is good.

12 SERGEANT AT ARMS HOPE: Thank you. Good
13 morning everyone, and welcome to the New York City
14 Remote Council Hearing on the Committee on Consumer
15 Affairs and Business Licensing, jointly with the
16 Committee on Resiliency and Waterfronts, jointly with
17 the Committee on Parks and Recreation, and the
18 Committee on Environmental Protection. At this time
19 will all council members and council member staff
20 please turn on your videos. Thank you. To minimize
21 disruption please place all electronic devices to
22 vibrate or silent. If you wish to submit testimony
23 you may do so at testimony@council.nyc.gov. I
24 repeat, testimony@council.nyc.gov. Thank you very
25

1 much for your kind cooperation. Chair, we are ready
2 to begin.

3
4 CHAIRPERSON COHEN: All right. I'm
5 supposed to gavel [gavel]. Good morning. Ah, my
6 name is Andrew Cohen and I am the chair of the
7 Committee on Consumer Affairs and Business Licensing.
8 Thank you for joining our virtual hearing today. I'd
9 like to acknowledge my cochairs, Chair, ah, Council
10 Member Koo, from the Parks and Recreation Committee,
11 and Chair Brannan from the Resiliency and Waterfronts
12 Committee. And, ah, although he's having some
13 technical issues, I hope to be joined by Chair
14 Constantinides from the Environmental Protection
15 Committee. I would also like to acknowledge my
16 colleagues from the Consumer Affairs Committee and of
17 the members who have joined us, ah, this morning. So
18 far we have Council Member Chin, Council Member
19 Yeger, Council Member Vallone, Council Member Rose,
20 Council Member Rivera, Council Member Adams, Council
21 Member Diaz, Council Member Holden, Council Member
22 Moya, Council Member Van Bramer, Council Member
23 Lander, and Council Member Menchaca. In May of this
24 year we convened an oversight hearing to question Con
25 Ed on their summer preparations. Weather experts

1 forecasted an unusually active hurricane and tropical
2 storm season this summer. The City Council wanted
3 assurances from Con Ed that it had undertaken all the
4 necessary preparations and repairs to ensure that
5 power stayed on this summer, particularly since the
6 vast majority of New Yorkers are confined to their
7 homes due to COVID-19 pandemic. Con Ed testified
8 before us under oath that they had more than adequate
9 manpower and that they frequently carried out drills
10 in preparation for severe weather events.
11

12 Unfortunately, the expert predictions materialized
13 and Hurricane Isaias, ah, later downgraded to a
14 tropical storm wreaked havoc on the city and
15 surrounding counties, leaving approximately 267,000
16 customers without power for several days. The storm
17 caused one of the worst blackouts in the city's
18 history, second only to Hurricane Sandy in 2012.

19 While one could understand how a storm of this
20 magnitude could cause power outages, the expectation
21 is that all competent and well-prepared utility,
22 utility would work around the clock to restore power
23 as quickly as possible to residents. This is
24 especially so given the extreme temperatures that
25 followed the storm and the crucial need to keep

2 residents' power on during a pandemic. But that's
3 not what happened. Instead, there were delays in
4 restoring power, leaving some residents without power
5 for days. In fact, over 4000 of Con Ed's customers
6 in the Bronx and Queens remained without power a week
7 after the tropical storm, during an extreme
8 temperature event. New Jersey, which was hit harder
9 by the storm, was able to have its power restored
10 days sooner. My district was particularly hard hit,
11 and my office was besieged by families with elderly
12 parents and young children not able to prepare meals
13 or get relief from the heat. For people trying to
14 earn a living by working remotely, the prolonged loss
15 of power was a significant financial hit. Their
16 frustration was palpable. I believe it took more
17 than 12 days for Con Ed to fully restore power in my
18 district. The delays prompted Governor Cuomo to
19 announce an investigation and threaten to revoke
20 utility franchises. The preliminary result of the
21 investigation by the Department of Public Service
22 found that Con Ed failed to secure sufficient crews
23 to respond to the outage. Con Ed determined that it
24 needed 1200 line workers to respond to the storm, but
25 was only able to obtain 352, leaving a gap of 848

1 workers. When Con Ed testified before us a few
2 months ago they claimed to have emergency contracts
3 with over 500 resources to ensure they would have
4 sufficient crews to respond to extreme weather
5 events. Clearly something is not adding up. The
6 Department of Public Service also found that Con Ed
7 was providing customers with wholly inaccurate
8 estimates of time, of the time it would take to
9 restore power. This complicated their response and
10 communications from local electeds to constituents,
11 causing much anger and resentment. Today we want to
12 hear clearly from Con Ed why they were so
13 significantly short-staffed and what steps the
14 utility is taking to ensure it does not recur. We
15 also want to understand why once again communications
16 with electeds and residents was woefully lacking.
17 And finally we deserve to hear what concrete steps
18 Con Ed has taken since the tropical storm and will
19 continue to undertake to ensure that the power either
20 stays on or is restored within a matter of hours, not
21 several days. New Yorkers are losing patience with
22 Con Ed. They deserve a utility that prioritizes
23 their health and well-being, not shareholder
24 pocketbooks. We are also hearing two resolutions
25

2 today, sponsored by Council Member Vallone. The
3 first calls on Con Ed to cover the costs of fallen
4 wires servicing residents' home. The second calls on
5 Con Ed to increase resources dedicated to service
6 restoration on a borough-by-borough basis and to
7 create a report of the most vulnerable utility
8 infrastructure in each such borough. I'd like to now
9 hand the meeting over to Council Member Koo, Chair
10 Koo, to make his opening statement, followed by Chair
11 Brannan.

12 CHAIRPERSON KOO: Thank you, yes. Good
13 morning. I'm Peter Koo, chair of the Committee on
14 Parks and Recreation. I would like to thank my
15 fellow cochairs, Council Member Cohen, Brannan, and
16 Constantinides, for agreeing to hold this joint
17 hearing on the effort on the effects of Tropical
18 Storm Isaias. Tropical Storm Isaias was a brief but
19 particularly severe storm, especially as it relates
20 to the damage it brought to city trees. Estimates
21 indicate there were about 22,000 tree-related service
22 requests, with about 7000 downed trees as a result of
23 Isaias, which is second only to requests received
24 resulting from Hurricane Sandy in 2012, coupled with
25 the loss of electricity to large numbers of New

1
2 Yorkers, some without power for over a week. The
3 tree damage and process to repair the damage just
4 added to the [inaudible] faced by so many. Some of
5 these downed trees [inaudible] broke power lines,
6 destroyed several parked cars, and even killed a
7 person when a tree fell on the top of his car while
8 he was sitting in it. In my district alone there
9 were about 500 tree services requests related to
10 Isaias this August, when compared to only 70 requests
11 made through the entire month of August the year
12 before. Many areas that fallen trees and branches
13 they have not been cleared for days. We at the City
14 Council have heard from so many of our constituents,
15 who have said that the [inaudible] were slow and
16 inefficient. In fact, it has been reported that
17 almost always after the storm more than one-quarter
18 of the fallen trees have not been cleared or removed.
19 In 2015 the council tried to make the tree removal
20 process more efficient with the passage of Local Law
21 31. One of the common criticisms we heard from that
22 when the fallen trees was entangled with a power line
23 both Con Edison and the Parks Department had
24 difficulty coordinating how the trees would be
25 removed. Local Law 21, creating a tree removal

1
2 protocol, with the goal of eliminating some of those
3 inefficiencies, specifically we require coordination
4 between the city agency employees once the status of
5 a down tree is ascertained. A [inaudible] be sent
6 for each downed tree in an effort for alerting an
7 electric utility corporation when the downed tree had
8 been removed and the system for the codeployment of
9 city personnel and local electric corporation
10 personnel to assess and remove down trees that have
11 fallen on power lines. I am curious to understand
12 how the protocol [inaudible] cleaning-up process and
13 whether the protocol works [inaudible]. It is my
14 hope that we can engage in an effort to improve the
15 efficiency of these [inaudible] city service. While
16 the Parks Department has done the best, has done the
17 best we can in terms of maintaining our tree staff.
18 Their resources are limited. Together with the
19 administration, the council, during the last few
20 fiscal years, greatly increased the budget of the
21 Parks Department. We should recommend increase in
22 the tree pulling cycle and increase tree maintenance.
23 I'm convinced that these efforts helped lessen the
24 damage caused by fallen trees and limbs during the
25 storm. But, as we know, fewer resources for trees

1 mean more dangerous trees. For example, in my
2 district on Beach Avenue an 80-year-old senior living
3 alone had her front door completely blocked when two
4 large city trees fell down, also locking out the
5 power. Calls to 911 and 311 weren't going through.
6 The emergency situations like this can be lessened if
7 adequately funded our parks. However, this year the
8 Parks budget was cut by 85 million dollars, 85
9 million dollars, with the possibility that the future
10 budgets may suffer even further cuts. If this trend
11 continues we will reverse all the progress we have
12 made in improving the quality of our tree staff and
13 [inaudible] prune and maintain trees it will present
14 an even greater threat to life and property when
15 future storms occur in New York City. It is clearly
16 becoming obviously the severe weather will be an
17 increasing threat of life, that we all have to live,
18 and the city trees and the benefits we derive from
19 them will increasingly become victims if we don't
20 maintain them in a smart way. Thank you all, and
21 welcome all of you.

22
23 CHAIRPERSON COHEN: Chair Brannan?

24 CHAIR BRANNAN: Thank you.
25

2 CHAIRPERSON COHEN: Before I, can I just
3 say we've been also joined by Council Member Levine.

4 CHAIR BRANNAN: Thank you, Chair. Ah,
5 good morning. My name is Justin Brannan. I have the
6 privilege of chairing the community on Resiliency and
7 Waterfronts. Today I join Chairs Cohen, Koo, and
8 Constantinides in welcoming you to this joint hearing
9 to discuss the city and Con Ed's responses to
10 restoring power and removing downed and damaged trees
11 in the aftermath of Tropical Storm Isaias. I'd like
12 to extend my thanks to my cochairs for holding this
13 hearing today. On August 4, 2020, Tropical Storm
14 Isaias delivered heavy rain and strong winds to the
15 city, causing downed trees and power lines, and
16 leaving residents without power. Leading up to the
17 storm flood protection barriers were placed only in
18 lower Manhattan. When asked what the city was doing
19 for the many other low-lying areas, Mayor de Blasio
20 said of all the parts of the city one of the places
21 that is the lowest and has the greatest vulnerability
22 and the most people in businesses is lower Manhattan.
23 But most of the people who would have been working in
24 Manhattan were not because of the pandemic. They
25 were at home. By midnight on August 4 almost 104,000

1 customers were without power. Only 67 customers were
2 in Manhattan. The rest were in Brooklyn, Queens, the
3 Bronx, and Staten Island, proving again how
4 vulnerable and unprepared the outer boroughs really
5 are when a storm hits. We were very lucky that
6 Tropical Storm Isaias did not create a massive storm
7 surge or widespread flooding like we saw during
8 Hurricane Sandy that devastated the city eight years
9 ago. Eight years later, Tropical Storm Isaias proved
10 that the city and Con Ed are still unprepared for
11 extreme weather events. Fortunately, Isaias was not
12 as devastating as Hurricane Sandy, but downed trees
13 and power lines left thousands without power for well
14 over a week within the City of New York. Isaias was
15 a tropical storm by the time it reached the city.
16 What if it was still a Category 1 hurricane? What
17 would the city look like today? We are now in the
18 busiest month of the 2020 hurricane season and
19 setting records, with 18 named storms already. With
20 over without months remaining in hurricane season the
21 city may very likely be hit by another storm. We
22 think that we are an invincible city, but we're not.
23 We are no more prepared now than we were four months
24 ago, or even a year ago. In May Con Ed testified
25

1 that it was taking significant measures to be ready
2 for the forecast at high heat events, not only for
3 the forecast at high heat events, but also for the
4 upcoming storm season. Con Ed also testified that
5 the investments being made by the company should give
6 the council and city residents comfort this summer,
7 that cables and relays were upgraded and a new
8 control system developed to provide better
9 reliability to the overhead grid where above-ground
10 power lines were in place. The areas of the city
11 with underground power lines, Manhattan and northern
12 Brooklyn, saw very few outages after Tropical Storm
13 Isaias. But the rest of the city, where Con Ed still
14 relies on above-ground power lines, lost power. And
15 a week after the storm hit, and in the middle of a
16 heat wave, more than 4000 customers still had no
17 electricity. Only four months after Con Ed testified
18 to the council that they were prepared, we are hear
19 again to discuss the second-biggest power outage in
20 Con Ed's history, second only to Hurricane Sandy in
21 2012. I look forward to hearing the testimony of the
22 Office of Emergency Management, the Department of
23 Parks, and Con Ed, and to answer their, and to hear
24 their answers to our questions and what they did to
25

2 prepare for the storm and how they're prepared for
3 the next one. Before we begin, I want to thank my
4 committee staff, committee counsel Jessica Steinberg
5 Alban, senior policy analyst Patrick Mulvill, senior
6 finance analyst Jonathan Seltzer, my senior advisor
7 Jonathan Yetten, and council staff from the Consumer
8 Affairs, Parks, and Environmental committees for all
9 their hard work in putting this very important and
10 timely hearing together. Thank you, Chair.

11 CHAIRPERSON COHEN: Thank you
12 [inaudible]. Ah, I think now we're gonna have an
13 opening statement from Council Member Vallone, the
14 prime sponsor of the two resolutions that we're gonna
15 hear today. Ah, while Council Member Vallone is
16 getting ready, we have also been joined by Council
17 Member Gjonaj and Council Member Miller, oh, and
18 Council Member Ulrich. I think we have now have
19 Council Member Levin, but we're gonna double check.

20 COUNCIL MEMBER VALLONE: Thank you to the
21 cochairs, especially Andy Cohen, for putting this
22 together today. Um, clearly we're all still
23 recovering from the impact of the storm Isaias that
24 ravished us on August 4. Um, we all understand that
25 meteorological events cannot perfectly defined. But

2 the lack of prejudice from the hard lessons learned
3 from past events cannot be forgiven and must lead to
4 accountability. Our ancient infrastructure is a
5 recipe for disaster, combined with outdated overhead
6 power lines and dying trees have consistently prove
7 to be a recipe for disaster in every borough. A
8 lesson that we are doomed to repeat if we do not take
9 action, and that's why today's hearing is so
10 important. It remains completely unacceptable that
11 thousands of families had no power over one week
12 after the storm, with little to know information as
13 to when their power would be restored. Our council
14 offices received numerous reports of Con Edison
15 showing up to work on the downed power lines but
16 would leave the premises without restoring power,
17 claiming they never received the required permission
18 from Parks Department. How is that still happening?
19 It is unbelievable and it is something we cannot
20 relay to our constituents when that is the excuse
21 that is given. Our Parks Department was completely
22 overwhelmed, with over 15,000 damaged tree requests
23 reported to 311 on the day of the storm. This
24 hearing must bring change to our city's and Con Ed's
25 response, to our ever frequently growing natural

2 disasters. I want to thank Speaker Johnson and our
3 committee chairs for allowing my preconsidered Resos
4 6612 and 6614 to be heard today, calling on Con Ed to
5 increase resources dedicated to service restoration,
6 as well as to our resolution calling upon New York
7 State to pass legislation requiring Con Ed to cover
8 the cost of wires downed or damaged by a storm that
9 runs from the private homes to utility poles on our
10 streets. We must find a way for our city agencies
11 and Con Ed to work collaboratively [inaudible].
12 Thank you, Chair Cohen, and thank you to my fellow
13 colleagues.

14 CHAIRPERSON COHEN: Ah, thank you,
15 Council Member Vallone. Ah, we've also been joined
16 by Council Member Karen Koslowitz from Queens. Ah,
17 I'd like to now turn the meeting over to committee
18 counsel, ah, Bakees Marvig, to address some
19 procedural items and administer the oath for the
20 first panel of witnesses. Thank you.

21 COMMITTEE COUNSEL: Thank you, Chair. I
22 am Bakees Marvig, senior counsel to the Consumer
23 Affairs and Business Licensing Committee. Before we
24 begin, I want to remind everyone that you will be and
25 mute until you are called on to testify, when you

1 will be unmuted by the host. I'll be calling on
2 panelists to testify. Please listen for your name to
3 be called. I will be periodically announcing who the
4 next panelist will be. The first panelist to give
5 testimony will be representing Con Edison. I will
6 call on you when it's your turn to speak. During the
7 hearing, if council members would like to ask a
8 question of Con Ed, the administration, or a specific
9 panelist, please use the Zoom raise hand function and
10 I will call on you in order. We'll be limiting
11 council member questions to five minutes, which
12 includes the time it takes to answer your questions.
13 Please note that for ease of this virtual hearing we
14 will not be allowing a second round of questions for
15 each panelist [inaudible] committee chairs. All
16 hearing participants should submit written testimony
17 to testimony@council.nyc.gov. We will now call on
18 representatives of Con Ed to testify. We have Tim
19 Cawley, CEO of Con Ed testifying and joining him for
20 questions are Robert Schimmenti, senior vice
21 president of electric operations, Kyle Kimball, vice
22 president of government, regional, and community
23 affair, Matt Sniffen, vice president of emergency
24 preparedness, and Patrick Burke, vice president of
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2 Brooklyn Queens electric operations. Before we begin
3 we'll administer the oath. Please raise your right
4 hands. Do you affirm to tell the truth, the whole
5 truth, and nothing but the truth before these
6 committees honestly to council member questions? Mr.
7 Cawley?

8 TIM CAWLEY: I do.

9 COMMITTEE COUNSEL: Thank you. Mr.
10 Schimmenti?

11 ROBERT SCHIMMENTI: I do.

12 COMMITTEE COUNSEL: Thank you. Mr.
13 Kimball?

14 KYLE KIMBALL: I do.

15 COMMITTEE COUNSEL: Thank you. Mr.
16 Sniffen?

17 MATT SNIFFEN: I do.

18 COMMITTEE COUNSEL: Thank you. Mr.
19 Burke?

20 PATRICK BURKE: I do.

21 COMMITTEE COUNSEL: Thank you. Mr.
22 Cawley, you may begin your testimony.

23 TIM CAWLEY: Thanks so much, and I'm just
24 confirming you can hear me OK?

25 COMMITTEE COUNSEL: Yes, we can hear you.

2 TIM CAWLEY: Great. So, good morning
3 Chairpersons and to all the honorable members of the
4 New York City Council. My name is Tim Cawley and I'm
5 the president of Con Edison Company of New York. Um,
6 as was discussed, I'm joined by several of my
7 colleagues, um, for the Q&A. We, we appear before
8 you today to describe and discuss Con Ed's prep and
9 response to Tropical Storm Isaias, a historically
10 disruptive storm which struck on August 4 and whose
11 impact was felt from the Carolinas to Vermont. As
12 I'll explained, we were prepared for the forecasted
13 storm and as the storm's impact greatly [inaudible]
14 the forecast, we responded aggressively in our
15 restoration efforts. I want to start by
16 acknowledging that all of us at Con Ed are keenly
17 aware of how disruptive it is to be without power for
18 a few hours, let alone for multiple days. The
19 purpose of our existence as a company is to provide
20 energy to our customers safely, reliably, and
21 sustainably, and when events like this occur we see
22 firsthand what a hardship it is for our customers,
23 especially now as people may be working from home,
24 taking online courses, and facing employment and
25 financial struggles. We've already heard from many

1 of our customers, municipal partners, and elected
2 officials, including many of you, about areas where
3 we can better serve our customers and our
4 communities. All of these issues deserve thoughtful
5 diagnosis and remediation. We have a deep-seated
6 culture of continuous improvement and are committed
7 to addressing these issues. As Con Ed, we prepare
8 for all kinds of weather events year round. Our in-
9 house meteorologists constantly track weather trends
10 and model potential impacts on our system. We invest
11 over one billion dollars annually, including in
12 storm-hardening measures, in our electric system and
13 estimate that these efforts resulted in 20% fewer
14 outages during Isaias than we otherwise would have
15 expected. Con Ed spends approximately 14 million
16 dollars annually on a robust tree-trimming program.
17 And we are more than halfway through installing smart
18 meters throughout the Con Ed service territory. Once
19 this project is complete, smart meters will help to
20 improve the accuracy and timeliness of outage and
21 restoration information. We also leverage our
22 productive and robust relationship with the City of
23 New York by regardless coordinating with them through
24 information sharing and drills. In addition to these
25

1 system-wide blue sky resiliency preparations, we also
2 make necessary prep for specific weather events, such
3 as Isaias. As the forecast became clear that Isaias
4 would impact our region we took many steps to
5 prepare, including initiating storm preparations,
6 requesting mutual aid, and retaining additional
7 contractor crews to be on the ground, ready to
8 respond as soon as the storm had passed. Prior to
9 the storm we also held calls with municipal elected
10 officials through out service territory. We
11 monitored Isaias as it formed and made its way
12 towards our area up the eastern seaboard. On Monday,
13 August 3, based on information from the National
14 Hurricane Center, we expected Isaias to pass just
15 west of the New York City. Early on Tuesday, August
16 4, the forecasted path was roughly the same with
17 slightly stronger wind. Just four hours before the
18 storm hit the New York City region it suddenly and
19 without warning tracked 30 miles to the west towards
20 Pennsylvania. None of the weather models predicted
21 this change in the storm's track. This change caused
22 the storm's strongest wind gusts, 60 to 70 mph, to
23 hit the New York City area. The extremely strong
24 winds caused widespread destruction. All told,
25

1 nearly 330 Con Ed customers lost power, including
2 approximately 205,000 in New York City. We serve a
3 total of 3.5 million customers. In Con Ed's long
4 history only Superstorm Sandy caused more outages.
5 Entire trees collapsed onto our poles, wires and
6 other core infrastructure. This damage was so severe
7 that we were required to entirely rebuild sections of
8 our system rather than simply repair them. Isaias
9 brought down thousands of trees across New York City
10 and our service territory. Our trouble tickets show
11 that over 1450 damaged our energy delivery
12 infrastructure, including damage to more than 450
13 poles throughout the territory. Our understanding
14 from the Parks Department is they received a huge
15 number of service requests during and after the
16 storm. The storm inflicted the third-highest amount
17 of tree damage, reflected by the number of work
18 orders, in recent memory. Isaias also caused
19 incredible damage to the surrounding areas as well.
20 Roughly three million customers were impacted from
21 the Carolinas up through New England. As with any
22 storm we face, restoration work began as soon as the
23 storm passed and it was safe to do so. While the
24 damage was extensive, the pace of restoration for
25

1 this storm was significantly faster than previous
2 major storms. For our New York City customers whose
3 service was interrupted, 68% were restored by the end
4 of the second day of restoration, 87% by the end of
5 day three, and 98% of those customers by the end of
6 day five. One of the reasons we were able to make
7 such quick progress was the presence of mutual aid.
8 We began requesting and securing additional crews
9 four days before Isaias hit. After the storm passed
10 and the extent of the damage became clear, we widened
11 our search and began bringing crews from all over the
12 country. Thanks to these efforts, we had a total of
13 784 overhead and tree workers on site the day of the
14 storm on August 4. As the event progressed, we
15 continued to add resources to our response. Overall,
16 during this restoration effort we applied 1.6 times
17 as many overhead resources than we applied to
18 Superstorm Sandy. So we had 1.6, or 60% more
19 resources on the ground to respond to this storm, um,
20 over Superstorm Sandy. Many of the corrective
21 actions that we employed following winter storms in
22 2018 were helpful in this storm response. We began
23 to right of first refusal contracts for some mutual
24 aid contracts, which enabled us to have additional
25

1 workers on site before Isaias hit. And for the first
2 time ever we flew in 100 mutual aid line workers and
3 provided them with trucks when they arrived to get
4 them on site and restoring power faster. As I
5 mentioned at the beginning of my remarks, Con Ed was
6 prepared for the forecasted storm, and as the storm's
7 impact greatly exceeded the forecast, we responded
8 aggressively in our restoration efforts. We've
9 implemented the recommendations from past storms and
10 strengthened our system over the years to make it
11 smarter and more resilient, but we know this is not
12 enough. Our customers have made it clear that they
13 have no patience for incremental changes, especially
14 when they were out of power for multiple days, and I
15 and we all understand their frustration. Ultimately,
16 we're accountable to our customers and under these
17 type of extreme storm conditions it's clear we're not
18 meeting our customers' expectations. It's also clear
19 that destructive storms like these have grown
20 stronger and more frequent, and the realities of
21 climate change are taking hold. Con Ed's expertise
22 is in reliably transmitting and distributing
23 electricity. We are among the first to do so nearly
24 200 years ago, and today we're one of the most
25

1 reliable electric utilities in the country. We know
2 what it would take to restore power to 100% of the
3 customers very quickly after a storm like Isaias.
4 And I hope we can have a conversation and begin that
5 conversation today about that, what that would take.
6 And really there are three primary ways we could
7 reduce major outages and more, um, quickly restore
8 power. First, all the trees nears the power lines
9 could be removed. But I know that's something that
10 none of us want. Second, we could underground the
11 entire system, and there have been several references
12 to that in the opening remarks. We've studied this
13 in the past and are open to continue to explore this
14 idea in earnest. But we all need to be honest about
15 what undergrounding entails. Previous studies have
16 shown it would cost around 50 billion dollars to
17 underground the overhead system, and that doesn't
18 include how much customers would have to pay
19 directly, approximately \$15,000 to \$20,000 each, to
20 install new equipment on their homes to connect the
21 new underground lines. The third option is to have
22 more crews on standby to aid in storm restoration.
23 However, the cost of retaining the necessary
24 thousands of additionally workers would be incredibly
25

1 high. Restoring power very quickly can be done, but
2 it comes at a high cost. It can only be done if we
3 first have a frank conversation among all
4 stakeholders about what achieving this level of
5 resiliency would require. It's a conversation where
6 all of your voices, the voices of policy makers and
7 community leaders at all levels are essential. Our
8 customers depend on Con Ed to provide an essential
9 service and they, and they understandably expect the
10 service to be as reliable as possible. We understand
11 this and work hard every day to meet that expectation.
12 But balancing expectations with cost for customers is
13 also critically important and must be central, be a
14 central part of all of our conversations moving
15 forward. As always, we're open to your ideas and
16 welcome your feedback and look forward to your
17 partnership in an open, constructive, productive
18 dialogue as we work together in finding effective and
19 achievable solutions that can be implemented. So, in
20 closing, 2020 has clearly been a tough year for
21 everyone, um, and our employees are no different.
22 They showed up every day during the worst days of the
23 pandemic and every day during this long, hot summer.
24 They worked tirelessly to serve our customers safely
25

1 and to maintain what is widely regarded as the most
2 reliable electric system in the country. I'm
3 extremely proud of them and the work they have done
4 and continue to do. Thank you for the opportunity to
5 be with all of you today and we look forward to your
6 questions.
7

8 KYLE KIMBALL: It's my understanding that
9 live stream is only showing me, ah, because the audio
10 is going through mine, so I'm gonna walk this around.

11 COMMITTEE COUNSEL: Thank you, Kyle.
12 Perfect.

13 TIM CAWLEY: Thanks.

14 COMMITTEE COUNSEL: Mr. Cawley, um, if
15 you and your colleagues can please stay unmuted, I'm
16 going to now pass it on to questions by the chairs.
17 First we'll have Chair Cohen, followed by Chair Koo,
18 and then Chair Brannan. Um, Chair Cohen, do you have
19 any questions?

20 CHAIRPERSON COHEN: Thank you very much.
21 Ah, I'm gonna be brief 'cause we have a lot of
22 colleagues here, I think, who have a lot of
23 questions. But, but I have to tell you, there really
24 does seem to be a disconnect, ah, between Con Ed's
25 perception, ah, of the performance, ah, and the

1 response to, ah, the, the storm and I think, you
2 know, my perception and I suspect the perception of
3 many of my colleagues, um, and again, I had
4 constituents who had power, or were without power for
5 12 days. Ah, and we had this hearing in May and, you
6 know, I, I think people were skeptical of your
7 testimony, but you testified that, you know, you had
8 it under control, that you had a plan in place, and
9 that, you know, we were going to, ah, you know, have
10 a summer with consistent power delivery, uh, and, ah,
11 I think the storm, I, I just really can't reconcile
12 the testimony from May til, you know, to the
13 experience that we experienced after the storm. And
14 even your, your testimony today, um, you know, you're
15 doing a great job and you're restoring power quickly.
16 That just does not jive with our experience. Um, ah,
17 and I do believe that if you had adequate, ah, I
18 don't think mutual aid worked here. I think that
19 there were not enough people, ah, to get restoration.
20 Could you talk about, ah, how much mutual aid you
21 had, and what you would hope to have, and what you
22 got?

24 TIM CAWLEY: Sure, ah, thanks, Chair,
25 and, and just, ah, to address, we'll circle back, um,

1 12 days sounds extended. There may have been an
2 issue with some of the homeowners' apparatus, but we
3 can check on that. Um, ah, like I said, ah, by day
4 five we had 98% of New York City customers. And at
5 the end of the storm, it's really when you're doing
6 lots of work, removing several trees, maybe replacing
7 several poles to get back a few customers, and that
8 portion, that tail of the storm, is something we
9 always experience, we try to pull in, but, um,
10 certainly, ah, that last 2%, ah, we, we, we focus on
11 and we're looking to try to do better in that
12 capacity. And, and, um, with regard to my remarks,
13 and then I'll answer the question about mutual aid,
14 ah, um, this was an incredibly impactful storm, um,
15 and with tremendous amount of damage, and we worked,
16 um, earnestly around the clock to restore power as
17 quickly as we can, and, um, part of the discussion I
18 think we need to have, ah, collectively moving
19 forward is, ah, if these events are going to be more
20 extreme and more frequent, ah, it takes time to
21 remove trees and restring wire and install poles and
22 transformers and reconnect service. Like I said, in
23 two days we had 68% of, ah, the customers impacted
24 restored and we continued to move through that. We
25

1 always to do better, but I think we really need to
2 talk about, um, the, the extremities of the weather,
3 the frequency of the weather, and what we might do to
4 even further harden the system. With regard to
5 mutual aide, I mentioned in response to this storm,
6 um, we had staffed up relative to the forecast we
7 had. In fact, we wanted to build a cushion into the
8 response, give that people were at home in particular
9 and we wanted to have a very strong showing on behalf
10 of our customers. When, when the storm moved the
11 damage was incredibly more severe than we anticipated
12 and we had to bring in additional crews. Um, we
13 applied 60% more overhead resource to this
14 restoration than we did to Superstorm Sandy. So
15 Sandy, Sandy was more impactful, but we applied 60%
16 more resource in the restoration of this effort. Um,
17 so when the storm hit we had lots of folks on the
18 ground to begin with through mutual aid and other
19 resources, a right of first refusal contracts,
20 etcetera. And then we go out for more mutual aid.
21 Because it's a regional event the parties, the
22 utilities with crews closest to us are unable to
23 provide additional staffing because they are in fact
24 working out of outages within their territory. So we
25

1 have to reach further for that mutual aid and as the
2 day progress, um, through that work, the storm hit
3 Tuesday, um, we had lots of folks on the ground, but
4 each day after that we continued to augment staffing,
5 um, as crews came in, ah, from all parts across the
6 country. We also flew crews in [inaudible].

8 CHAIRPERSON COHEN: I mean, even five
9 days for 98%? That's a long time. Ah, I don't know
10 what your goal is on a, you know, I'm not saying it
11 wasn't a significant storm, but that, that seems like
12 not an acceptable rate to get 98%, right at 100% five
13 days. Is it, I mean, are you satisfied with that
14 performance? Do you think, hey, we did a great job,
15 we got everybody back in five days?

16 TIM CAWLEY: No, Chair Cohen, we always
17 try to enhance and improve our performance, and we
18 recognize the incredible hardship our customers go
19 through when they're out of light for a short period,
20 multiple days even more so. All I'm suggesting is
21 that when powerful storms come through the area it
22 has an incredible impact on our infrastructure, and
23 our infrastructure is not directly impacted. In
24 fact, um, ah, none of our infrastructure really gets
25 hurt by these winds. The trees get hurt by the winds

1 and full trees come down on our infrastructure. One
2 way I like to try to scale it for folks, if you're
3 out and about the neighborhood and you see one of our
4 utility poles, the poles are about 45 tall, and about
5 five feet of them are underground. So when you look
6 up you're looking at about 40 feet at the top. If
7 your neck has to crane to see a tree that's much,
8 much higher, the trees are a hundred feet tall in
9 some cases, and when they come crashing down it can
10 break multiple poles, and it's a rebuild job. So we
11 always want to do it more quickly. But the point is
12 that these are incredible rebuild efforts and across
13 the country it's not unheard of to go multiple days
14 in a restoration. We always want to do better.
15 We're trying to find ways to do better. Um, but
16 these rebuild efforts, and I think that's part of
17 what we need to talk about, ah, what the expectations
18 are and what the balance is between investment and
19 restoration. Um, nobody restores these things in a
20 day or two. Ah, notwithstanding what kind of
21 staffing. Ah, and Chair Cohen, maybe I'll, I'll give
22 you some, we had 2300 line workers on board and into
23 the action, and it took us two-and-a-half days to
24 restore the last 3% of the customers. This is big
25

1 work for single services or a few houses, and so
2 there's a tremendous amount of work that needs to be
3 done. Our staffing is somewhere around 300 line
4 constructors to do our normal, ah, routine new
5 business, maintenance, etcetera. Within a matter of
6 a day or two we sort of go 8x or 10x in our staffing
7 so as to, um, bring the restorations in as quickly as
8 we can. We're going, you know, eight times as many
9 workers over the course of, of a day or two, and that
10 yields the 98% in five days. Those last 2% are
11 incredibly important and it's incredibly hard on
12 them. I'm just trying to sort of paint to the
13 realities that these storms and the trees they bring
14 down wreak havoc on our distribution system. And it
15 takes time by field professionals to, um, earnestly
16 work hard and rebuild it.

18 CHAIRPERSON COHEN: I have colleagues who
19 have questions. I'm going, just two more, quickly.
20 Um, you know, just a point, for the, the, the last
21 2%, you know, it takes the longest to restore them
22 in terms of the, the amount of work, you're saying,
23 but they've also been waiting there at the end of the
24 line. So it's, it's, it's compounding. That was
25 very frustrating. I did have individual homeowners

2 who, like I said, were unequivocally out for 12, for
3 up to 12 days. Um, the, the, ah, other thing I just
4 wanted to ask is do you believe that the, ah, service
5 commission's, ah, report that you were short about
6 almost 850 line workers based on mutual aid? Is, you
7 can test that, is that not accurate?

8 TIM CAWLEY: So, so I would have to look
9 at the details. I'll tell you a little a bit about
10 how the mutual aid process works. Um, and it's a
11 clearinghouse to equitability distribute those
12 companies or contracts if they can offer crews to a
13 region, ah, to those who are requesting crews. So
14 effectively, um, early on the event when a storm hits
15 we have, we put a big request out. We want to
16 expedite the restoration. Those companies closest to
17 us are also engaged in that. So that the ask, it
18 feeds the offer. Within a day or two, as you reach
19 out further and crews travel in more, the ask
20 balances out with the offer and we ultimately made
21 that balance. In this storm, I'll say, um, with what
22 we had prepositioned and the mutual aid process this,
23 ah, equitable distribution of ask first offer
24 yielded, ah, a restoration effort that provided 60%

1 more resources than Sandy during the restoration
2 period.

3
4 CHAIRPERSON COHEN: [inaudible] as
5 opposed to percentage, how many, ah, employee,
6 people, line workers from not, who were not employed
7 by Con Ed but by other utilities came to, ah, your
8 aid?

9 TIM CAWLEY: So, subject to check with my
10 colleagues, we had about 2300 line workers working in
11 and around there, and we have about 300 on staff.
12 Those are sort of rounded rough numbers. So about
13 2000 outside workers came in, ah, service crews or
14 red line constructors and vegetation management, ah,
15 tree, ah, clearing crews.

16 CHAIRPERSON COHEN: All right. Lastly,
17 could you talk about, um, there were challenges in my
18 district on tree removal, or dealing with downed
19 trees where either a home owner or the Parks, they
20 couldn't remove the tree until they had gotten
21 clearance from Con Ed that there, the power was off,
22 and that seemed to not go as smoothly as it should.
23 Ah, can you talk about your understanding of those
24 issues?

1
2 TIM CAWLEY: Sure. We worked closely,
3 and that really about safety, ah, and I think you
4 know that. Um, we work closely with the New York
5 City Downed Tree Task Force and, and really worked as
6 a, um, as a strike team. We have professionals that
7 can evaluate the status of, of the conductors, that
8 can clear those conductors, and then allow the city
9 to remove the trees. Um, it, it sounds like in
10 certain cases there were some backlogs and there
11 were, you talked about 2100 tickets, ah, early on the
12 first day. So that's gonna overwhelm, frankly, any
13 level of staffing. But we do work closely with the
14 city to, um, be efficient and expedite, um, the
15 coordination between trees down that have wires in
16 them, um, and, ah, after any event we do lessons
17 learned and after accident review, after incident
18 reviews, and we'll take a look at our coordination
19 with the city in this case, um, to see where we, we
20 might improve that, ah, process.

21 CHAIRPERSON COHEN: Yeah but homeowners
22 also experienced a problem where they couldn't, they
23 couldn't get the restoration because they couldn't
24 get the tree cleared 'cause Con Ed wouldn't say
25 whether the power was on or off.

2 TIM CAWLEY: Understood, and we'll, we'll
3 work with, with, ah, the Downed Tree Task Force to
4 see if we can enhance that process.

5 COMMITTEE COUNSEL: I don't know the
6 order in which my colleagues had their hands raised.
7 I think Council Member Yeger might have had to log
8 off for a second. But if you could call on members.

9 COMMITTEE COUNSEL: We're actually going
10 to be turning it over to the chairs.

11 CHAIRPERSON COHEN: Oh, yes.

12 COMMITTEE COUNSEL: And then we'll move
13 on to council member questions afterwards.

14 CHAIRPERSON COHEN: Of course. Thank
15 you.

16 COMMITTEE COUNSEL: So Chair Koo?

17 CHAIRPERSON KOO: Thank you for coming in
18 to testify before our committees. Ah, my question is
19 oftentimes residents make calls, 311, or Con Ed
20 calls, describing a problem with a power line.
21 Sorry, my [inaudible] is off.

22 TIM CAWLEY: Chair Koo, I can hear you
23 now.

24 CHAIRPERSON KOO: Oh, OK. So many times
25 people call and complain about power lines on the

1 trees. But they are confused, whether it's
2 [inaudible] and not power lines, or Verizon or
3 Spectrum lines, right? So how do you, ah, educate
4 the general public that these are not Con Ed lines,
5 this is a power line for Verizon or, or from
6 Spectrum? So, and because of this, it cause a lot of
7 delays because, ah, you cannot remove the line first,
8 so the Parks won't remove the tree. So how, what is
9 the protocol? How do you identify which lines are
10 Con Ed lines and other utility lines?
11

12 TIM CAWLEY: Thanks for the question, ah,
13 Chair Koo. So, so we do a couple of things. As part
14 of our storm response we have what we call damage
15 assessors, and when we respond to these storms it is
16 a collective, all-company effort. So we basically
17 stop largely all the routine activity and focus
18 exclusively on restoring the storm. And so, um,
19 individuals from various group act in different
20 capacities during a storm. You can imagine engineers
21 who are familiar with our infrastructure. We send
22 them out to assess damage. So we'll dispatch them to
23 a number of locations. They will, ah, assess what
24 the tree is and what the wires are and be able to
25 report back and indicate either clear or Con Ed's

1 effort. In addition to that, obviously our crews can
2 do that. The Downed Tree Task Force for New York
3 City also has some individuals who trained to
4 identify and differentiate between telecommunication
5 versus power cables, and that helps to expedite that
6 as well. Um, it's really important for citizens,
7 though, to report the wire down, and oftentimes we'll
8 ask someone if it's from the top of the pole or is it
9 a wire from the pole to the house, and that will,
10 that will give us an indication of what kind of wire
11 it is, but for safety reasons we don't want, um,
12 private citizens to act on their belief about a wire
13 because a downed wire that's alive can be deadly, and
14 we really want to get a professional set of eyes on
15 them.
16

17 CHAIRPERSON KOO: So, so, in essence
18 there's no answer for this, right? [inaudible]

19 TIM CAWLEY: [inaudible] The answer is we
20 expand our resource within the company to put trained
21 eyes on this and dispatch them throughout the storm,
22 so we have bucket trucks, and those are the folks
23 that, um, analyze the problem and fix it, actually do
24 the work. We also have lots of engineers that run
25 ahead and to the sides on downed tree reports to make

1 that assessment and expedite the information about
2 what the status is of these downed trees. Um, we
3 augment that with some folks from the New York City
4 Downed Tree Task Force and their groups, who also
5 have, um, expert knowledge and understanding of which
6 wires are which and they can make the proper
7 differentiation. Um, but again, 21,000 that come in
8 in one day, some of them are gonna backlog, clearly,
9 and I think that's, ah, some of the phenomena you're,
10 you're describing. We'll continue to look at ways we
11 can release that constraint as this big storms hit.

13 CHAIRPERSON KOO: Well, ah, I, I must
14 say, do you know and assist them that a wire is down
15 in a neighborhood, or a certain address? Can you
16 tell by the computer system?

17 TIM CAWLEY: We, we cannot. We know from
18 the computer system a few things. We know, um, where
19 the area outages are based on algorithms and the
20 operations of switches that we had diagnostics on,
21 but if a particular wire is down we do not know, ah,
22 ah, precisely in our control centers whether's that's
23 the fact. So we see the results of downed wires, it
24 might be a power outage, but we don't know where that
25 downed wire is along the circuit, and that's why we

1 need boots on the ground with trained eyes to do this
2 damage assessment. And that capability is not
3 unique...

4
5 CHAIRPERSON KOO: So I...

6 TIM CAWLEY: ...or that lack of
7 capability, go ahead, I'm sorry.

8 CHAIRPERSON KOO: So I, I must, I have to
9 concur to Chair Cohen about our disappointment with
10 your company's performance. Many residents
11 complained, they don't have power for like over a
12 week. And, and, ah, worst of all, this is during the
13 pandemic, we all stay home, right? So we need the
14 power to do anything, to do, to learn, um, online
15 courses, ah, to communicate with other people, all
16 these things. And then especially a lot of seniors,
17 they lost a lot of food because they spoiled, and how
18 are you going to reimbursement them? What
19 [inaudible] do, we reimburse, right? You need
20 receipts? Ah, [inaudible] five days a long time ago,
21 but they were keeping it in the freezer. You don't
22 have receipts for all those things, you know.

23 TIM CAWLEY: So, Chair Koo, first, we
24 recognize the hardship, particularly during this
25 COVID period in this region and that's why we, we

1 work earnestly around the clock to expedite the
2 repairs. On the claims process, ah, we opened the
3 claims, and there are two levels. One with just a,
4 um, a notification of claim, another one more
5 detailed for a higher amount with specifics, um, ah,
6 and we continue. We processed the claims, we've
7 process over half of what we received, and we have a
8 team working on that. So, um, many of those checks
9 have gone out and we'll continue to do that, ah, and
10 we really did that, ah, Chair Koo, given COVID the,
11 the rules of our, um, engagement and our tariff are
12 such that if, if, if a strong storm comes through,
13 um, we are not obligated to pay food spoilage claims.
14 But in this case we expanded our policy, particularly
15 given the hardships that New Yorkers were facing, um,
16 during COVID.

18 CHAIRPERSON KOO: OK. Also, I have
19 another complaint, yeah. You mentioned during the
20 pandemic all your employees are working. Right? But
21 they're not doing meter readings. They don't take
22 meter readings. So, ah, a few restaurants complained
23 to me, right, they had been closed since February
24 already but you always give them a high bill because
25 you estimate the bill. You didn't take into

1 consideration all the businesses that closed. But
2 you still give them the regular bills because
3 estimated bills and thousands of dollars of bills,
4 some over \$10,000 bills, and because they don't know
5 they're, they're absent, they're not in the building,
6 so they are absentee owners, right, owners of
7 [inaudible], they are not here. So their accounts or
8 who ever delegated, they delegated, continue to pay
9 the bills, but they haven't used anything. So in
10 this situation you collect a lot of money from people
11 who need the money to do other things. So how are
12 you gonna refund this money to them?

14 TIM CAWLEY: Yes, yes, so, so we will,
15 and Chair Koo, a few things. When the pandemic
16 became, um, particularly, um, ah, strong and, and the
17 impact was very great in mid March into April, um, we
18 stopped reading meters really because we din't want
19 our people engaging with, ah, we wanted to really be
20 socially distant and help put a clamp on, ah, the
21 infection rate. I should note that about half of our
22 meters now are smart meters that don't require a
23 meter reader to, um, to go to a house and we continue
24 to roll those smart meters out. In cases where, we
25 are reading meters now, so we're back at it, um, and

2 we continue to read meters now. If any of your, um,
3 constituents have any issue with billing please call
4 the company. We'll work with them, ah, to both
5 straighten out the estimated bill and get a true
6 reading and do a reconcillation of that, and/or if
7 they're struggling, um, given these economic times,
8 um, we are happy to work with them on payment plans
9 to allow them to get to a better financial position,
10 ah, over the months to come.

11 CHAIRPERSON KOO: But my point is through
12 March and April, we know other businesses are closed,
13 why do you keep sending them bills? I mean, they,
14 they haven't spent, ah, the, the doors are not open,
15 so [inaudible]

16 TIM CAWLEY: Yeah, and...

17 CHAIRPERSON KOO: [inaudible] used to
18 have thousands of dollars. Some people, they don't
19 know. They just pay the bills. And then they find
20 out hey, how come, I didn't open my business, I got a
21 big bill from Con Ed.

22 TIM CAWLEY: It, it will all be
23 reconciled and, ah, if we sent out a bill, ah, with
24 the estimate that was high we will certainly
25 reconcile that with the customer. If any of your

2 constituents have any issues, please have them reach
3 out, um, directly to the company.

4 CHAIRPERSON KOO: OK, thank you. That's
5 all.

6 TIM CAWLEY: Thank you.

7 CHAIRPERSON KOO: So I'll turn it over to
8 other chairs for questions.

9 COMMITTEE COUNSEL: Thank you, Chair Koo.
10 Chair Brannan.

11 CHAIR BRANNAN: Thank you. Um, so we've
12 now entered the busiest part of, ah, hurricane
13 season. What in the month or so since Isaias, um,
14 how, what has Con Ed done to be better prepared for
15 the next storm.

16 TIM CAWLEY: So thanks for the question,
17 Chair Brannan. Um, and you were right, if you lisd
18 to the news this morning, um, the tropical storms,
19 the hurricanes are forming and spinning, and New
20 Orleans looks like they'll get hit again, um, ah, in
21 the next day or so. Um, Chair Brannan, we've, we've
22 done after-action reviews. We'll continue to look
23 for ways to improve. I would say, um, a few things.
24 Um, we staffed up to a greater level than we normally
25 would have, ah, given Isaias. And as a result we

1 were able to get out of the, um, out of the starting
2 gate a little better than we would under normal
3 circumstances. We will continue to be very
4 conservative with our staffing over the short haul,
5 over the next few months of this hurricane season.
6 Ah, if you recall, Hurricane Laura came up through
7 Louisiana and Texas and sort of made a right turn in
8 Tennessee, and they expected to, ah, go out to sea,
9 ah, as a, um, as a light storm in Virginia. But
10 given that the track had some uncertainty in it,
11 given the fact that it had to move from Tennessee to
12 the east coast we staffed up heavily and kept many
13 of the contract mutual aid crews that we had for the
14 Isaias response on for that weekend until, in fact,
15 Hurricane Laura passed into the Atlantic Ocean. So
16 that's an example where we, over the short haul, just
17 simply staffed up. Um, we had many, many, um, line
18 workers in place going into that weekend and didn't
19 release them until Sunday, when it was clear that
20 Laura had passed into the Atlantic, um, south of the
21 Virginia area. So, ah, that's an example where, um,
22 while we were not expected to get a hit with Laura,
23 we held onto staffing in the event, um, things
24 changed. I would say, ah, over the short haul that's
25

1 the biggest thing we'll do, is, ah, be even more
2 conservative. I think we were conservative with
3 Isaias and we'll be more conservative as we were with
4 Laura as these tropical depressions and hurricanes
5 approach the area. The other thing we're doing, we've
6 made quick work, I mentioned we flew in 100 line
7 workers, ah, and one of the advantages, and, and to
8 fly in line workers what you really need is a bucket
9 truck to put them in, right? So typically on mutual
10 aid they will get in their trucks from Indiana or New
11 Mexico and drive a day or two, and now they got, both
12 their tools, their truck, and their presence. We,
13 um, secured a hundred bucket trucks ahead of this
14 storm about a year ago and the advantage of flying
15 line constructors in is they can get here more
16 quickly and they can release back to their home
17 organization more readily. So if a crew comes from
18 New Mexico they may travel for two-and-a-half days,
19 do a few days work, and travel two-and-a-half days
20 back. That home organization loses those crews for
21 up to a week for two days of work. With the airplane
22 they can jump on a plane, they'll fly in, we put them
23 in the buckets we have so we can get them here quicker to
24 effect restoration and get them home to their
25

1 organization. It allows for an easier, more flexible
2 release from those home organizations. We have set
3 up a purchase contract to purchase about a hundred
4 line trucks, bucket and auger trucks, for the
5 explicit purpose of bringing in more, um, flown-in
6 line crews. It's pretty new to the industry, but we
7 think it makes us more nimble and flexible and allows
8 us to on shorter notice get more resources here and
9 return them back to their home company in a sooner
10 spot.
11

12 CHAIR BRANNAN: Do you feel that Con Ed
13 was caught off guaranteed by Isaias?

14 TIM CAWLEY: I don't. You know, um, in
15 fact, going into the weekend, and we reflect on this
16 a lot, Chair Brannan, um, we have been focused on
17 storm response and we are particularly appreciative
18 of the fact that COVID is a new world for people.
19 Ah, people are working at home. People are up
20 against it. So our ability to serve reliably is more
21 important than ever, and was always incredibly
22 important. So based on the weather forecast we, um,
23 we really put cushion into what that fore was. Um,
24 Friday, Saturday, the winds were gonna be about 30,
25 35 mph, really no impact. But we brought a number of

1 crews in any way because we tanned to make quick work
2 of any of the damage that occurred. Um, Tuesday
3 morning, when things shifted, ah, we had a, a good
4 core group of line constructors here and quickly
5 augmented that, immediately went into the mutual aid
6 process and, um, right of first refusal contractors
7 to bring more in. As I said, based on the start we
8 had and what we were able to obtain, we had 60% more
9 crews than we did during Superstorm Sandy, and that
10 was an epic event. Um, ah, so, I would say we
11 prepared, we prepared for the forecast with cushion,
12 and the weather delivered something much, much more
13 destructive.
14

15 CHAIR BRANNAN: All right. I, I don't
16 know, I mean, I don't know anyone that thinks Isaias
17 hit, hit us harder. I mean, the damage was worse
18 than we thought it was gonna be. But the storm
19 forecast was not worse than we thought it was gonna
20 be. It was, it was the opposite.

21 TIM CAWLEY: And it changed, Chair
22 Brannan, it changed late in the game and, um, we were
23 not seeing anything with 70 or 60 mile an hour, maybe
24 60, but nothing with 70 on it, um, and we saw 70 mile
25 an hour gusts in New York City over, over that period

1 of time. It was a fast mover, but it was powerful.
2
3 And for us the wind gusts...

4 CHAIR BRANNAN: OEM was telling us to
5 expect 70 mph winds the night before the storm.

6 TIM CAWLEY: Yeah, so the night before
7 the storm we, we prepositioned people starting
8 Friday. The storm was Tuesday. We started to bring
9 people in on Friday. The night before the storm
10 we're, it's on us. It has changed from Friday to
11 Saturday, and Sunday, Monday it really changed, and
12 then Tuesday, in fact, even the morning weather
13 changed significantly and the destruction was
14 greater. And in terms of the weather, we have sort
15 of matrices that say if you get this weather with
16 full foliage, this is the kind of impact you're gonna
17 have on the system, and that's about what happened
18 here. We did not expect 70 mile an hour gusts, but
19 we got the damage and, you know, I talked about a
20 tree trimming program in my opening remarks, about 14
21 million a year, that keeps things healthy in the blue
22 and the gray skies, if you will. These storms take
23 down healthy trees, full trees. They take down
24 damaged trees. They take down large limbs. You've
25 seen in your, um, in the areas that you represent,

1 and so when these trees come down with 70 mile an
2 hour gusts, it is a rebuilding effort and we always
3 want to pull in the restoration tighter and we always
4 do after-accident reviews to improve. But the, but
5 the, um, the sheer fact of the matter is that it's an
6 incredible amount of work to restore the electric
7 system, um, that faces this kind of tree damage.

9 CHAIR BRANNAN: OK. So back in May, um,
10 Con Ed testified that, um, they had made significant
11 investments since Sandy, so that when a storm like
12 Sandy hit the effects of power outage would be
13 decreased by 20% to 25% and that trees falling on
14 wires would knock out half of what they used to knock
15 out. Um, what, what happened there?

16 TIM CAWLEY: So, so, ah, a few comments.
17 After Superstorm Sandy we did invest a billion
18 dollars in storm hardening. Um, and that was really
19 in two areas, Chair Brannan.

20 CHAIR BRANNAN: What does that mean?

21 TIM CAWLEY: We, we invested in, um,
22 resiliency and, and storm hardening post Sandy. Must
23 of that invm had to do with flood protection. So
24 there are a number of, ah, occasions. During Sandy
25 we lost entire substations that were inundated with

1 floodwaters from the East River and otherwise. We,
2 ah, quickly went and designed and built moats and
3 walls and raised equipment such that it would
4 withstand significant flooding. Um, we think that
5 would significantly alter the number of customers,
6 the number of outages that would occur should Sandy
7 occur again. And those are flood-related outages.
8 So it's walls, it's raising equipment. The other
9 thing we do in low-lying areas of the underground
10 system, we put in sectionalizing switches so that we
11 didn't have to, we wouldn't have to knock out full
12 neighborhoods, we could be more surgical in our
13 isolation of equipment if it were gonna get
14 impression acted. So, again, from a flood protection
15 standpoint, we spent, invested lots of money, over
16 probably three years after Sandy, four years after,
17 um, to harden the system. On the overhead system
18 similarly, um, and, and a few things we do on the
19 overhead system. One is we put up more
20 sectionalizing devices or switches, so the simple
21 analogy I'll draw is if you had a circuit, you know,
22 a set of poles, 50 poles, and the wires run on them,
23 if a tree comes down and there a thousand customers
24 on that circuit, a thousand customers would out of
25

1 light. If you install switches periodically you can
2 minimize the impact of that single tree falling and
3 you might cut it in half or in a quarter. So if you
4 put four such switches along that thousand, um,
5 customer section, if the tree came down it would
6 recognize the fall, it would open up the switches,
7 and isolate. Two, 250 would be out of lights, but
8 750 would avoid the outage. We think that the
9 addition of sectionalizing switches in New York City
10 and Westchester County did in fact result in 20% less
11 outages, 20% avoided outages in this event. And
12 really what our engineers do is they say, well, what
13 was the damage and what sectionalizing switches did
14 we install, and had we not installed them what would
15 has been the outage count? And we think we reduced
16 the outage count by about 20,000 customers, ah, not
17 20,000 customers, excuse me, by about 20%. Um, we
18 are putting up stronger poles, we're putting up
19 aerial cable that's more resilient to trees.

21 CHAIR BRANNAN: Yeah, that's what I
22 wanted, I mean, a couple things. It's a little
23 concerning that, that it could have been worse, um,
24 that there's, that there's any suggestion that what
25 happened was somehow a success. But my, um, Sandy,

1 obviously was a, was a water event, it was a flood
2 event, largely. So now that we've learned that, I
3 mean, whereas Isaias was largely a wind event, um,
4 what, what steps are we taking now to invest, um, in
5 those, ah, resiliency measures?

7 TIM CAWLEY: Yeah, so I'll suggest that
8 Sandy was a flooding event and a wind event...

9 CHAIR BRANNAN: Right [inaudible]....

10 TIM CAWLEY: ...with an incredible amount
11 of damage...

12 COMMISSIONER BRANN: ...I mean, the
13 flooding...

14 TIM CAWLEY: Right.

15 CHAIR BRANNAN: But for Isaias there was,
16 you know, we were, the mayor was down in lower
17 Manhattan on the night before and it was dry as a
18 bone. I mean, that, that wasn't the problem.

19 TIM CAWLEY: Yeah, so it wasn't a flood
20 event. But Sandy was both. So we've, we've invested
21 a lot. And I wouldn't say it's a success. All I'm
22 saying is that we avoided outages based on the
23 investment and we can demonstrate we avoided outages.
24 Any time customers go out of lights, Chair Brannan,
25 um, we understand the hardship and we want to

1 continue to make improvements. The investments
2 allowed for 20% of the customers not to experience an
3 outage when Isaias rolled through. And we think,
4 we're gonna continue to work at that. We think
5 there's still an opportunity for additional
6 investment on the overhead system, but we did avoid a
7 number of outages. There were a number of our
8 customers who did not experience an interruption
9 because of the efforts and the investment. And it's
10 largely sectionalizing switches. It's stronger
11 poles. It's a more resilient type of cable. It's
12 really underground cable mounted about halfway up the
13 pole that's much more resilient. It's run on a steel
14 messenger that is, that helps protect it from some
15 trees. But the trees that came down here are
16 snapping poles and otherwise, and we're still gonna
17 have some rebuild. So we're looking to mitigate the
18 damage, not eliminate it. We serve 3.5 million
19 customers, a population of upwards of 10 million, and
20 so that 2% or 3% is 4000 customers, 4000 customer
21 accounts. We feel for them. We want to pull it in,
22 but it's important to sort of understand the context
23 of who we serve as well.
24
25

1
2 CHAIR BRANNAN: When you talk about
3 customers, you know, people bristle, and me included.
4 Um, I like to talk about people, not customers.

5 TIM CAWLEY: Yep.

6 CHAIR BRANNAN: How do you, um, how do
7 you approximate, approximate the number of customers
8 that were affected versus the actual amount of people
9 that were impacted?

10 TIM CAWLEY: Yes, so, ah, and this comes
11 up often and, um, we view them as, we, we feel
12 thrilled to be able to serve this great area. It's
13 the great city in the world and we feel fortunate and
14 privileged to serve here, ah, and certainly we want
15 to do our best to serve these great folks. Um, so
16 we, we count meters or customer accounts. That's
17 sort of the convention we use, ah, in our processes
18 and that's the way, um, the business is run. As a
19 rule of thumb, depending on the neighborhood, um, if
20 we have 3.5 million customer accounts it equates to
21 roughly 9 million people, ah, who, who, ah, who live
22 and work in the five boroughs and Westchester County.

23 CHAIR BRANNAN: [inaudible] so how many
24 people does that mean were impacted by the, by
25 Isaias, the outages?

1
2 TIM CAWLEY: So, so rule of thumb, ah,
3 about a million people if, if you apply that rough
4 math, Chair Brannan, and so overall in New York City
5 and Westchester there were 330,000 customers. In New
6 York City there were 200,000, roughly, and if you
7 apply rough math of 3:1 it's about 600,000 people,
8 ah, that live and work, ah, in New York City.

9 CHAIR BRANNAN: So burying, burying the
10 oversight hearing power lines we all know, you know,
11 we're always told it's prohibitively expensive, don't
12 even think about it. Um, and I understand, you know,
13 the, you know, we're not talking about something that
14 could be done overnight. We're not talking about
15 somethings that's that going to be done all on the
16 same day, all at once. Um, but has there ever been
17 consideration given to decreasing, um, dividend to,
18 to your investors in order to make those, um, to make
19 those changes, to convert overhead power lines into
20 underground power lines and telling your investors
21 that this needs to get done, this is a priority,
22 instead of just giving them, you know, the, the
23 dividends that they're expecting.

24 TIM CAWLEY: Yes, so a few thoughts, and
25 thanks for the question. Um, the first is that, um,

1
2 I think this is an area where we need to have a real
3 earnest discussion about how we want to move forward,
4 um, um, the response, um, we'll the lights back on
5 but it's clear we're missing customers' expectations
6 and the damage is, is terrifically horrific, and so
7 we really need to, um, talk with you folks and other
8 stakeholders about how we want to move forward over
9 the long haul with regard to some of our overhead
10 infrastructure, particularly in the more densely
11 populated areas. You know, in, in terms of sort of
12 passing on the dividend, um, we, we're an
13 infrastructure company. We invest over three billion
14 dollars a year in infrastructure and it's not unlike
15 bridges or roads or schools. We need to raise money
16 to, um, provide the capital for that investment and
17 we raise in the equity markets and in the debt
18 markets, and so, and we need to make these
19 investments to keep the system reliable and to meet
20 growth, etcetera. And so, um, our shareholders over
21 time have invested about 25 billion dollars in the
22 company and the dividend we provide is really a
23 return on those shareholders' investments. And it's
24 modest, it's somewhere less than 4% and it really
25 keeps them engaged with us and allows us to access

1 the capital markets. If we didn't have access to
2 those capital markets the cost of borrowing would go,
3 ah, would go up and ultimately the, the cost of
4 delivery would go up. So really, um, most of our,
5 ah, shareholders are either, ah, in retail, ah,
6 individual investors who invest money and look for
7 sort of a steady stream of income at a modest level,
8 or their pension funds or, um, mutual, ah, mutual
9 funds that, that look for this sort of lower risk,
10 steady return. So, um, if we forewent some of the
11 dividend our shareholders would go elsewhere and
12 ultimately financing the three-plus billion a year,
13 ah, would go up. So it becomes a, a bad circle.

15 CHAIR BRANNAN: Is it factual that, that
16 Con Ed investors have, have seen a consecutive
17 dividend for 15 years?

18 TIM CAWLEY: Ah, I think it's in the high
19 forties, um, but, ah, ah, consistent dividends, and
20 frankly that's why they invest in us. They don't get
21 very high returns or incredibly high returns. They
22 get a modest return, um, with some level of
23 certainty. So it's the risk-reward that they're
24 valuing in, in the company's performance over time.

25

1
2 CHAIR BRANNAN: Yeah, I mean, the concern
3 there is that I hear that you got almost 50 years of
4 consecutive dividends, but burying the power lines is
5 too expensive. I mean, there's a cognitive
6 dissonance there that's very, very troubling. Um,
7 and, you know, the, the constant problems that Con Ed
8 has with providing power reliably to the residents of
9 New York is one of the reasons why the governor has
10 threatened the revocation of franchise. Um, so if,
11 if not for forward-thinking and talking seriously
12 about burying, I mean, look, we, we, there were 67
13 customers in Manhattan who lost power, while the, the
14 rest of us in the outer, in the Ozarks, in the outer
15 boroughs, um, were in the dark. And, and it's, you
16 know, enough is enough, I mean, you know, so when I
17 hear that the, I understand, I mean, you're a public
18 company, the shareholders need to get paid. But when
19 I hear that, you know, ah, these aren't the
20 [inaudible] you're looking for and we can't make
21 investments in burying power lines and we're just
22 gonna keep spending money to clean up a mess and, and
23 to fix a problem, um, I don't know, I mean, why do
24 you think Con Ed should then maintain its monopoly
25 over New York City residents?

1
2 TIM CAWLEY: Yeah, just hold on a second,
3 I'm getting a...

4 KYLE KIMBALL: So Council Member Brannan,
5 um, I wanted to take this question specifically,
6 because I think there's a big misconception around
7 this undergrounding conversation. One is this is not
8 a unilateral decision, right? This is not us saying
9 that we are not going to bury the power lines because
10 it's too expensive. To bury the power lines, first
11 of all we're saying, and this we have said, it is
12 something that, that could be considered and it's
13 certainly something we worked with communities to
14 study after Sandy. Most of those communities who
15 studied it after Sandy decided themselves it was too
16 expensive. Part of the issue is that, um, so first,
17 I just want to address the misconception that this is
18 something we have decided on unilaterally. That's
19 actually not the case. It requires a tremendous
20 amount of coordination with the other utilities, ah,
21 with Verizon, with Spectrum, with DEC, ah, and, and
22 certain boroughs would be, require coordination with
23 National Grid to open up the streets. Ah, and I
24 think what we're saying in this is that it, we can
25 have that conversation, we wanted to have that

1 conversation because it might make sense. Um, but
2 it's not something that we decide on unilaterally. I
3 think the other think you have to think about,
4 though, is that you could be trading storms, right?
5 So we have often talked about that in a case of like
6 Tropical Storm Isaias it was not an event for
7 Manhattan, um, but heat waves can be, ah, events for
8 Manhattan. So something to consider that you are and
9 potential, we've often said that heat, ah, can be
10 like a hurricane for the underground systems and when
11 you have outages in the underground system those
12 outages take a lot longer to fix. So there's a lot
13 things to consider.

14
15 CHAIR BRANNAN: I give you guys, I give
16 you guys credit. When we had, we had the, we had a
17 hearing to see if you, if Con Ed, was going to be
18 prepared for the summer for the heat, because we
19 thought more people were going to be home running
20 their air conditioners, um, and it was fine, there
21 were no problems. Um, so I mean, I give credit where
22 it's due. I think, so you're saying when, when we
23 have these conversations about burying the overhead
24 lines the communities balked at the price 'cause, how

1
2 did you tell them that they were gonna have to pay
3 for it? I'm assuming...

4 KYLE KIMBALL: So they, it was, they did
5 their own independent studies and there's two sorts
6 of components to it. One is, um, there's the cost of
7 the work that's being done in the street to bury and
8 the transformers and all of that basic street work
9 that has to happen, oftentimes where people get, ah,
10 frustrated with the idea of, ah, um, undergrounding
11 is that the homeowners themselves, so if you, for
12 example, now have a house with a overhead system
13 your, um, transformer box, your fuse box, is on the
14 second floor, or wherever the power enters the house.
15 In an underground system you have to move that
16 transformer to the basement and you have to rewire
17 the house essentially to allow for a fuse box coming
18 from the basement. And for some people that's just a
19 cost that's too much to bear, ah, and that's
20 something that, that collectively we'd all have to
21 decide how to finance. First of all, we'd have to
22 collectively decide to do it. We'd have to
23 coordination with all the other utilities, and then
24 we'd have to figure out ways to finance it. And I
25 think what we're saying here is that that's something

1 to consider, but it's not just going to be a number
2 that has, that has, that we come up with. We're also
3 going to have to work with the city to find ways to
4 bring down that cost, because a lot of the costs are
5 associated with coordination with the city agencies,
6 with other utilities. You know, potentially, um...

8 CHAIR BRANNAN: But is this something
9 where Con Ed, is this something where Con Ed could
10 come up with how much they would be willing to invest
11 in this, if the city was [inaudible]?

12 KYLE KIMBALL: I think you first, I think
13 you first have to, again, I think the conversation
14 first has to be about does it make sense in the
15 context of resiliency and coordination and for
16 homeowners, and how can we, and what would the cost
17 be, and then how can we work together as a group of
18 city and the public and private entities to bring
19 down those costs, and then you figure out how to get
20 those paid for. And I think as, as President Cawley
21 said, um, you're gonna have to have coordination
22 between the public and private sectors, public and
23 private investors, um, to get something of that
24 magnitude done.

1
2 CHAIR BRANNAN: It's a massive
3 undertaking.

4 KYLE KIMBALL: Yeah.

5 CHAIR BRANNAN: No one, I mean, even your
6 harshest critics are not denying that. I just think
7 that it just sounds crazy to me that we, we just keep
8 doing the same thing over and over again, and somehow
9 eventually, um, five, 10 years from now if we keep
10 doing this it's gonna add up to the cost of burying
11 the damn lines at some point. I mean, um, so what,
12 so if we're not burying the lines any time soon, what
13 investments are being made to, to fortify or make the
14 above, above-ground lines more hale and hearty?

15 TIM CAWLEY: So, so I'm back, and I thank
16 Kyle for, for some of that insight. Um, and I'll
17 answer that question in a minute. We really are open
18 to that discussion and, ah, it is a, it could be a
19 long process and it could be prioritized, um, based
20 on a number of factors. I think it's a discussion we
21 should have. You know, if you do the straight, if
22 you do the straight math, um, notwithstanding it
23 fact that the wires come down and we pick them up,
24 and they come down and we pick them up, it's, it's
25 hard to justify, um, the, the economics straight up.

1
2 But there's an incredible inconvenience and frankly
3 hardship for our customers. So the resiliency has a
4 price and if the storms are going to become more
5 frequent and more severe, I'm in this business for
6 over 30 years and the first two decades were very
7 different than the last decade for me, in terms of
8 storms and severity. It's just, it's like night and
9 day and, ah, you know, we're in this small footprint
10 within New York City and Westchester County and, um,
11 again, the first 20 years have been very different
12 than the last 10. So I think it's, it's something we
13 really want to talk about and see what makes sense.
14 Um, post Sandy there was a lot of good collaboration
15 with stakeholders about what do we want to build to
16 and how do we want to make the system more resilient.
17 I think we, we benefitted greatly from that
18 collaboration and I think it's time to have that kind
19 of a discussion now. Um, in terms of the overhead
20 system and the hardening, I hit on a few of the, um,
21 issues. The most pronounced and the most cost
22 effective and the most effective is more
23 sectionalizing switches. So if you have a tree come
24 down and you can limit the number of customers
25 impacted, um, on a dollar-for-dollar basis that is

1 the biggest bang for the buck. We've done an
2 incredible amount there. And, like I said, when we
3 do our [inaudible] with our engineers we talk about
4 20% of the outages off the table in this event
5 because we installed sectionalizing switches. And
6 there's more to do there and we continue to work
7 earnestly and aggressively on that. But that's the
8 biggest bang for the buck. An outage saved is really
9 great. Those customers never knew they would have
10 otherwise gone out of light and it allows us to focus
11 on those who have gone out of light. And, like I
12 said, Isaias rolled through our region from southern
13 Staten Island up through northern Westchester. We
14 served 3.5 million customers. And about 7% of our
15 customers were impacted. That's 7% too many and
16 we're gonna continue to work on it. But, ah, there's
17 a fair amount of resiliency built into the system,
18 um, relative to rain and wind events, and we continue
19 to build more in. But I think the next step in that
20 progression of discussion, not unlike after Sandy, is
21 should we talk about, um, the implications of
22 undergrounding certain sections of the overhead
23 system over a prolonged period on a prioritized basis
24
25

2 to help make the system even more resilient to these
3 more frequent, more powerful events.

4 CHAIR BRANNAN: OK. Thank you, Chair
5 Cohen. Thank you.

6 TIM CAWLEY: Thank you.

7 COMMITTEE COUNSEL: Thank you, Chair
8 Brannan. I'll now call on council members in the
9 order they have used the Zoom raise hand function.
10 If [inaudible] ask a question and you have not yet
11 used the Zoom raise hand function please raise it
12 now. Council members, you'll be limited to 5 minutes
13 for your questions [inaudible] in total. The
14 Sergeant at Arms will keep a timer and will let you
15 know when your time is up. We [inaudible] and the
16 sergeant has announced that you may begin before
17 asking your question. First we'll hear from Council
18 Member Yeger, followed by Council Member Holden.
19 Council Member Yeger?

20 SERGEANT AT ARMS: Time starts now.

21 COUNCIL MEMBER YEGER: Thank you very
22 much, Mr. Chairman and, ah, the other Mr. Chairman.
23 Um, ah, and thank you, Mr. Kimball, for your
24 testimony today. Ah, I know [inaudible] I'm not here
25 to, to give Con Ed a medal. Um, I'm not gonna do

1 that. I know my colleagues are not doing that,
2 either. Um, but I also think there's, there's some
3 disconnect between, ah, your response and your
4 obligation, ah, versus for alongside government to
5 stop in its obligations. And I think that piece to
6 me is not necessarily being recognized. And I want
7 to delve into that a little bit in our time together.
8 Um, first, are you able to tell us how many of your,
9 ah, wires or poles came down as a result of the storm
10 directly versus being taken down by a tree?

12 TIM CAWLEY: So, um, I, I can tell, you
13 know, ah, Councilman Yeger, that in the high 90%.
14 Ah, the, this was a tree event. This was a wind and
15 tree event and our infrastructure does not fail based
16 on those kind of winds. It's trees impacting our
17 infrastructure that bring it down. So, you know, 95-
18 plus percent of the outages were due to, um, trees
19 impacting our overhead equipment.

20 COUNCIL MEMBER YEGER: I, I want to delve
21 into that a little bit, because that has been, ah, a
22 point of contention [inaudible] has been hearing in
23 this council for the last several months [inaudible]
24 in the council, and in fact on June 30 [inaudible] to
25 myself on July 1, when I voted on the budget I voted

1 no, and I specifically talked about the city's tree
2 pruning program. And how how, ah, when we at, we
3 council members, a community board, or, or a 311
4 caller, ah, call the city and say I got a tree and it
5 just kind of, it looks shaky, or it looks, ah, ah, it
6 looks unsafe or it looks like it's rotting, um, the
7 city says, you know, we'll get to it when we get to
8 it, in essence, ah, or least [inaudible]. Ah, it's
9 not exactly working. And, and, I think that, ah,
10 there's, there's a true problem with that because,
11 um, you know, the trees that I saw on June 30, on the
12 day of the budget we had a Stated Meeting in the
13 morning, a Stated Meeting in the evening, and in
14 between my assemblyman and I drove around our
15 neighborhood looking at the downed trees from the
16 June 30th storm, and you can see the inside of these
17 trees are not healthy. I mean, they, I'm not saying
18 healthy trees don't come down with a high wind, high
19 rain storm, but I am saying that in the City of New
20 York with millions of trees there are bad, unhealthy
21 trees that are coming down with just a slight, ah,
22 rain, ah, or wind storm and the city, if it only
23 would have attended to it earlier would not have seen
24 that. And I can't help but wonder that if the city
25

1 was taking care of its own infrastructure and, and,
2 ah, ah, um, a tree program, ah, during the, during
3 the good times that when the wind and the rain would
4 come, ah, we would have far less incidents of wires
5 and poles being taken out. Um, that's not
6 necessarily a question because I want to the get to
7 the point, ah, ah, that I'm talking about, um, in the
8 days, I think we saw, ah, past June 30th there were
9 outages on June 30th and there, you know, there was a
10 somewhat slow response. It wasn't as bad as, ah, ah,
11 the tropical storm a few weeks later. Um, I think
12 that we saw the city's response was lax. Ah, I saw
13 wires come, wires wrapped around trees, ah, that were
14 there for a day or two. I know that your issue with
15 the city is that the city won't take away a tree if
16 your wires are there because there's a possibility of
17 the wires being live, and on the other hand there's
18 very little you can do until the city comes and does
19 its work. Let me ask you this question. If during
20 normal times, good times, and nice weather, if your
21 workers are, ah, ah, see one of your utility poles
22 and a wire, ah, and, and there's a city tree that
23 looks like it is too close or in danger or not
24

1 healthy can your folks simply take a chain saw and
2 start clearing away?

3
4 TIM CAWLEY: No, and, and, ah, so I'll
5 share a few things, and thanks for, for the, um, the
6 description and, and ultimately the question. Um, so
7 we have a tree trimming program, ah, on a three-year
8 cycle. We're trimming limbs around our conductors to
9 keep them clear. We have arborists that do that.
10 And it really allows us to keep reliability high
11 during blue sky days and gray sky days. Um, what we
12 witnessed in Isaias is, ah, unhealthy trees and
13 healthy trees in, in whole part coming down and, um,
14 wreaking havoc. Um, we do work closely with the
15 city. We're on the Downed Tree Task Force with them
16 and, um, we'll coordinate with them. In certain
17 instances when the city is gonna remove a tree, um,
18 their, ah, their tree clearance people have to make
19 sure that it's clear of the wires when they actually,
20 ah, perform the act of removal. So we'll send our
21 crews and what we say is top the tree. We'll take
22 the limbs off away from the conductors such that the
23 city's contractor can then remove the tree...

24 SERGEANT AT ARMS: Time expired.

1
2 TIM CAWLEY: ...[inaudible] clear of any,
3 clear of any, um, um, interference from the wires.
4 So, ah, we work closely with the city, um, and we'll
5 top trees, ah, at their request to allow them to
6 remove trees.

7 COUNCIL MEMBER YEGER: I, there was a
8 little, ah, there was a little leeway, just to
9 continue for a moment. I appreciate that very much,
10 and I do, I don't think that we ever talked to the
11 city, but what we're seeing is, is that, ah, the
12 city's tree trimming program in good times, prior to
13 June 30th, was on a seven-year cycle. Ah, they would
14 look at a tree and not come back for seven years.
15 And what we're also seeing is that when we see, we
16 have a, I have a case where a constituent has said
17 that every time it rains or, or there's wind the
18 branches of the tree are knocking against her house.
19 That is a tree that needs to be trimmed, not
20 necessarily affecting her infrastructure. But the
21 city won't come out and do it because as long there
22 are green leaves on the city is fine with it. And I
23 think that the issue here is that there were, there
24 were, ah, an enormity of trees that were growing very
25 close to your lines, and I'm not referring just to

1 the conductors themselves, but when a line goes down
2 an entire block it could, it could fall on a wire
3 then not anywhere close to the actual conductor
4 equipment, and then take one utility pole and then
5 two or three come down as well. That becomes a
6 problem for you and that's what you're here to get
7 blamed for today. But if the city would have come in
8 earlier, ah, and taken out that tree when it needed
9 to be taken out we would probably be sitting here and
10 saying, Con Ed, you could have done a little better,
11 but not so bad. And I think that's part of the
12 conversation, it needs to be part of the conversation
13 because it can't just be that, you know, if only you
14 paid your, ah, your shareholders a little less
15 dividends none of this would have happened. I would
16 be [inaudible]. I don't know what's stopping the
17 [inaudible]. But at the same time there is an
18 obligation of the city to take care of its
19 infrastructure of trees and I just wondered
20 [inaudible]. Thank you [inaudible]. My time
21 expired. You can say whatever you want in answer,
22 and thank you, Mr. Chairman, for your, ah, for your
23 indulgence.
24

1
2 TIM CAWLEY: Thanks for the questions,
3 and, like I said, we, we, ah, coordinate with the
4 city on, ah, the Downed Tree Task Force and, and
5 topping, and you'd have to ask them about their
6 program specifics.

7 COUNCIL MEMBER YEGER: I intend to so
8 when they show up. Thank you.

9 COMMITTEE COUNSEL: Thank you. I ask
10 council members to please respect the five-minute
11 time limit. Your colleagues also have questions and
12 we still have testimony from the administration. Um,
13 Council Member Holden, you're next, followed by
14 Council Member Miller.

15 SERGEANT AT ARMS: Time starts now.

16 COUNCIL MEMBER HOLDEN: Ah, thank you,
17 Chair, for this hearing, and thank you, Con Ed, for
18 your testimony. I just want to [inaudible] with my
19 colleague, Council Member Yeger, um, and, and, ah,
20 the Con Ed chair, because this storm was a tree event
21 and, ah, as fair as tree pruning an, an ounce of
22 prevention is worth a pound of cure as we, as we
23 found out. Ah, 14 million for Con Ed pruning sounds
24 like a lot of money, but obviously it's not enough.
25 Um, what I didn't like in, in the Chairman's answer

1 to, ah, Council Member Yeger was that you have
2 arborists, but they kind of react to the, to the
3 city, um, saying, no, this tree's going to come down.
4 We work with the city. And that's where the weak
5 link is here. Con Ed should identify the trees, the
6 diseased trees, and, by the way, going around my
7 district, which is one of the hardest hit, the 30th
8 Council District, I would say 95% of the trees that
9 came down were diseased. They were hollowed out.
10 There were carpenter ants everywhere. Um, they were
11 extremely vulnerable during a storm. Anybody can see
12 that. And that's why I think some of your 14 million
13 should be spent, ah, in identifying trees that should
14 come down, and talking to the city and maybe even you
15 guys help take it down if you work together with the
16 Parks since the city doesn't seem to be, um, you
17 know, willing or able to take down trees that should
18 be taken down. Um, but I want to talk about, ah,
19 some other things, too, about the underground power
20 lines and the connections to homes. Um, in many
21 blocks on my, in my district the power lines are
22 underground from the pole, from the utility pole. So
23 it's feeding the house underground already, yet the
24 power lines are above ground. And one particular
25

1 block it looks those utility poles were a hundred
2 years old. They snapped like toothpicks. Um, so
3 there was a lack of investment in the power grid and
4 the structure and, and the poles. But there's also I
5 think a priority that Con Ed should look at in
6 placing it underground. These people have the power
7 underground already, to connections to their homes.
8 It wouldn't be a lot of money. It would just be an
9 investment. Con Ed should take every year part of
10 the capital and start investing in miles, ah,
11 underground to the most vulnerable areas. And I've
12 been saying this all along. Um, one other thing I
13 want to say before, ah, 'cause I want to get my
14 questions in. Um, I didn't like some of the, ah,
15 homeowners were told by some of, some Con Ed reps
16 that when the downed power lines, um, came down, or
17 when the lines came down, the trees knocked them down
18 in most cases, um, and the lines were pulled away
19 from their homes, the standpipe, they had to hire,
20 ah, the homeowners had to hire an electrician to
21 reconnect to the homes. Ah, I had to call the Public
22 Service Commission on this one, so, ah, what, what's
23 your answer to that, the, um, because that seems like
24
25

1 in a power outage, when, when people are out weeks
2 that seems ridiculous.

3
4 TIM CAWLEY: So, so a few thoughts and
5 thanks for your questions and comments. Um, the, and
6 I'll hit them real quickly. Um, the service that you
7 talk about in an overhead system that comes
8 underground, that's called a riser service. You're
9 very astute. That's there. Ah, so for those
10 homeowners it would be an easy conversion, but we'd
11 need to remove, we'd need to move all of the other
12 facilities underground, and when we do that all the
13 adjacent homes that don't in fact have a riser
14 service would need to make the accommodation. But as
15 I said earlier, I think it's a discussion that we
16 should have in earnest and talk about how we might be
17 able to approach it on a prioritized basis. Um,
18 regarding the standpipe issue, um, that, that's been,
19 um, the process in place for many, many years as,
20 again, I'm 30 years, ah, over in the company. It's
21 always been that way. And, and so I saw a resolution
22 out on that, um, and, and will certainly review it.
23 But that has in fact, ah, been, um, the process that
24 we followed for many, many years. If damage occurs
25 at a certain point of delineation on the service,

2 that is the weatherhead up on the second floor, um,
3 and down, the customer's responsible for that as
4 private property, and the utility is responsible for
5 everything up to that point. Um, that's been the
6 process. We have a video that we can share more, um,
7 widely in terms of people's awareness, what's ours,
8 what's your, and it clearly delineates, um, on this
9 video, um, our responsibilities and the, ah, actions
10 we'll take in response to a downed service and those
11 that are required by an individual customer.

12 CHAIR HOLDEN: Yeah, you know, on, um,
13 I've seen going around my district [inaudible] almost
14 one on every street in my district, I've seen power
15 lines resting on trees, actually Con Ed using trees
16 as support for their power lines. Is that a practice
17 that you subscribe to?

18 TIM CAWLEY: No, and, and in fact,
19 Commissioner Holden...

20 SERGEANT AT ARMS: Time expired.

21 TIM CAWLEY: ...if you can let us know
22 those locations we'll take a look and address them.
23 That's not, um, how we would, ah, we would leave our
24 infrastructure and certainly we would want to know
25 about instances where that's the case.

1
2 COUNCIL MEMBER HOLDEN: OK. You didn't
3 answer the question on the arborists. I think you
4 should invest in arborists that can identify diseased
5 trees that, that are going to come down in, in high
6 winds, not even a tropical storm, but identify trees,
7 work with the city, and maybe even invest in taking
8 them down to protect your power grid because, ah, I,
9 I understand about the switches. That sounds like a
10 good idea. But I think an ounce, like, again, an
11 ounce of prevention here is important to protect the
12 grid.

13 TIM CAWLEY: Yep. So, so we do a three-
14 trimming cycle. We have trained arborists on staff
15 and they really need the management of that group.
16 But we do some of that, where we see dead or diseased
17 trees and there's communication with the city, but we
18 can look to do more of that in terms of coordination.
19 And just a reminder, lots of dead trees came over.
20 Lots of very healthy trees came over. Um, this was a
21 powerful event.

22 COUNCIL MEMBER HOLDEN: Again, I think
23 95% of the trees that came down were diseased. I
24 just, and...

25 TIM CAWLEY: OK.

1
2 COUNCIL MEMBER HOLDEN: ...personal
3 observation. Thank you, Chairs.

4 TIM CAWLEY: Thank you.

5 COMMITTEE COUNSEL: Thank you, Council
6 Member Holden. We now have Council Member Miller,
7 followed by Council Member Rose. Council Member
8 Miller?

9 SERGEANT AT ARMS: Time starts now.

10 COUNCIL MEMBER MILLER: Can I get my
11 videos, ah, on as well, um, to the host? And, and,
12 ah, then revert back to the time? OK. So, um, I'd
13 like to start with a brief statement and, and talk
14 about my district here in southeast Queens, including
15 the community of Jamaica, [inaudible], Hollis,
16 Cambria Heights, [inaudible] Gardens, all of the
17 neighborhoods that have constantly been plagued by
18 power outages and street flooding. I appreciate the
19 opportunity, ah, that is given this afternoon to, to,
20 to [inaudible] to address these issues, ah, faced by
21 my constituents [inaudible] agency and preparedness.
22 Many of us are here all too long familiar, ah, with
23 the situation posed by inadequate energy investment,
24 infrastructure investment and energy response. But
25 these bears repeating. The borough of Queens, in

2 particular southeast Queens, ah, deserves better. To
3 be fair, southeast Queens as a whole did not fare
4 well. Eastern Queens did not fare well as well. Ah,
5 in the immediate aftermath my, my office as well as
6 my, ah, eastern Queens colleagues were, were swamped,
7 quickly overwhelmed. To, to better illustrate, ah,
8 local residents [inaudible], ah, I'd like to first
9 point out some figures, ah, ah, by our estimates the
10 27th District alone had up to 6000, ah, customers
11 without power, ah, for, for more than, for up to 10
12 days. Out of 47,000 that were in Queens that
13 suffered outages, in the region of southeast Queens
14 the number was 22,000, nearly 50%. Community Boards
15 12 and 13, which, ah, reside in the 27th District
16 that I represent, endured the highest numbers of
17 outages in the entire city. These are more than just
18 numbers on a page or statistics to a screen. These
19 are seniors who have been isolated in their homes for
20 nearly six months due to COVID and made to suffer in
21 the midst of consecutive sweltering heat wave. They
22 are households that have been, that have seen their
23 finances stretched beyond their limits through the
24 worst economic recession announced in a century, and
25 forced dump hundreds of dollars worth of food and

1 medication into the garbage. Not only are these
2 numbers shocking, they're galling. And Con Ed's
3 abysmal response, ah, along with [inaudible] which
4 left thousands without power for nearly two weeks
5 following the impact of Hurricane Isaias is largely
6 to blame. My constituents are rightfully frustrated
7 at a time, ah, at this time and, and, and this is not
8 a conversation, ah, that we can bring back. Power
9 outages and substandard services are common
10 occurrences in southeast Queens, yet Con Ed continues
11 to demand more money through increases for less.
12 And, and, and way of service changes. Overhead power
13 lines are unprotected. Transformers remain so badly
14 prone to this type of thunderstorms that typically
15 take out power in clusters in our community on a
16 consistent basis. So what, what, what I would like
17 to talk about right here really is, ah, I, I know
18 your investments around the area of switching, which,
19 which, which, we'd like to, our homeowners generally,
20 ah, like to simply, um, call circuit breaking and,
21 ah, and, and, and that is, you know, that is a, a
22 good but we're not sure, um, that that investment
23 around those circuit breakers or around that
24 switching was invested specifically in the outer
25

1
2 borough. Um, so while you said that there's a 20%
3 decrease, um, in, in, in services that would have
4 been [inaudible], um, we are not sure whether or not
5 that is, um, the case in southeast Queens. Ah, so we
6 cannot, um, put just a monetary value on the loss on
7 this. My bigger concern is, as, as Council Member
8 Yeger mentioned, ah, we have a, a woefully
9 insufficient, ah, tree pruning, tree removal, ah,
10 program, but also when you have the type of annual
11 rate increases that Con Ed and other utilities go
12 before the commissions and ask for and receive, ah,
13 what are you doing with those, ah, rate increases to,
14 to, ah, better serve, um, the customer base and how
15 is that we are so vulnerable that a, a, a balloon can
16 take out a, ah, nearly, I, I think, ah, 1400
17 families, ah, ah, when it hit a transformer and
18 typically and commonly during summer months, ah,
19 areas like eastern Queens consistently lose power in
20 clusters. What kind of specific investments are
21 being made to protect...

22 SERGEANT AT ARMS: Time expired.

23 COUNCIL MEMBER MILLER: ...the grid
24 infrastructure in those communities?

25

1
2 TIM CAWLEY: So, Council Member Miller,
3 thanks for your comments and your questions. Um, I
4 can tell you that the, um, the circuit breaker,
5 that's a really great term to use it and, ah, it
6 simplifies it a bit. Um, that's a practice that we,
7 ah, we utilize throughout our entire service
8 territory. And the way we go about identifying the
9 areas or the circuits to put them on is based on
10 objective analysis of the data. Which circuits have
11 experienced outages and which ones would benefit the
12 most from the installation of these circuits, ah, the
13 circuit switchers or circuit breakers, or
14 sectionalizing devices. And so we can get you
15 specifics on that. But we really just look at the
16 data and we say where are the outages occurring, what
17 neighborhoods in the system, what circuits are they
18 occurring, and where can we apply this investment,
19 this technology, to best impact the reliability of,
20 of the area. And, you know, I want to make it clear.
21 The reduction of 20%, that's good. We feel it when
22 anybody goes out of light. Now these storms are
23 destructive but we continue to work to find ways to
24 reduce the number of customers impacted. Um, on a
25 New York State basis our overhead system is twice as

1 reliable as, as the rest of the state and, frankly,
2 the rest of the nation. When you include the
3 underground system we're about eight times more
4 reliable. We recognize, though, we can't sit on
5 those laurels. We need to continue to work and try
6 to keep the lights on, um, more consistently, ah, in
7 light of, ah, weather and heat and other events, and
8 so, um, we've invested in all of, ah, all of the
9 areas. I can get specifics on your particular area.
10 But it's really driven by engineering analysis on
11 where the best benefit will occur.

12
13 COUNCIL MEMBER MILLER: Thank you. And,
14 and then finally, is there something that we can do
15 to protect transformers that, that balloons don't go
16 up in the air and take them out? Ah, we, we, twice
17 that happened and we lost, ah, thousands of
18 customers, ah, that's, that's a real vulnerability.
19 If we're investing so much can't we do something to
20 simply protect transformers?

21 TIM CAWLEY: It, it is, and we have some
22 protection on transformers, but it's, those are the
23 Mylar balloons and the Mylar on those balloons
24 conduct electricity and if they across the phases
25 we're gonna have a fault and an isolation and we're

1
2 gonna lose customers. I know there's been some
3 legislation in some areas to try to prevent the use
4 of Mylar balloons, and that's a real nuisance outage
5 that has incredible impact. We can typically repair
6 things pretty quickly but, ah, to the extent we can
7 keep the Mylar balloons out of the air it's better.
8 We can protect much of the circuitry, but not all of
9 it, so we can't fully prevent Mylar from causing
10 trouble.

11 COMMITTEE COUNSEL: Thank you, Council
12 Member Miller.

13 CHAIRPERSON COHEN: Before we go to the
14 next member, can we just acknowledge we've been
15 joined by Council Member Levin, and I know we don't
16 have too many, ah, members left who want to ask
17 questions, but if people could try to keep it to the
18 five minutes and if necessary, you know, we could
19 have a second round. Thank you.

20 COMMITTEE COUNSEL: Thank you, Chair.
21 Next, we have Council Member Rose, followed by
22 Council Member Gjonaj. Council Member Rose?

23 SERGEANT AT ARMS: Time starts now.

24 TIM CAWLEY: I'm sorry, I can't hear you,
25 Council Member.

1
2 COMMITTEE COUNSEL: We'll give her a
3 minute to unmute.

4 TIM CAWLEY: Thank you.

5 COMMITTEE COUNSEL: I believe she dropped
6 off. So let's move on to Council Member Gjonaj.

7 SERGEANT AT ARMS: Time starts now.

8 COUNCIL MEMBER GJONAJ: Thank you. Mr.
9 Kimball, really quickly, can you give me the total
10 number of residents that were out of power?

11 TIM CAWLEY: Yeah, and this is Tim
12 Cawley, I'm the president of Con Ed. I'm using, ah,
13 he's...

14 COUNCIL MEMBER GJONAJ: Oh.

15 TIM CAWLEY: ...got the audio on, so
16 that's why I chose Kimball. No worries, no worries.
17 So in New York City the total number was
18 approximately 205,000 customers, or customer
19 accounts, were impacted, interrupted.

20 COUNCIL MEMBER GJONAJ: And how many were
21 in the borough of the Bronx?

22 TIM CAWLEY: Um, in the Bronx there were
23 about 33,000 customers.

24 COUNCIL MEMBER GJONAJ: OK, so that's
25 roughly 15% or thereabouts? No, close to it.

2 TIM CAWLEY: Yeah, that's about right,
3 yep.

4 COUNCIL MEMBER GJONAJ: OK. What was the
5 total number of trees down, 22,000?

6 TIM CAWLEY: Ah, as I know it's citywide.

7 COUNCIL MEMBER GJONAJ: And how many were
8 by borough, do you have that number?

9 TIM CAWLEY: I do not.

10 COUNCIL MEMBER GJONAJ: 95% of the power
11 outages were due to trees, correct?

12 TIM CAWLEY: Yeah, the vast majority, I
13 would say the vast majority.

14 COUNCIL MEMBER GJONAJ: I also believe
15 you made a statement earlier that it would cost
16 roughly a billion dollars plus \$15,000 per household,
17 ah, to bring, to take the overhead lines down and
18 make them underground?

19 TIM CAWLEY: Yes, so we didn't, ah, and
20 let me correct the number, and if I misspoke I will,
21 and, and, ah, so we did a study after Superstorm
22 Sandy about what it would cost to underground the
23 entire system. And that number turned out to be
24 about 8 million dollars per mile, and if you, if you
25 spread that cost across the system it's approximately

1 50 billion dollars, 50 billion, to do the whole
2 system over time, ah, all of the, ah, all of the
3 overhead apparatus you see, to bring it underground.
4 In addition to those costs, um, Commissioner Holden
5 mentioned some people have an underground service
6 that goes under their front lawn to a, a meter,
7 against sort of their, ah, foundation. But to the
8 extent you receive service up on the second floor, on
9 an oversight hearing service, customers would be
10 required to trench and install the service through
11 their front lawn and that could be \$15,000 or
12 \$20,000, um, per account. And that's, that's
13 customer account.
14

15 COUNCIL MEMBER GJONAJ: What the total
16 cost of the damages, ah, during this, ah, tropical
17 storm?

18 TIM CAWLEY: Um, so I'm gonna look at my
19 colleagues, but roughly 130 million dollars.

20 COUNCIL MEMBER GJONAJ: 130.

21 TIM CAWLEY: And that's both maintenance
22 and capital. So as, as poles break we're, we're
23 capitalizing, we're putting new equipment in, and
24 some cases we're repairing equipment that's, um, in
25

1
2 good shape to put back in service. But in total,
3 capital alone about 130 million.

4 COUNCIL MEMBER GJONAJ: What percentage
5 of Manhattan has underground wires?

6 TIM CAWLEY: A hundred percent.

7 COUNCIL MEMBER GJONAJ: [inaudible]. So
8 what, it's, it's just odd. When I, when I calculate
9 the, ah, double standard, the tale of two boroughs,
10 Manhattan has 100% underground. They didn't pay
11 \$15,000 per home or per office or per building to
12 bring the wires in. That was all covered by Con Ed,
13 correct?

14 TIM CAWLEY: Well, no, um, it, it really
15 had to do with the history of how this, how our
16 systems have evolved over time, and I'm talking about
17 over many, many decades. In around 1900 or so there
18 was an edict that said given the congestion of
19 Manhattan all shall go underground. And so the
20 system was built out in the underground. It never
21 trans, you know, there was some overhead stuff that
22 got crowded, but early in the system the rule was
23 we're gonna put things underground. Homeowners and
24 businesses owners at that time accommodated the
25

1 connect to the underground over time and this, you
2 know, again, a hundred years ago.

3
4 COUNCIL MEMBER GJONAJ: Right. But
5 someone made that decision and the definition of
6 insanity is doing the same thing over and over again
7 and expecting a different result. We know we're
8 gonna continue to have storms. We're gonna have more
9 frequent storms. At what point do you assess, you
10 know what, that 130 million dollars, maybe we should
11 be investing in it so we can get ahead of this rather
12 than behind it. And I'm going to continue going back
13 to the borough of the Bronx, the hardest hit borough
14 in power outages, am I correct?

15 TIM CAWLEY: No, you're not. Ah, and any
16 outage matters. Frankly, Queens...

17 COUNCIL MEMBER GJONAJ: [inaudible]
18 understand?

19 TIM CAWLEY: During this event, Isaias,
20 the Bronx was not hit the hardest in terms of
21 customer outages. Um, Queens and Staten Island were.
22 They have more overhead customers. Much of the Bronx
23 is underground. A portion of it is overhead. Ah,
24 and that's where the outages occurred. Um, but it
25 was not the hardest hit, ah, region. And, again, we,

1 we're really attacking the restoration as an
2 enterprise trying to get all the customers back as
3 quickly as we can. But, um, ah, the Bronx has a
4 smaller, go ahead.

6 COUNCIL MEMBER GJONAJ: Well, because it
7 has a smaller above-ground number of customers maybe
8 we should start looking to make the borough of the
9 Bronx 100% underground, ah, and secondly, before my
10 time is up, you refer to communications with the city
11 on removal of trees and tree pruning. What, explain
12 that process to me. You originally inspect, you see
13 that there's a problem, you don't do in house...

14 SERGEANT AT ARMS: Time expired.

15 COUNCIL MEMBER GJONAJ: ...you communicate
16 with the city, what happens at that point? How many
17 of these communications do you have? Can you make
18 them transparent with the City Council? How many
19 requests go in annually? How many have you had
20 historically? And how many get addressed?

21 TIM CAWLEY: So I don't have that data.
22 Um, I think we can likely get it for you. Um,
23 there's a lot of coordination. We're on a three-year
24 trimming cycle. I think they're on a seven-year
25 trimming cycle. We will top trees to facilitate

1 their removal so there's a coordination between our
2 arborist and theirs. But in terms of referrals, I'd
3 have to get back to you, um, um, Commissioner, to, to
4 see, ah, the number and, and the extent to which, ah,
5 that communication occurs.
6

7 COUNCIL MEMBER GJONAJ: Chair, I'm going
8 to, hopefully with my second round and perhaps, ah,
9 Con Edison can get that information, ah, while we're
10 going through the rest of this hearing, ah, and get
11 back to us on how many complaints that communications
12 don't end where there is a cooperation between Con
13 Edison and the city and what is the turnaround time?

14 CHAIRPERSON COHEN: Council Member
15 Gjonaj, just keep in mind, try to be as brief as
16 possible because we have the admin to testify and
17 members of the public. Ah, but I, I do want to
18 explore a little of the line of questioning, ah,
19 brought up by my colleagues. Um, I realize, you
20 know, you're not here to point fingers. But you're
21 almost in a little bit of an untenable situation in
22 that you are, ah, responsible for the power
23 transmission but you don't control the trees, and the
24 trees are making it, you know, the weather conspiring
25 with the trees are making it very difficult for you

1 to consistently restore power quickly. Do you think
2 the city is doing a bad job of tree maintenance?

3
4 TIM CAWLEY: No, and, you know, you
5 really have to probe the city with regards to their
6 programs, the adequacy of their programs...

7 CHAIRPERSON COHEN: No, I, I know. You
8 are directly impacted. I mean, you're saying that
9 wind caused the trees to fall down. When you get to
10 the scene it [inaudible] also a scenario other than
11 burying the wires I think is part of power delivery.
12 You could be responsible for tree maintenance. It's
13 part of the service that you deal with. And you
14 might be in a much better position to proactively,
15 ah, maintain the tree stock, the street tree stock,
16 to not reduce, you know, to avoid the impact of these
17 kinds of incidents. Don't you agree with that?

18 TIM CAWLEY: Well, I would say, um, we
19 apply best vegetation management practices in the
20 industry. A three-year cycle is best in business.
21 The, the clearance around the conductors that we
22 provide is a wide berth and wide clearance, um, and
23 with regard to the urban forest itself, um, healthy
24 trees come down, diseased trees come down. You'll
25 have to probe that more with New York City. It is an

1 inherent hazard of an overhead, ah, distribution
2 system. Most of the country has an overhead
3 distribution system.
4

5 CHAIRPERSON COHEN: Could you just go
6 back, just so I understand, what are you doing, what
7 are you inspecting on a three-year cycle? You're not
8 reinspecting all the trees?

9 TIM CAWLEY: We, we are riding each of
10 our circuits and as the trees grow and mature into a
11 zone around our conductors we are cutting it back,
12 much the way you would trim back your hedges. We are
13 cutting it back on a three-year cycle to ensure
14 adequate clearance between our energized conductors
15 and the urban forest around it. We are not taking
16 full trees down, and I don't think anybody is an
17 advocate of that. Um, we are communicating with the
18 city, um, and assisting in, in the topping of
19 trees...

20 CHAIRPERSON COHEN: OK, so, again, just
21 so I understand for myself. Any place where there is
22 a wire in a city tree you have, you don't need to ask
23 anybody, you can trim that tree appropriately to not
24 interfere, that happens now?
25

1
2 TIM CAWLEY: That, that is correct, the
3 tree limbs, absolutely. And we do it on a three-year
4 cycle, and we let them know where they are, and we
5 often let the residents of the community know and we
6 likely let many of you know that we'll be trimming.

7 CHAIRPERSON COHEN: When you say you let
8 them know, you can trim it yourself, you don't need
9 to ask anybody?

10 TIM CAWLEY: That's right. We can trim
11 it. And we, and we trim it. Now the damage, ah,
12 Chair Cohen, the damage is not from a limb rubbing
13 against an energized conductor. It's from an 80-foot
14 tree coming across from the other side of the block,
15 in some cases, taking down four poles. And, and so,
16 so it's the, the damage that we see in these wind
17 events, while the trimming helps mitigate the damage,
18 it does not prevent it. When trees come up at their
19 roots that is not a program that we engage in.
20 That's part of what the urban forest is. We do
21 communicate with the New York City, um, trees and
22 parks, and, um, closely align, and when they want to
23 remove a tree we are out there to make it safe for
24 that removal, um, but, um, we are not taking down

1 trees. We have permission to prune and trim and we
2 do so rigorously.

3
4 CHAIRPERSON COHEN: I, I, I understand
5 you're not taking down trees, you could take down a
6 tree if it somehow was fundamentally interfering with
7 the, with the wires, with the transmission of.

8 TIM CAWLEY: Yeah, and we'd likely work
9 with the city in that case. We, obviously we don't
10 own any trees.

11 CHAIRPERSON COHEN: Can, can I, I don't
12 know, I suppose probably there's some sort of
13 internal document. In terms of, ah, of trees
14 impacting power delivery, ah, you know, I think this
15 is accurate, a lot of times power delivery is on one
16 side of the street only and then, you know, you run a
17 wire across to the houses on the other side. Ah, is
18 there, do you have data on how often it is the trees
19 that you are maintaining or pruning versus trees that
20 you're not pruning that impact power delivery?

21 TIM CAWLEY: Yeah, we could dig into that
22 data and a tree-related outage happens, and what we
23 refer to as a blue or a gray sky day, sort of a nice
24 day or marginal weather day, not a big storm like
25 this. During big storms like this the pruning helps

1 mitigate the outages, but really when our crews, and,
2 and you folks were all out there, you can't get down
3 the block because the tree's across the block. And
4 so these are large trees coming down and the extent
5 to which we clear conductors six feet on either side
6 of the conductor and 10 feet above, that provides for
7 reliable, very reliable service in rainy weather, in
8 fairly windy weather, but it does not mitigate a tree
9 or a large limb coming down, and those outages will
10 still occur.

12 CHAIRPERSON COHEN: So, so in other words
13 your internal data would show on a street that was,
14 that was six months into the, the three-year cycle,
15 so you'd been there relatively recently, there's no
16 performance difference between a block that you
17 hadn't been for the full three years?

18 TIM CAWLEY: I haven't done a detailed
19 study. There may be some, and it, it, but it is more
20 of a mitigation, it all helps, the, the more
21 clearance you have from the conductors in any weather
22 condition, it all helps. But what I'm saying is
23 whether you have four feet of clearance or eight feet
24 of clearance, if the tree comes down that four-foot
25 margin just doesn't matter. And so we've not done

1 that detailed study, but hopefully I've described and
2 given you some, some essence of, of the issue.

3
4 CHAIRPERSON COHEN: Thank you. Council
5 Member Gjonaj, can you briefly, ah?

6 COMMITTEE COUNSEL: I'm, I'm sorry, um,
7 Chair Cohen, we actually had a question from Council
8 Member Rose.

9 CHAIRPERSON COHEN: Oh, yes.

10 COMMITTEE COUNSEL: [inaudible] wants to
11 ask her question. Council Member Rose, do you still
12 have a question? Council Member Rose?

13 TIM CAWLEY: I think you may be muted.

14 CHAIRPERSON COHEN: It does appear she's
15 muted.

16 COUNCIL MEMBER ROSE: Hi, yes.

17 TIM CAWLEY: Got you.

18 COUNCIL MEMBER ROSE: Can you hear me?

19 CHAIRPERSON COHEN: Yes, Debbie, how are
20 you?

21 COUNCIL MEMBER ROSE: Ah, hi. Thank you
22 so much for, um, for getting me in. Um, thank you,
23 Chair Cohen. Good afternoon. Um, in the briefing
24 document it, it said that, um, most restoration work
25 involved the, um, rebuilding of old infrastructure,

1 replacing old poles and transformers. Can you
2 explain why Staten Island had the most outages per
3 capita was second only to Queens in the number of
4 customers that were without power? And why power
5 [inaudible] areas that had not been impacted by the
6 storm but later, um, lost, um, power several days
7 later. And then my other question is, um, how many
8 mobile units, ah, does Con Edison have and, um, and
9 why wasn't Con Edison able to provide mobile units,
10 um, with, for, that provide information and dry ice
11 for over 29,000, um, customers that were without
12 power in Staten Island? We only had one location,
13 um, so could you explain to me, um, how many units do
14 you have, um, how you determine where those units
15 should be, and why, um, all of the customers, all the
16 29,000 customers on Staten Island were not provided
17 [inaudible] dry ice for them, um, when they were out
18 several days, more than several days? Thank you.

20 TIM CAWLEY: Right, so, ah, a few points.
21 Um, ah, and, and nice to see you. Um, on the front
22 end um entered that much of the damage was older
23 infrastructure. That's not really the case, and I
24 don't know that I read that in. But we had damage to
25 our infrastructure, to our overhead infrastructure,

1 and that required replacement. Some of it was brand
2 new. If a tree came down it would take a brand-new
3 pole down in some cases or an older pole. We do
4 inspections on all that equipment periodically. For
5 the poles we do a base inspection to make sure it's
6 not rotting out at the base, and we also do, um, an
7 integrity test or a visual to make sure all of our
8 equipment is up to snuff and we put that into our
9 maintenance, um, back lives to address timely, ah,
10 depending on the severity of, of the shortcoming. In
11 terms of dry ice, I think that's what you mean by
12 mobile units, dry and wet ice. I think we used the
13 Staten Island Mall, and that was a centralized part.
14 We really work with where the outages are and what is
15 most accessible for folks. Given COVID, we wanted to
16 have areas that were, had enough room to bring people
17 in to distribute the ice, um, safely and to answer
18 questions safely. But we can always, ah, take a look
19 at additional ways to identify locations for that
20 distribution. Um, Staten Island has a fair, it's,
21 it's a large overhead, um, ah, fed borough. Most of
22 the customers in Staten Island are served by overhead
23 infrastructure. Um, the storm came up from the south
24 and that's the area that was hit first. Um, we were
25

1 able to, um, restore the vast majority of customers
2 fairly quickly there. Um, but again, we'll continue
3 to look at it, and I think the undergrounding
4 discussion we've been having is one that would
5 pertain to all of the boroughs.

7 COUNCIL MEMBER ROSE: But there was a
8 problem, there was a area [inaudible] that had power
9 when the, ah, initial [inaudible] hit and they had
10 power for several days after the storm. Then
11 [inaudible] for several days.

12 TIM CAWLEY: Right. So you're coming in
13 a little broken up for me. But I, I would, I would
14 presume that is likely an emergency interruption. So
15 sometimes we will restore power to an area, we do a
16 thorough patrol of all of the circuits to make sure
17 they're in good stead following the storm, and
18 occasionally the crews will see something that
19 they'll need to de-energize the circuit to allow for
20 safe repairs of the issue. So sometimes they'll, um,
21 de-energize or interrupt customers. They'll do their
22 work and then they'll restore the customer so that
23 the circuit is, is whole. In all likelihood, if that
24 occurred a day or two after the storm it was probably
25 what we call an emergency interruption to allow us

1
2 to, um, make final and permanent repairs to all of
3 the circuitry.

4 COUNCIL MEMBER ROSE: [inaudible]
5 forward, um, in terms of providing [inaudible] and
6 the ice, um, it's nice that you found a centralized
7 location. But people from [inaudible] get there to
8 get the ice and they were, um, impacted, ah, almost
9 with the same numbers as the south. Um, I, I'm
10 requesting that you look at, you know, um, where
11 there, these outages are and not [inaudible] one
12 centralized [inaudible]...

13 SERGEANT AT ARMS: Time expired.

14 COUNCIL MEMBER ROSE: ...people to get
15 there.

16 TIM CAWLEY: So your question is duly
17 noted.

18 COUNCIL MEMBER ROSE: Thank you.

19 TIM CAWLEY: My colleagues have noted it,
20 and, ah, and we'll follow up and see if we can
21 optimize those distribution sites better in the
22 future.

23 COUNCIL MEMBER ROSE: Thank you.
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COMMITTEE COUNSEL: Thank you. Ah,
Council Member Gjonaj, do you have a follow-up
question?

COUNCIL MEMBER GJONAJ: Yes, thank you.
Um, so Mr. Cawley, were you able to get some of the
information on those items?

TIM CAWLEY: I have not gotten it yet,
but we will follow up with you, certainly.

COUNCIL MEMBER GJONAJ: Well I would hope
you would follow up with entire City Council.

TIM CAWLEY: Absolutely.

COUNCIL MEMBER GJONAJ: But let me ask
another question. What was the average cost of each
repair?

TIM CAWLEY: Ah, we'd, we'd have to do
the math. I, I think the entire storm, capital and
O&M was 130 million, and 330,000 customers were
interrupted.

COUNCIL MEMBER GJONAJ: But not the
number of customers that had interruptions, each
repair. So if 95% of the damages were due to a tree
or a limb, you calculate the actual repair by tree.
I'd like to know that cost factor. Someone there
must have that number. If you don't have a

1 calculator, you can [inaudible] out and I'll do the
2 math.

3
4 TIM CAWLEY: No, and, and, and you're
5 right, ah, Council Member. I was really looking at a
6 ratio between cost and customer out. Ah, I'd have to
7 get the information on the precise number of jobs.

8 COUNCIL MEMBER GJONAJ: No, let's, let's
9 do it together. 130 million, how many actual repairs
10 were there?

11 TIM CAWLEY: I'll have to get you that
12 number. I don't have that, ah, Council Member.

13 COUNCIL MEMBER GJONAJ: Well, that's
14 another important statistic, as I'm sure that number
15 would have been, is a lot higher than an actual tree
16 pruning. So now it's about making sure that we spend
17 dollars wisely. Things are getting worse and if it's
18 cost-efficient to trim a tree or prune a tree to
19 prevent a power outage, forget about the devastation
20 to the customers, we're just talking about repair
21 versus tree cutting. Let's do this and let's do it
22 right. Let's prioritize and maybe you can just now
23 follow up with that as well as your communications
24 between yourself and the city on tree, when you
25 identify a tree potential problem.

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CHAIRPERSON COHEN: Council Member
Gjonaj, I will ensure that, that we and my staff
follow up to get you, ah, the answers that were not
available today.

COUNCIL MEMBER GJONAJ: But, Chairman, I,
I think he's able to answer walking us through what
it's like when he identifies a problem, or Con Ed
identifies a problem, presents it to the City of New
York, what happens? Walk us through that channel of
communication.

TIM CAWLEY: So, so effectively the two
groups get together and prioritize and work. Um, I,
I don't know how many, ah, cases there are that we
are providing that information to them, but in cases
where we do it there's a coordination communication.
I can follow up on, on precisely what the city does
with that. I can tell you that in cases where the
city has a desire to remove an unhealthy tree
oftentimes they coordinate with us so that we can
make it safe for that removal, and we'll clear the
limbs nearest the conductors such that their, um,
employees or contractor can remove the tree safely.
And that happens fairly frequently. I can get you
the number.

2 COUNCIL MEMBER GJONAJ: But Mr. Cawley,
3 you're saying when they have a desire. You present a
4 problem. Do you just forget about it and you say I
5 did my part, I brought it to the city's attention and
6 now whenever they get around to it or whenever they
7 find the desire, is that what happens?

8 TIM CAWLEY: No, I didn't say that,
9 Council Member. I just don't know how many occasions
10 we have where we're reporting, um, urban forest
11 deficiencies to New York City and those folks who
12 are, are responsible for the urban forest. Um, and,
13 ah...

14 COUNCIL MEMBER GJONAJ: So my next
15 question, OK, so my last question. What would it
16 take for Con Ed to take on this responsibility solely
17 and wholly. Obviously the city is dysfunctional.

18 TIM CAWLEY: So you'll have to comment on
19 the city's performance relative to the management of
20 the trees.

21 COUNCIL MEMBER GJONAJ: It is.

22 TIM CAWLEY: But what I can tell you is
23 on a three-year cycle we have, we have access to
24 prune the trees according to the best management
25 practices in our industry. Um, in cases where the

2 city, who manages the trees, notifies us of, um, a
3 health issue that requires our assistance, we engage
4 with them readily. Um, I don't know the health of
5 the total urban forest. I do know that when we prune
6 our circuits we do so diligently and we continue to
7 invest money, ah, towards that endeavor. And it has
8 reliability impacts in a positive way.

9 COUNCIL MEMBER GJONAJ: Well, great. So
10 then we're on the same page. Why don't you invest
11 more on this responsibility, take it away from a
12 dysfunctional government. I have no trust in City
13 Hall to do this. They have a lousy track record, and
14 ultimately it's costing you more to repair. Let's do
15 the right thing here.

16 CHAIRPERSON COHEN: Thank you, Council
17 Member.

18 COUNCIL MEMBER GJONAJ: [inaudible].
19 Thank you.

20 TIM CAWLEY: So we'll get you the data
21 for the chair.

22 COUNCIL MEMBER GJONAJ: Thank you.

23 CHAIRPERSON COHEN: Before you we let you
24 go, and we're about to let you go, um, I just want to
25 also mention it. It would be, I would be remiss if I

1 did not mention, ah, that we, we, for our
2 constituents we would go on to your online, ah,
3 tracking service. Ah, we would put in the customer's
4 address and you would tell us that you would have a
5 restoration within 24 hours, and that information
6 proved very often to be inaccurate and, ah, that was
7 a compounding of frustration, because people were
8 making plans, should I go, should I go to someone
9 else's house, should I unpack my refrigerator, ah, and
10 the, the inaccuracy of that system really led to
11 additional hardship, ah, and, and, shockingly,
12 frustration at our, that we received from our
13 constituents.
14

15 TIM CAWLEY: Yeah, so my comment there
16 is, um, the frustration is, um, understood, ah, and
17 we get it. Ah, you know, people want their power
18 back, first and foremost. A very close second is
19 they want to know when so they can in fact plan their
20 lives. We've made incredible improvements in our ETR
21 process, estimated time of restoration process, and
22 when we look at the data it is much stronger than
23 it's been, but we have more work to do. And I can
24 particularly tell you, Chair Cohen, that at the tail
25 end of the storm when customers are frankly the most

1 frustrated, um, those repairs were the ones where we
2 missed the estimated time of restoration the most
3 frequently. So it's the last 5% of customers,
4 they've waited, and when we get on the block, um,
5 this is actually going to take a day and a half, not
6 a day, and when we push out that estimated time of
7 restoration it sort of has the double, um, impact of
8 I've waited for my lights and I've got to wait for,
9 um, more proper, um, ah, information. So, so we
10 understand it. We've done a lot of work in this
11 area. Our smart meter system is gonna help us.
12 We've got about half the smart meters out there now.
13 That tells us with certainty who's in and out and so
14 we can much better establish estimated times of
15 restorations and work plans. The work is dynamic.
16 It's not as if we're, um, stamping dies. Every job
17 is different. We make estimates in blocks and that
18 last 5% of customers really did, we missed on a
19 number of those ETRs, we recognize it and it was part
20 of our after-action review.

22 CHAIRPERSON COHEN: All right, thank you
23 very much for your testimony today.

24 COMMITTEE COUNSEL: Thank you. That
25 concludes the Con Ed portion of this hearing. Next,

1 we'll move on to the administration. We'll now call
2 on first, sorry, first we'll call on Commissioner
3 Criswell from the New York City Emergency Management
4 Department, followed by Commissioner Mitchell Silver
5 from the Department of Parks and Recreation, and
6 joining us for question from the Emergency Management
7 is Deputy Commissioner John Grimm, and from Parks
8 First Deputy Commissioner Liam Kavanagh, as well as
9 Assistant Commissioner Jennifer Greenfeld. Before we
10 begin I will administer the oath. Commissioner
11 Criswell, Commissioner Silver, Deputy Commissioner
12 Grimm, Deputy Commissioner Kavangh, and Assistant
13 Commissioner Greenfeld, I will call on each of you
14 individually for a response. Please raise your right
15 hands. Do you affirm to tell the truth, the whole
16 truth, and nothing but the truth in your testimony
17 before these committees and to respond honestly to
18 Council Member questions? Commissioner Criswell.

19 COMMISSIONER CRISWELL: I do.

20 COMMITTEE COUNSEL: Thank you.

21 Commissioner Silver.

22 UNIDENTIFIED: Commissioner Silver had to
23 leave the call unfortunately.
24

25

COMMITTEE ON CONSUMER AFFAIRS AND BUSINESS
LICENSING JOINTLY WITH RESILIENCY AND WATERFRONTS,
PARKS AND RECREATION, AND ENVIRONMENTAL PROTECTION

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2 COMMITTEE COUNSEL: OK. Um, is she
3 coming back? Sorry, is he coming back?

4 UNIDENTIFIED: No.

5 COMMITTEE COUNSEL: OK. Um, First Deputy
6 Commissioner Kavanagh?

7 FIRST DEPUTY COMMISSIONER KAVANAGH: Yes.

8 COMMITTEE COUNSEL: Deputy Commissioner
9 Grimm?

10 DEPUTY COMMISSIONER GRIMM: I do.

11 COMMITTEE COUNSEL: Assistant
12 Commissioner Greenfeld?

13 ASSISTANT COMMISSIONER GREENFELD: I do.

14 COMMITTEE COUNSEL: Thank you.
15 Commissioner Criswell, you may begin when you're
16 ready.

17 COMMISSIONER CRISWELL: Good morning.
18 Good morning, Chairpersons Cohen, Brannan,
19 Constantinides, and Koo, and members of the New York
20 City Council. My name is Deanne Criswell,
21 commissioner of the New York City Emergency
22 Management, and I am joined by, well, I'm joined by
23 Commissioner Mitchell Silver and First Deputy
24 Commissioner Liam Kavanagh from the New York City
25 Department of Parks and Recreation. On August 4 high

2 winds from Tropical Storm Isaias impacted New York
3 City and led to 21,439 downed and damaged tree
4 service requests within 24 hours. And you just heard
5 from Con Edison, over 200,000 utility customers
6 without power. The only recent comparable downed
7 tree event is Hurricane Sandy, which generated 26,011
8 service requests and took 47 days to completely
9 address all downed trees. We are pleased to be here
10 today to discuss preparedness efforts for this event,
11 citywide coordination of agencies and partners as we
12 responded, and lessons learned to apply to the next
13 storm. New York City Emergency Management began
14 tracking the development of Tropical Storm Isaias
15 when it emerged as a disturbance off the coast of
16 Africa on July 24. Following National Weather
17 Service and National Hurricane Center forecasts that
18 met coastal storm planning triggers, our agency began
19 hosting daily coastal storm steering committee calls
20 with agency partners on Friday, July 31. These calls
21 provide a forum for our partner agencies and
22 organizations to discuss the weather forecast and
23 trigger internal and interagency preparedness
24 actions. Initial forecasts predicted major rainfall,
25 storm surge, coastal flooding, and 30 to 40 mile per

1 hour winds. The flash flood emergency plan was
2 activated on July 31 to provide DEP, DOT, and
3 Sanitation ample time for pre-storm cleaning. As the
4 storm moved closer to New York City it shifted
5 westward and the National Weather Service advised
6 that there was potential for higher, more damaging
7 winds. By Saturday, August 1, it was clear that the
8 storm had the potential to have significant impact on
9 trees and above-ground utility lines. So we put the
10 Downed Tree Task Force on alert. The Downed Tree
11 Task Force is a component of the Debris Management
12 Plan that outlines the roles and responsibilities of
13 New York City agencies and utility providers and sets
14 priorities for tree removal following a severe
15 weather emergency. It is comprised of several city
16 agencies, including Parks, Emergency Management,
17 Transportation, NYPD, FDNY, Sanitation, DEP, and Con
18 Edison. The Parks Department also activated its
19 emergency forestry contracts to supplement city
20 crews. Beyond city resources, Con Edison and PSEGLI
21 activated mutual aid from around the country for
22 additional overhead line workers and tree cutting
23 crews. New York City Emergency Management leads
24 development and implementation of the city's Interim
25

1
2 Flood Protection Measures, or IFPM, a program that
3 provides temporary deployable flood protection to
4 critical facilities and neighborhoods ahead of
5 longer-term mitigation projects. Leading up to a
6 coastal storm, New York City Emergency Management
7 uses models provided by the National Hurricane Center
8 that show potential impacts based on the wind speed,
9 forward speed, and the angle of approach. In
10 consultation with the National Weather Service, New
11 York City Emergency Management selected the models
12 that were most likely to predict the worst case
13 impacts of the Tropical Storm Isaias to determine
14 which areas of the city may experience coastal
15 flooding from storm surge. While minor to moderate
16 coastal flooding was possible in several
17 neighborhoods, the only active IFPM site that had a
18 risk of flooding was the South Street Seaport, which
19 showed the potential for two to four feet of
20 inundation. To mitigate this threat Emergency
21 Management deployed for the first time IFPM to
22 protect the community from flooding. Parks also
23 activated its flood protection measures. Tide gates
24 were used at Flushing Meadows, Corona Park, and flood
25 walls were deployed in Rockaway Beach to prevent

2 coastal flooding from impacting the community. While
3 the tropical storm did not ultimately result in major
4 coastal flooding the opportunity to activate IFPM at
5 our largest, most complicated, and most heavily
6 trafficked in real time was a learning opportunity
7 and will lead to significant improvements for future
8 deployments across the program. Preparations
9 continued throughout Sunday and Emergency Management
10 virtually activated the city's emergency operations
11 center on Monday, August 3. Ultimately it was
12 staffed by 19 agencies. Parks staff completed walk-
13 throughs of potential debris staging sites and the
14 Downed Tree Task Force agencies and contractors
15 mobilized crews to immediately begin work post storm.
16 The city prestaged equipment and supplies at
17 Sanitation's Staten Island transfer station, included
18 in the Emergency Management Mobile Data Center. The
19 Department of Transportation staged its assets at
20 City Field. Additionally, Emergency Management
21 citywide interagency coordinators were deployed
22 across the boroughs to facilitate coordination and
23 expedite the movement of assets to where they were
24 needed most. Throughout the entirety of the
25 borough-based operation emergency management

1 responders conducted in-person checks of critical
2 facilities in sensitive locations. These included
3 hospitals, nursing facilities, DEP facilities, NYPD
4 precincts, and other locations. Due to the worst-
5 case wind and rainfall projections for Tropical Storm
6 Isaias Mayor de Blasio, New York City Emergency
7 Management, and the Department of Buildings
8 continually warned New Yorkers on the potential for
9 high winds. These warnings were amplified by press
10 releases, Notify NYC, and on the city's social media
11 channels. Our agency issued a press release on
12 August 2 and a travel advisory on Monday, August 3,
13 highlighting the threat and encouraging New Yorkers
14 to prepare for the storm and stay home on August 4 if
15 possible. We also sent an advance warning system
16 message to partner agencies that serve vulnerable New
17 Yorkers to assist them in preparing for the storm.
18 On Saturday, August 1, my government relations team
19 started outreach to many elected officials
20 representing coastal areas to discuss the forecast
21 and preparations and address any questions you and
22 your colleagues may have had. Emergency Management
23 government relations began daily calls for elected
24 officials and community boards on August 3. It was
25

2 clear immediately following the storm that there were
3 widespread downed trees and power outages in many
4 areas of the city. We worked with the mayor's office
5 to reiterate that 911 was for life-threatening
6 emergencies and only through our public messaging
7 channels, including Notify NYC. We also messaged
8 that New Yorkers should report non-life-threatening
9 tree and limb damage to 311, preferably via the
10 website or mobile app, which feeds directly into
11 Parks' forestry management system and is the fastest
12 way for Parks to prioritize requests. Daily
13 conference calls continued with elected officials
14 through Thursday, August 6. My colleagues at Parks
15 will speak in more detail about tree removal and
16 their processes and procedures. From an emergency
17 management perspective the Downed Tree Task Force
18 [inaudible] August 4 through August 18 and staffed
19 24/7 by Emergency Management and partner agencies.
20 To expedite tree removal and minimize crew standby
21 time, Parks and Emergency Management adjusted the
22 task force response strategy by establishing borough-
23 based command posts, the majority of which were co-
24 located near borough forestry offices. At the
25 command post work orders were provided directly to

1 field crews, expediting clearing operations. Due to
2 the scale of this event, Emergency Management
3 coordinate the deployment of 42 additional cut-and-
4 clear crews from New York State and worked with DDC
5 to activate two vendors from the city's on-call
6 emergency contract program to supplement city crews.
7 Agencies worked together to prioritize the removal of
8 trees that were blocking roads, fallen on homes, or
9 were tangled in live power lines. Given the volume
10 of downed trees, the Downed Tree Task Force made
11 several innovative adjustments to improve operations.
12 Emergency Management, Con Edison, and Parks
13 established [inaudible] teams and co-deployed work
14 orders needing utility action, which led to faster
15 resolution. On a subset of work orders Con Edison
16 deployed ahead of Parks to shut down power and cap
17 live wires in preparation for Parks to cut and clear
18 the tree. This helped to minimize standby time of
19 Parks and Con Edison crews who were able to complete
20 other work orders in the interim. However,
21 coordination challenges remain. Con Edison and the
22 city agencies have different work order priorities
23 and have separate technology systems for service
24 requests that has led to information-sharing
25

1 challenges. New York City Emergency Management,
2 Parks, and Con Edison have already documented initial
3 best practices and lessons learned from this incident
4 to improve our operations for the future for future
5 severe wind events. We are focusing on improvements
6 that can be quickly implemented in light of the
7 active hurricane season we are experiencing and will
8 continue to improve Downed Tree Task Force operations
9 to better serve New Yorkers during future events. I
10 will now turn to Commissioner Mitchell Silver of the
11 New York City Department of Parks and Recreation, who
12 will provide a more detailed description of that
13 agency's response to Tropical Storm Isaias, after
14 which we will be able to answer your questions.
15 Thank you for your time today and attention to this
16 matter. We are, as always, available to you and your
17 staff 24 hours a day, seven days a week, and happy to
18 assist in any manner.

19
20 COMMITTEE COUNSEL: Thank you,
21 Commissioner Criswell. Next, I'd like to invite
22 First Deputy Commissioner Kavanaugh to testify.

23 FIRST DEPUTY COMMISSIONER KAVANAGH: Ah,
24 good afternoon, Chair Cohen and members of the
25 Consumer Affairs Committee, Chair Constantinides and

1 members of the Environmental Protection Committee,
2 Chair Koo and members of the Parks Committee, and
3 Chair Brannan and members of the Resiliency and
4 Waterfronts Committee. On behalf of the Parks
5 Commissioner, Mitchell Silver, I am Liam Kavanagh,
6 First Deputy Commissioner of Parks and Recreation,
7 and I'm joined today by Assistant Commissioner,
8 Jennifer Greenfeld, who heads up our central
9 forestry, horticulture, and natural resources
10 division. Before I begin the testimony, it's
11 important to acknowledge the toll this storm took on
12 the public. New Yorkers have had to deal with an
13 enormous amount this year. Severe weather was an
14 additional difficult burden. Tropical Storm Isaias
15 caused an enormous of damage and disruption that
16 touched every community board in the city. We are
17 deeply appreciative of the patience and resilience of
18 New Yorkers, whose ability to handle adversity is the
19 reason that this is the greatest city in the world,
20 and we are especially thankful for the support they
21 showed to our staff in the field who worked so hard
22 to alleviate the problems caused by the storm. I'd
23 like to begin by giving some broader context about
24 our urban forest. Ah, first New York City Parks,
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1 like many other city agencies, is entrusted with the
2 care and maintenance of vital city infrastructure.
3 Unlike more typical infrastructure, like water mains
4 and traffic lights, our responsibility, the city's
5 trees, are living organisms. Trees make our city
6 more liveable by reducing pollutants and carbon
7 emissions from the air, as well as absorbing storm
8 water runoff. Trees are vital in combatting the
9 urban heat island effect, a phenomenon that causes
10 higher temperatures in urbanized areas, which is
11 particularly challenging for New York City. A 2017
12 Mayor's Office of Resiliency report found that
13 extreme heat is the top cause of mortality from
14 extreme weather, and the city averages roughly 115
15 excess deaths from natural causes exacerbated by
16 extreme heat annually. Worse, disparities in tree
17 cover create risks for the most vulnerable residents
18 of high-poverty neighborhoods. As a result, the city
19 invests significantly in caring for our urban forest,
20 including funds for street tree planting that will
21 prioritize areas disproportionately vulnerable to
22 heat risks, like neighborhoods in the South Bronx,
23 northern Manhattan, and central Brooklyn. New York
24 City's almost 700,000 street trees are the
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1 responsibility of the Parks Department and we have
2 dedicated resources to care for our urban forest and
3 to preserve and maximize the vital benefits they
4 provide for all New Yorkers. While our street trees
5 are beneficial to the city, they are uniquely
6 vulnerable infrastructure. Ah, trees cannot be
7 bolted down or boarded up or placed in storage when
8 we have inclement weather. Even the healthiest trees
9 can be felled by a powerful storm. Since we cannot
10 ultimately control the severity of the storm, we work
11 hard to make sure that the city's tree canopy is as
12 strong and as healthy as it can be. This is
13 accomplished through our proactive maintenance
14 efforts, largely guided by a risk management
15 approach, which uses standards set by the
16 International Society of Horticulture and the
17 American National Standards Institute. Included in
18 this approach is our [inaudible] program, which
19 thanks to significant investment during this
20 administration and support from the council, over 492
21 million dollars from FY15 through FY20 has allowed us
22 in recent years, ah, to prune roughly one-seventh of
23 our entire tree inventory annually, and our, and top
24 of risk inspections, on top of the risk inspections
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1 that are, that are [inaudible] by public service
2 requests. The goal of our program is to inspect and
3 identify concerns before they become major problems,
4 performing systemic and preventive tree care. This
5 proactive approach cannot and will not completely
6 negate the impacts of serious storms, but mitigates
7 what could have been even worse scenarios. Specific
8 to Tropical Storm Isaias, as our colleagues, ah, from
9 NYCEM have testified, the impacts of the storm were
10 swift and severe and the damage that Isaias caused
11 [inaudible] comparision with Superstorm Sandy in 2012
12 and the tornados that touched down in Staten Island,
13 Brooklyn, and Queens in 2010. Tropical Storm Isaias
14 caused over 21,000 service requests in one day, a
15 volume of incoming requests that we normally receive
16 in four months. In any case, New York City Parks
17 rose to the challenge. At its peak, well over 700
18 Parks staff were redeployed to assist with emergency
19 response-trained inspection and data review and in
20 coordination with the Downed Tree Task Force
21 additional tree crews were recruited and over 500
22 staff and 167 crews were mobilized. To ensure that
23 life safety concerns are addressed first and foremost
24 we prioritized clearing roads and thoroughfares,
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1
2 addressing what we term active failures. Those are
3 full trees that have been damaged but have not yet
4 fallen, but could and cause serious injury or damage,
5 as well as trees that are leaning on homes. Many
6 other city agencies contributed to the storm
7 response, which included tree crew assistance
8 provided by the police department, fire department,
9 sanitation department, the Department of
10 Transportation, Department of Environmental
11 Protection, and the Department of Design and
12 Construction. Additionally, city agency staff served
13 as auxiliary inspectors to confirm conditions on the
14 ground. Staff were provided by the Department of
15 Buildings, the Department of Corrections, Homeless
16 Services, HPD, NYCHA, and the Mayor's Community
17 Affairs Unit. Further, mutual aid assistance was
18 obtained from other jurisdictions, such as New York
19 State Department of Transportation, Parks, and
20 Department of Environmental Conservation, as well as
21 the National Guard. We also activated 11 million
22 dollars in emergency contracts to secure the
23 assistance of additional tree crews from private
24 contractors. Due to this massive mobilization of
25 resources all serious obstructions from downed trees

1 were cleared by August 13, while the majority of
2 lower-priority conditions were addressed in the
3 following week, a faster response time compared with
4 similar emergencies in recent years. I'm extremely
5 proud of our Parks' emergency contractors and city
6 agency help, mutual aid partners, who stepped up to
7 respond to the one of the most damaging storm events
8 impacting trees we've experienced in New York City.
9 Resolving this significant volume of requests
10 required an enormous amount of both fiscal and
11 logistical support from our staff and fellow
12 agencies. This is complex and challenging work. It
13 takes time, and while we are aware that storms come
14 every year, their severity and their impacts vary,
15 prompting us to be creative in finding new ways to
16 meet the challenge. This year we piloted a strategy
17 in which Parks crews worked directly alongside Con
18 Edison crews to deal with outages caused by trees.
19 We also quickly developed and deployed a mobile
20 inspection device that enabled hundreds of staff and
21 Parks and other agencies to assess and report tree
22 conditions from the field. We are continuing to
23 refine that device to make it even more valuable in
24 future storms. We hope to be able to build on these
25

1 innovations for future storm recovery efforts. While
2 we recognize that it can be extremely frustrated
3 experience the aftermath of a severe storm and the
4 tree impacts it brings, NYC Parks is committed to
5 working smarter and faster with city agencies, sister
6 agencies, and other non-agency departments. Thank
7 you, Chairs, for the opportunity to testify today. I
8 would be happy to answer any questions you might
9 have.
10

11 CHAIRPERSON COHEN: I'm going to start,
12 all right? Can everybody hear me? OK. Ah, I'm
13 gonna start with, ah, OME. You know, I, I wonder
14 just taking a step back, um, in terms of, ah, like,
15 like the Downed Tree Task Force. That's not
16 obviously, that's not a standing thing, it's, it's
17 activated, ah, in, in times of, ah, you know,
18 disaster, is that right?

19 COMMISSIONER CRISWELL: Ah, Chair Cohen,
20 yes. The Downed Tree Task Force is activated any
21 time we think that there might be substantial wind,
22 um, that could cause damage to trees. Ah, we
23 activate it several times throughout the year, even
24 if we think it's gonna be minimal damage, just so we
25 can get all the agencies together and working

1 collectively to take care of any, any downed trees
2 that we might find.

3
4 CHAIRPERSON COHEN: And, and how does
5 the, the task force get the information, where does
6 that come from?

7 COMMISSIONER CRISWELL: So when
8 individuals, ah, call in their downed trees, ah,
9 complaint service requests it goes into calling 311
10 and it goes into Parks forestry system report, and
11 then Parks has that report and they can prioritize
12 the downed tree, ah, removal or, um, making the tree
13 safe.

14 CHAIRPERSON COHEN: So, so overwhelmingly
15 311 is the source of.

16 COMMISSIONER CRISWELL: 311 is the, is
17 the primary way for service requests to come in, yes.

18 CHAIRPERSON COHEN: Um, this is, maybe
19 you do this and I'm just, ah, not as good a council
20 member as I should be and I don't know about it. But
21 do you do, um, like staff training outreach? I, I
22 find that a lot of times, you know, 'cause obviously,
23 you know, in the best-case scenario we never see you
24 because we don't, you know, we don't need you
25 [laughs], ah, but like I wonder if my office is well

1 prepared to communicate and coordinate with your
2 office, ah, you know, in a crisis. Does your team do
3 community, you know, staff trainings and that kind of
4 thing?
5

6 COMMISSIONER CRISWELL: Yes, we, we do a
7 variety of trainings. Obviously our trainings this
8 year, um, have been put on pause and we're starting
9 to resume our trainings in a different format. Um,
10 if there is a specific training, um, specifically
11 that you would like your staff to have we'll be happy
12 to follow up with you and, and get that training.
13 But we have done a number of things, like, um, mobile
14 office hours to coordinate with your staff, um,
15 outreach events, um, and then our training division
16 does preparedness training for the community members
17 as well.

18 CHAIRPERSON COHEN: There was a lot of,
19 ah, it didn't, ah, a lot of things didn't work as
20 well as I think that they could have or should have
21 in terms of downed trees in my district. You know, I
22 don't know if you, how much of the prior testimony
23 you saw, but Council Member Gjonaj represent a lot of
24 homeowners. Ah, he's in the northeast Bronx, I'm in
25 the northwest Bronx, um, and these people were sort

1 of the, the last 5% to get service restorations, and
2 it was very difficult and, you know, people were
3 sending me daily pictures of, you know, trees on
4 their houses, or trees resting on wires in front of
5 their homes, and day after day we were trying to get
6 them help and it was very, very slow. And it was
7 also scary. If there's a tree resting on wires in
8 front of your house and you don't know if the wires
9 are live, and it looks tenuous, it's, it was, it did
10 not work, um, I, I think the way that either you or I
11 would like to see it work. Um, so I, I don't know
12 what we can do about that. Um, and I wonder if OME
13 like has, I realize you're not here to criticize
14 another city agency, but, ah, you know, obviously Con
15 Ed's ability to deliver power through overhead wires
16 is integrally related to the condition of our street
17 tree stock. Ah, in terms of, ah, emergency
18 management, what do you think is the status and, and
19 the overall quality, ah, vis a vis power delivery of
20 our street tree stock?
21

22 COMMISSIONER CRISWELL: You know, I can't
23 speak specifically for Con Edison's infrastructure or
24 Parks infrastructure, but, you know, from an
25 emergency management perspective the two go hand-in-

1
2 hand, and any time we know that there's going to be a
3 large wind event, we know that we're also gonna have
4 a power outage event because of the amount of
5 overhead lines that we have. And so that's where we
6 put together the Downed Tree Task Force to help
7 address those concerns, ah, pre-storm, and then
8 immediately be able to go out and solve them post-
9 storm. You know, I think that there's always room
10 for improvement for us to continue to work more
11 closely together, um, in bringing the partners
12 together, which is what Emergency Management's role
13 is, right, is bringing all of the necessary
14 stakeholders together, to coordinate responses
15 better. We learned a lot from this response and
16 there are things that, um, we put in place during
17 this event that we will put in place prior to the
18 events going forward.

19 CHAIRPERSON COHEN: Do you, um, report
20 back to the mayor, I guess, you know, like an
21 analysis of, you know, what happened here, what you
22 think worked well, what didn't work well, and where
23 we...

24 COMMISSIONER CRISWELL: Absolutely.
25

1
2 CHAIRPERSON COHEN: ...can make
3 improvements?

4 COMMISSIONER CRISWELL: Yeah, absolutely.
5 I mean, during the event I send twice-daily reports
6 as to what our status is and where we are at, and
7 then after the event and any event, um, first we do a
8 quick look report and we already did that quick look
9 report on just the downed tree piece of our response
10 here, and we're in the process of doing a, um,
11 larger, more comprehensive look at all of the
12 different activities that happened in response to
13 Tropical Storm Isaias. That does get put together in
14 a formal after-action report with, ah, areas for
15 improvement, and then we track through that an
16 improvement plan matrix.

17 CHAIRPERSON COHEN: I, I guess it's true
18 that we're, ah, through, you know, more than the
19 halfway point of tropical storm season, but, I mean,
20 do you think, ah, in your capacity that the tree
21 stock in New York City is, that we're well prepared
22 for another tropical storm, or do you think we're
23 gonna see widespread outages? Is this part of the
24 norm in terms of how we, and are we doing, again, a,
25 like if, if there was, if the trees present a

2 dangerous condition in terms of delivering power and
3 everything that's encompassed in that, that seems
4 like something that you would be, want to be aware of
5 and try to mitigate, and obviously we want to.

6 COMMISSIONER CRISWELL: Yeah, and again,
7 I can't speak specifically to what the tree stocks,
8 it's not my area of expertise. Um, but I do...

9 CHAIRPERSON COHEN: But the, can you
10 speak to the liability, the danger presented by the
11 tree stock?

12 COMMISSIONER CRISWELL: I, I think that
13 any time we have a wind event and overhead lines,
14 regardless of, you know, the, the, um, stability of
15 the tree, there is always potential for the trees to
16 come down and cause power outages, and we know that,
17 which is why we want to be able to put in place, um,
18 crews, ah, procedures, ah, data sharing, so we can,
19 as quickly as possible, begin to mitigate the impact
20 from that storm. And I think, you know, we, we will
21 see that if we have another tropical storm hit us.
22 We will most, we will most likely have downed trees
23 with power outages, even if it's just a small wind
24 event.

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2 CHAIRPERSON COHEN: I, I guess, and, I, I
3 feel, it may appear that I'm picking on you about
4 Parks' trees, but I'm, I'm gonna, I'll pick on them
5 next. But it does seem to me that there is a bit of
6 a double standard in the sense of if, if the city,
7 you know, DOB, if there's a façade issue, DOB is
8 aggressive about going after a private property owner
9 and making sure that their façade is safe and the
10 public does not get hurt. Here it seems like, you
11 know, these trees, the trees, poorly maintained
12 trees, and obviously I love trees as much as, ah,
13 anybody, the poorly maintained trees present a risk
14 to people's safe and to power delivery. And because
15 it's city property it's like, well, when it falls
16 down we'll cut it up and let Con Ed restore the
17 power. It doesn't seem to me that we take our
18 responsibility as seriously as we should, ah, based
19 on the impact it has on New Yorkers.

20 COMMISSIONER CRISWELL: No, and I think,
21 you know, you make a fair point, right, and, and, you
22 know, maybe there's an opportunity for us if we know
23 where there is, um, areas of trees that are more
24 likely to be damaged than others we can pre-map that.
25 Um, I'd have to get with Parks and we could see what

1 we could there. But it's really about balancing the
2 risk of what we're going to see coming in and making
3 sure that we have the resources. You know, again, I
4 do believe, regardless of the storm that comes next,
5 we will also see downed trees, whether they're all
6 healthy or some of them are damaged, um, already.
7 And so it's my job to make sure that we have the
8 resources in place, ready to respond to those events.
9

10 CHAIRPERSON COHEN: I, I guess, I'm just,
11 I'm interested in your role in emergency avoidance
12 versus cleaning up the mess, and I, and I think that
13 there is an opportunity here for us to do better in
14 terms of emergency avoidance.

15 COMMISSIONER CRISWELL: I think, you
16 know, when you talk about avoidance, we're talking
17 about mitigation, and anything that we can do to
18 reduce risk is mitigation and, you know, we have a
19 very strong mitigation program here at Emergency
20 Management that looks at a number of things, and we
21 can certainly take a look on, um, and work with Parks
22 on perhaps any other mitigation measures we might be
23 able to take in the future.

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CHAIRPERSON COHEN: Thank you. Ah,
Commissioner Kavanagh, it's good to see you, by the
way, how are you?

FIRST DEPUTY COMMISSIONER KAVANAGH:
Thank you, Mr. Cohen, Council Member Cohen, how are
you?

CHAIRPERSON COHEN: I'm good. I didn't
see you on the, on the boardwalk in the Rockaways at
all this summer, but I'm sure you probably made more
than one visit or two.

FIRST DEPUTY COMMISSIONER KAVANAGH:
Yeah.

CHAIRPERSON COHEN: Ah, I'm a little, ah,
concerned. I, I don't, I understand that we got an
email about Commissioner Silver's lack of
availability after 11:30, but the, the run of show
was disclosed to the admin and agreed to, to the
admin, ah, well in advance of the hearing and I have
to say I'm a little distressed or dismayed that he
couldn't be here with us. So I'd appreciate it if
that was communicated to him. I, I don't know what
happened and, again, maybe he had something personal
and pressing that he couldn't move. But, again, run
of show was disclosed to the admin, we knew that Con

2 Ed was gonna testify first. Ah, it was not realistic
3 to expect that, for him to expect that he would be
4 done by 11:30. So I just really go on the record
5 with that. Um, if you could explain to me, just so
6 I'm clear between Con Ed and, and the city, their,
7 their responsibilities in tree pruning, ah, ah, where
8 there are overhead wires above the city trees, or in
9 the city trees.

10 FIRST DEPUTY COMMISSIONER KAVANAGH: Ah,
11 yes, I'll try to do that. Ah, roughly, ah, I think
12 it's approximately 35% of the tree population on the
13 streets of New York City, which totals about 666,000,
14 have utility wires passing through the. Ah, Con
15 Edison is responsible for clearing their lines, um,
16 as Mr. Cawley explained during his testimony. That
17 is, they remove branches that are either touching or
18 potentially interfering with their transformers or
19 their utility lines. They're not responsible for any
20 other work within the tree. Ah, and when a tree
21 needs to be removed that has utility lines passing
22 through it, ah, we refer it to Con Ed, too, as Mr.
23 Cawley, ah, said, ah, to top the tree, that is to
24 remove the tree out of the electrical services so our
25

2 staff or contractors we employ can safely remove the
3 rest of the tree.

4 CHAIRPERSON COHEN: Can you just describe
5 topping one more time for me?

6 FIRST DEPUTY COMMISSIONER KAVANAGH: Ah,
7 topping means removing any part of the tree that is
8 in contact with or close to the electrical service.

9 CHAIRPERSON COHEN: So then it's Con Ed
10 makes it safe for you to take it down?

11 FIRST DEPUTY COMMISSIONER KAVANAGH: Yes.

12 CHAIRPERSON COHEN: Um, I guess I'm just,
13 I'm concerned about sort of a complicated process,
14 you know, multi, you're gonna, they're, someone is
15 going to identify that there is a problem, ah,
16 someone's gonna get Con Ed to come and do the
17 topping, and then you're gonna come back, um, if
18 there's a dangerous condition. It, it sounds like it
19 could take a long time. I guess what is the timeline
20 from if someone reports a dangerous condition to 311
21 regarding a tree, what is the timeline, the
22 turnaround time on that?

23 FIRST DEPUTY COMMISSIONER KAVANAGH: Ah,
24 if I can step back a little bit and talk a little bit
25 about some of the, ah, earlier questions, at least

2 refer to them. Ah, about four years ago we adopted a
3 risk management approach to our tree program. Ah,
4 we're the first city in the country to do this, and
5 as far as I know we may be the only city. We assess
6 trees, ah, for their condition, the potential, ah,
7 for failure of that tree, and the consequences of, of
8 a failure in terms of either injury or damage. And
9 that of course includes damage to utility lines and
10 Con Ed infrastructure. Ah, when we, ah, assess a
11 condition we assign a risk grading to it. The
12 highest category of risk grading, we, our goal is to
13 remove it or address whatever the risk is, within
14 seven days. Ah, the next risk category...

15 CHAIRPERSON COHEN: Commissioner, can I,
16 how long does it take you, though, from the day you
17 become aware that there is something that needs to be
18 assessed to getting it assessed?

19 FIRST DEPUTY COMMISSIONER KAVANAGH: Ah,
20 that can vary greatly depending on, on the time of
21 year and how many, ah, requests we have at any given
22 time. Clearly if the condition is indicated to be a
23 hazard, ah, we try to inspect it as quickly as
24 possible. In some cases that can take as long as
25

1 week, though, given volume and staffing and other
2 considerations.

3
4 CHAIRPERSON COHEN: So but generally
5 you're saying if I call 311 and I say that there's a
6 dangerous tree condition, I find the constituents
7 basically contact my office with two types of tree
8 conditions. Either it's, ah, disturbing their
9 sidewalk, the roots are disturbing their sidewalk and
10 they'll call my office saying that that's a problem.
11 Or they'll call, they'll say it's a very dangerous
12 condition, I'm afraid it's gonna, you know, fall on
13 somebody. Those are the two types of calls I get
14 related to trees. So you're saying if, if, if we
15 make a 311 call on the latter that there's a
16 dangerous condition that you will do an assessment
17 within a week?

18 FIRST DEPUTY COMMISSIONER KAVANAGH:

19 Again, it can vary depending on the time of the year,
20 the number of service requests we have, and our
21 staffing levels, but we do try to inspect, ah, a
22 potentially hazardous condition within a week.

23 CHAIRPERSON COHEN: OK. Um, I, I realize
24 that the Parks Department is not in the power
25 delivery business, um, ah, but obviously there, you

1 know, as, as we've talked about repeatedly, there,
2 there is an nexus between power delivery and the
3 condition of, ah, the tree stock, the street tree
4 stock in, in New York City, um, and I know we're now
5 on a seven-year trim cycle, um, is that the only
6 inspection our trees get is that once every seven
7 years when they're there to be trimmed?

9 FIRST DEPUTY COMMISSIONER KAVANAGH: No,
10 we inspect trees based on service requests that we
11 receive from the public and if the public indicates
12 that a tree is either dead or in poor condition, has
13 some other kind of, ah, serious damage or hazardous
14 condition, ah, we will inspect it and do a full risk
15 assessment on the tree, ah, and determine what is the
16 appropriate course of action to take with the tree.

17 CHAIRPERSON COHEN: So, again, that's
18 based on reporting through 311?

19 FIRST DEPUTY COMMISSIONER KAVANAGH: Yes.

20 CHAIRPERSON COHEN: Um, do, do you have
21 a, maybe Deputy Commissioner Greenfeld might be
22 better positioned to answer the question, but do you
23 have, what is, how would we rate the overall health
24 of the city street trees, ah, and their state of, ah,
25 I know it's not state of good repair exactly, but,

1
2 ah, I think you understand the, what I'm trying to
3 ask?

4 FIRST DEPUTY COMMISSIONER KAVANAGH: Yes,
5 and I know the, ah, you know, this, this may seem odd
6 in light of the, you know, all of the damage that we
7 suffered, just a little over a month ago. Ah, but I
8 think in, in general, the state of the health of the
9 city's tree population is good. Ah, and that's due
10 to several reasons. One is the block pruning program
11 we've been able to sustain at highest level of my
12 experience, and I've been involved tree care in New
13 York City for 35 years, but over the last six fiscal
14 years we've invested at the highest level that I've
15 ever experienced. The block pruning program is the
16 key to our maintenance strategy. Ah, it obviously,
17 ah, is, is for three reasons. It's a proactive
18 program. We prune every tree in segments of
19 neighborhoods at the same time. Ah, pruning makes
20 the tree healthier, of course, but it also mitigates
21 damage from storms, and it helps to eliminate
22 [inaudible] for the other infrastructures. Ah, one
23 of the council members who asked a question earlier
24 mentioned a tree that was, ah, touching a house and
25 is certainly one of the things that we address during

1 our block pruning cycle. Ah, we've had consistent
2 high funding for that, as you mentioned. We've had a
3 seven-year pruning cycle. But in addition to the
4 seven-year pruning cycle we have also instituted
5 another step where we have all of the trees inspected
6 by a certified arborist, um, within the last two
7 years. That amounts to almost 200,000 trees that
8 have been inspected by certified arborists as part of
9 our block pruning program. Ah, they do identify
10 hazards. They refer the hazards to our forestry
11 division, ah, to be addressed, ah, again, in the
12 priority in which they need to be addressed, ah, but
13 overwhelmingly their inspections have not shown, ah,
14 you know, have shown the urban forest to be in
15 generally good condition.

17 CHAIRPERSON COHEN: Just so I, I mean,
18 even though I've served on the Parks Committee my
19 whole time, I want to make sure we're just speaking
20 the same language. Ah, street trees, I mean, you're,
21 you're, I don't want to confuse inventory, so to
22 speak, um, [inaudible] the like that, trees that line
23 our streets, that's approximately 2 million trees in
24 the City of New York?

25

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2 FIRST DEPUTY COMMISSIONER KAVANAGH: No,
3 um, there's approximately 3.3 million trees in
4 forests. We don't actively manage them. Lots of
5 places like Pelham Bay Park, ah, Van Cortlandt, the
6 Green Belt on Staten Island and some of our other
7 large parks. There are approximately 700,000 street
8 trees in the City of New York. Our last census, ah,
9 actually counted 660,000. Ah, I think over time we
10 might be approaching 700,000, roughly. And we also
11 actively manage trees in what we call landscape
12 parks. These are parks and playgrounds that people
13 use for, for active, active and passive recreation,
14 but they're mostly the neighborhood parks. And we
15 counted a little over 150,000 trees in those
16 situations. So in terms of active management we have
17 between 820,000 and 840,000 trees, ah, that we
18 actively manage, manage, and that we apply the risk
19 management approach when we're managing those trees.

20 CHAIRPERSON COHEN: And you think
21 approximately 660,000 of the 840 are also, ah, under,
22 ah, or involved with power transmission lines?

23 FIRST DEPUTY COMMISSIONER KAVANAGH: No,
24 about 30% of those 600,000 we estimate, ah, have
25 utility lines passing through them, and that was

1 based on our 2005 census, which did try to identify
2 how many trees were in the utility lines.

3
4 CHAIRPERSON COHEN: OK. So one more
5 time. Just so I understand. You're actively
6 managing 840,000 trees. You think approximately
7 660,000 of those trees are street trees.

8 FIRST DEPUTY COMMISSIONER KAVANAGH: Yes.

9 CHAIRPERSON COHEN: And approximately 35%
10 of the 660 are either under or related to, ah, Con Ed
11 transmission lines.

12 FIRST DEPUTY COMMISSIONER KAVANAGH: Yes.

13 ASSISTANT COMMISSIONER GREENFELD: Ah,
14 can I give a, excuse me, can I give you just one more
15 context...

16 CHAIRPERSON COHEN: Sure.

17 ASSISTANT COMMISSIONER GREENFELD: ...um,
18 about the number of trees that were damaged 'cause
19 there were a couple of numbers flying around earlier.
20 Ah, a total number of trees, including street and
21 park trees was just 11,000. Um, only, sorry, 3370
22 trees actually came down, and so of all of the tree
23 population that we actively manage, only 1.4% were
24 impacted in this storm.

25 CHAIRPERSON COHEN: Only 1.4% came down?

1
2 ASSISTANT COMMISSIONER GREENFELD: Ah,
3 were impacted in any way. That includes hanging
4 limbs, limbs down, or trees down. It's even less if
5 you talk about trees down only. And some of those
6 were in parks, although the vast majority were on the
7 streets.

8 CHAIRPERSON COHEN: I'm gonna take a
9 break. I don't know if Chairs Koo or Brannan have
10 questions?

11 COMMITTEE COUNSEL: Sorry, before we turn
12 it over to questions from Chair Koo, um, I'd like to
13 remind panelists from the administration...

14 CHAIRPERSON COHEN: Ah, Kisa, I think you
15 froze for a second. Yep.

16 COMMITTEE COUNSEL: ...Um, as a reminder
17 we'll be limiting council member questions to five
18 minutes, which includes the time it takes to answer
19 your questions. Um, Chair Koo, I turn it over to you
20 now.

21 CHAIRPERSON KOO: Thank you. Ah,
22 Commissioner Kavanagh, how are you, yeah?

23 FIRST DEPUTY COMMISSIONER KAVANAGH:
24 Good, thank you, how are you?
25

2 CHAIRPERSON KOO: And Commissioner of the
3 OEM. Ah, thank you for coming in to testify, even
4 though we are a little bit disappointed that
5 Commissioner Silver had, had to go and he is not able
6 to answer, ah, directly to our questions. But I
7 believe you will give us very good answers, too. So
8 my first question is, um, can you describe the
9 process of the downed tree protocol employed by the
10 administration as required by Local Law 21 of 2015?
11 Can you give us a summary of that?

12 CHAIRPERSON COHEN: Commissioner
13 Criswell?

14 COMMISSIONER CRISWELL: Yeah, this is
15 Commissioner Criswell. You know, I, I'll have to say
16 that I am not familiar with the local law that you
17 are talking about. Um, but our Downed Tree Task
18 Force protocol, ah, really talks about how we bring
19 the city agencies together, um, in order to manage
20 trees that come down, and it follows, ah, four
21 priorities to address trees that are down, the first
22 priority being life safety issues and obstructed
23 roadways. Ah, the second priority is for trees that
24 are on homes or blocking access to homes. Um, the
25 third priority is for quality of life issues, and the

1 fourth priority is for, ah, vegetative debris
2 reduction and collection. And so it's through
3 bringing all of the appropriate agencies together to
4 monitor, um, the incoming requests that come from
5 311. Um, I can, I can have, ah, Commissioner
6 Kavanagh talk a little bit more about the specifics
7 of how they send out an inspector and then determine
8 what service requests actually turn into work orders.
9 But then once they become a work order then we, ah,
10 track as the Downed Tree Task Force the progress
11 against resolving those work orders, um, in the
12 priorities that I just mentioned.

14 CHAIRPERSON KOO: Thank you. So does
15 every tree has a tab that identifies it? After you
16 inspect the tree, do they have a tag on them?

17 FIRST DEPUTY COMMISSIONER KAVANAGH: Ah,
18 we...

19 CHAIRPERSON KOO: Or a tree number, tree
20 number? How do you identify the individual trees?

21 FIRST DEPUTY COMMISSIONER KAVANAGH: Our,
22 our system geolocates every tree on the street and
23 every tree in a park, ah, that, obviously, in the
24 active parks, not in the forests, ah, it was created
25 as a result of our, the censuses that we conducted.

1 Ah, so, and any time we plant a new tree we geo-link
2 locate that tree so it is part of our system. So,
3 yes, we do know where every tree is.

4
5 CHAIRPERSON KOO: So but does, does the
6 public know if, ah, if I want to report a dying tree
7 how do, can I say a tree number, tree number 1074,
8 ah, is not doing well, no. Can you send someone out
9 to [inaudible]?

10 FIRST DEPUTY COMMISSIONER KAVANAGH: Ah,
11 yes, you can, we have what is called the New York
12 City Tree Map, which shows every free tree in the
13 city. Ah, you can use that tree map to report any
14 service request, including an emergency service
15 request, though 311 is usually the best route in an
16 emergency. You can click on the exact tree, ah, that
17 you're concerned about. Tell us what your concern
18 is, and that will be submitted into our forest
19 management system.

20 CHAIRPERSON KOO: Oh, but, but what I
21 want to ask is does the tree have a tag to identify
22 this tree?

23 FIRST DEPUTY COMMISSIONER KAVANAGH: Ah,
24 it doesn't have a tag on the tree, no.

1
2 CHAIRPERSON KOO: No? I mean, if you put
3 it, after inspection, you put a tag on it and you say
4 suppose this tree is not doing well, it's not
5 healthy, then you maybe can color code it, color code
6 the health of the tree and with identification number
7 then, ah, the pedestrians or the neighborhood people
8 can, can pay attention to this tree, see whether it's
9 doing better or doing worse, you know?

10 FIRST DEPUTY COMMISSIONER KAVANAGH:

11 That's an interesting thought. We have considered
12 bar coding in, in different ways. It's a technology
13 that we have not been able to employ for this
14 purpose. We do use it in our planting program, ah,
15 to some design. Ah, but to, ah, bar code, ah, all of
16 the trees in the city, it's not something we've been
17 able to do, but it may be something worth thinking
18 about.

19 CHAIRPERSON KOO: Well, if Amazon can
20 like bar code millions of merchandise, I think the
21 city can do it, too. It's not that, the technology
22 is not that hard, you know, it's very, ah, it's
23 feasible to do, you know? So, ah, and my, my other
24 question is like our understanding is the trees
25 within parks are the lowest priority for removal

1 after a storm. However, there are historic houses
2 and other structures inside parks that makes this
3 dangerous. Some reported that you cannot access
4 certain areas of the properties because of fallen
5 trees. So what is the tree removal prioritization
6 within parks for trees that impact parks' structures?
7

8 FIRST DEPUTY COMMISSIONER KAVANAGH:

9 Council Member, we do treat park trees the same as
10 street trees when it comes to risk. So if a park
11 tree presents an immediate hazard to the public we
12 will address it in the same priority that we would
13 for a street tree. However, trees that are not life-
14 threatening or have the potential for causing
15 additional injury or damage, we do, ah, prioritize
16 street work over park work, ah, because the trees in
17 the street impact more people on a regular basis, ah,
18 than do the trees in the parks.

19 CHAIRPERSON KOO: Because like some
20 historic houses in my neighborhood, in my district,
21 they reported fallen trees but it has taken Parks
22 Department a long time to remove the tree. And much
23 longer than expected.

24 FIRST DEPUTY COMMISSIONER KAVANAGH: I
25 understand. I understand, ah, you know, we would of

2 course like to complete all of our work as quickly as
3 possible, and we do not want to put our partners in
4 the historic houses in a position when they can't
5 operate. Ah, but, again, ah, you know, we think that
6 prioritizing work on the street that affects New
7 Yorkers and their homes, ah, and in their daily
8 lives, you know, takes priority over work in parks
9 during a storm.

10 CHAIRPERSON KOO: So, Commissioner, what
11 has been the cost of all of the tree removals and
12 repairs associated with Tropical Storm Isaias?

13 FIRST DEPUTY COMMISSIONER KAVANAGH: Ah,
14 we're still tallying it up, but, ah, we estimate
15 we've spent about 20 million dollars so far on
16 response to Tropical Storm Isaias.

17 CHAIRPERSON KOO: 20 million dollars.

18 FIRST DEPUTY COMMISSIONER KAVANAGH: Yes.

19 CHAIRPERSON KOO: Approximately.

20 FIRST DEPUTY COMMISSIONER KAVANAGH: Yes.

21 CHAIRPERSON KOO: OK. So during the
22 council's hearing on, ah, 311, ah, back in May, we
23 heard that Parks' own reporting system was also
24 overburdened. So but the, ah, but then Parks made
25 changes to the system. So what are those changes?

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FIRST DEPUTY COMMISSIONER KAVANAGH: Ah,
I will defer to Commissioner Greenfeld on this
question. I, I may get a little tripped up on some
of the technical aspects of it.

CHAIRPERSON KOO: OK.

FIRST DEPUTY COMMISSIONER KAVANAGH: But
yes, there was, there was a, a slight delay on the
first day, but our staff was able to, to rectify it
fairly quickly. Commissioner Greenfeld, can you
provide a little bit more detail?

ASSISTANT COMMISSIONER GREENFELD:

Certainly. Um, so the, ah, requests came in many
ways. One of them was through, ah, the, um, New York
City Parks website and there was sort of a queue that
got caught up because we literally had more, um,
requests come in in the shortest amount of time than
we have ever had before in the history of the system.
It was, um, identified within [inaudible] or
something of that time and, um, and then rectified,
so everything, ah, came into our system. Um, what,
what was actually an issue was not whether it came
into our system at the Parks Department, so we
actually were notified everything, about everything.
The issue was about, ah, whether it went back to the

1 customer. So we were never, our, our response to the
2 storm was never impacted by this delay.
3

4 CHAIRPERSON KOO: So have you fixed the
5 problem for future like storms?

6 ASSISTANT COMMISSIONER GREENFELD: Yes,
7 it was fixed during the storm, immediately.

8 CHAIRPERSON KOO: OK. Thank you. So do
9 we know if 311 closed all the tree-related service
10 requests from the storm, and roughly how long it took
11 them to do so?

12 FIRST DEPUTY COMMISSIONER KAVANAGH: I'm
13 sorry, Councilman Koo, could you repeat the question?

14 CHAIRPERSON KOO: I said do you know if
15 311, ah, 311, closed all the tree-related service
16 requests from the storm, and roughly how long it took
17 them to do so. Have they closed all the cases now,
18 or they're still open?

19 FIRST DEPUTY COMMISSIONER KAVANAGH:
20 Well, the Parks Department is responsible for closing
21 the service requests that are generated by the storm.
22 They do flow through 311, ah, for very important
23 reasons. And yes, we did, ah, account for all of the
24 service requests that came in from 311 from Tropical
25 Storm Isaias. In any large storm like this, we

1 receive an enormous number of service requests. Ah,
2 as was testified earlier, we received over 21,000 in
3 the first day. Ah, it approached the number that we
4 received in total for, ah, Hurricane Sandy. And
5 subsequent to that first day we received, ah, almost
6 another 11,000 service requests. Ah, we rely on the
7 public to tell us about emergency conditions. It's
8 extremely important to us, ah, to know where these
9 situations occur so we can send our inspectors and
10 crew, crews there to address it as quickly as
11 possible. But unfortunately it happens that, ah,
12 many people can report the same, ah, condition, ah,
13 and we do have to review service requests to make
14 sure that there aren't duplicates, and we also
15 receive, ah, requests for, ah, for conditions that
16 our outside of our area of responsibility. So it is
17 a lot of effort to review the service requests, ah,
18 to combine those that are duplicates to get them into
19 the hands of inspectors so that they can assess the
20 damage, make sure we get the right crew there as
21 quickly as possible, and to work and to proceed
22 through our work order process to its conclusion.

23
24 CHAIRPERSON KOO: Thank you. So, um, my
25 other question is about tracking trees. It's really

1 important we keep tracking all the trees, ah, in the
2 parks on or the streets. So, ah, because if they
3 fall down on somebody, it may hurt someone or do
4 damage on people's property. So on the thousands of
5 that already fell, ah, during Isaias, does Parks know
6 what their general health was before they fell? Ah,
7 were many of such trees already under threat of
8 falling or were they, or were they healthy? So do
9 you have a, a percentage of how many of these are, on
10 the verge of falling down?

12 FIRST DEPUTY COMMISSIONER KAVANAGH: Ah,
13 we are looking into that, Council Member Koo. It's a
14 very involved process, and as Commissioner Greenfeld
15 mentioned there were 11,358 trees that were damaged,
16 ah, during the storm. Our initial, ah, analysis
17 showed that, ah, only 9% of those 11,358 trees had an
18 open work order prior to the storm and only 2% of
19 those trees had an open work order for tree removal
20 prior to the storm. Ah, but we are continuing to dig
21 into the data to see what more we can learn, ah, from
22 the tree's history prior to the arrival of Tropical
23 Storm Isaias.

24 CHAIRPERSON KOO: Ah, in 2013 in my
25 district a tree in [inaudible] Park fell on a park

1
2 visitor on a sunny day. Clearly this tree was either
3 damaged, clearly this tree was damaged, ah, either by
4 a previous storm or was all, was already dead. What
5 is the process and timeline for addressing the storm-
6 damaged trees and dead trees that could fall on park-
7 goers, because, you know, you never know. You sit
8 under on a bench and a tree fell on you and you get
9 killed. So is there a process for you to inspect all
10 the trees after the storm?

11 FIRST DEPUTY COMMISSIONER KAVANAGH: Yes,
12 we inspect trees in parks on a regular basis. Ah,
13 park supervisors in every district in the city are
14 responsible for conducting monthly written
15 inspections of their properties, including the trees
16 on their properties. They are not, they are not
17 arborists so they cannot identify, ah, you know,
18 sophisticated tree problems, but they report anything
19 they're concerned about to our forestry division,
20 which inspects the trees and, again, because we, we
21 do have an inventory of park trees where we can
22 actually locate each individual tree, ah, our
23 arborists assess the tree, just as they do for trees
24 on the streets. They apply, ah, the risk process to
25 it, ah, and they determine whether the tree does

2 represent a hazard, what level of hazard, and based
3 on the level of hazard that the tree poses, ah, we,
4 we maintain it, ah, with our own staff.

5 CHAIRPERSON KOO: How many arborists, ah,
6 do Parks have? How many on staff?

7 FIRST DEPUTY COMMISSIONER KAVANAGH: Ah,
8 we have approximately 80 staff who are certified
9 arborists by the International Society of
10 Horticulture. Ah, about 55 of them are assigned to,
11 ah, the inspection function, ah, in all five
12 boroughs, though some of them do work on, on our
13 contracts, ah, but they are capable of performing a
14 tree inspection and a risk inspection, ah, at any
15 time.

16 CHAIRPERSON KOO: Ah, so, ah, on average,
17 how, how does the arborist go to inspect trees? How,
18 how long it takes them to inspect your, ah, for one
19 day how many trees can he inspect?

20 FIRST DEPUTY COMMISSIONER KAVANAGH: Ah,
21 it, it varies greatly depending on, ah, the nature
22 of, I guess, where the trees are to be inspected.
23 You know, for example, as I mentioned, ah, under our
24 block pruning program we have certified arborists
25 conduct a, a what we call a level 2 inspection, it's

1 a risk assessment of every tree that is intended to
2 be pruned. In that circumstance you could inspect
3 easily a hundred trees in a day. However, ah, or
4 maybe not quite a hundred. Ah, however, if you have
5 service requests that are spread out over a large
6 borough, like Queens, for instance, ah, where there's
7 significant travel involved, it might be as few as 20
8 trees, approximately.

10 CHAIRPERSON KOO: So how long, what is
11 the timeline, ah, when, when you completed a 311, ah,
12 complaint? What's the timeline?

13 FIRST DEPUTY COMMISSIONER KAVANAGH: I'm
14 sorry, Council Member Koo, could you repeat the
15 question?

16 CHAIRPERSON KOO: So can you give us a
17 timeline of when Parks completed, ah, the addresses of
18 the 311 complaints that come in. What, what's the
19 timeline when someone calls 311 to complain about a
20 tree, ah, on their property, how long it takes you to
21 finish the job, on the average?

22 FIRST DEPUTY COMMISSIONER KAVANAGH:
23 Council Member, it's hard to provide an average. Ah,
24 it based on the time of the year and the nature of
25 the service request we receive. You know, from

1
2 roughly May to October we receive a large volume of
3 service requests, um, more than we can process. Ah,
4 in, in the normal course of business we prioritize
5 them based on the information that the, ah, members
6 of the public provides us. Again, if they tell us
7 that the tree is dead or in poor condition, the tree
8 has some sort of a hazard, a broken limb, ah, or an
9 uprooting in some way, or some other damage that
10 could indicate potential failure, we prioritize those
11 inspections and we try to do them as quickly as
12 possible. Ah, but it's difficult to, to give you an
13 average, ah, because it does vary, you know, in terms
14 of the volume of requests we receive over the course
15 of the season. For example, after November through
16 the winter when service requests are much lower in
17 volume, ah, we can inspect those conditions far more
18 quickly, ah, than we can during the busiest time of
19 the year.

20 CHAIRPERSON KOO: So how long did Parks
21 take to address all 311 complaints related to the
22 tropical storm?

23 ASSISTANT COMMISSIONER GREENFELD: Ah,
24 Council Member, it took us 11 days, ah, to get
25

1 through the 32,000 public service requests. That's a
2 third of what we normally get in one year.
3

4 CHAIRPERSON KOO: Hmm. So, ah, after
5 people complain about a, a fallen tree, right, how
6 long, ah, Parks will remove the tree from the
7 property? Sometimes it takes too long, and there's
8 an open order there, the tree already reported, ah,
9 is blocking a driveway or blocking a sidewalk, how
10 long will, will it take for the Parks Department to
11 remove, physically remove the tree?

12 FIRST DEPUTY COMMISSIONER KAVANAGH:
13 Council Member, it, it does vary depending on the
14 priority that the tree represents in terms of our
15 system, as Commissioner Criswell mentioned. Any tree
16 that is blocking a street, that prevents emergency
17 vehicles, ah, from passing down the street is our top
18 priority. Ah, if it has wires involved in it, that
19 becomes even more of a priority. Ah, those jobs, ah,
20 tend to be large and complicated. We need skilled
21 staff and specialized equipment. Ah, they can take
22 a, an extremely long amount of time to do safely,
23 both for the public, our staff, and to prevent any
24 future damage. Ah, but we do prioritize those
25 conditions. Again, conditions where what we call an

1 active failure, a tree that has split but hasn't
2 fallen, or is uprooted and hasn't fallen, ah, but
3 could and could cause injury or more property damage.
4 Ah, and then after that, you know, our third priority
5 are trees that are on houses or blocking the
6 entrances to house, ah, and again, in any of those
7 three scenarios the tree that has utility wires
8 damage, ah, become the highest priority in those
9 categories. Ah, so it, it's difficult to say exactly
10 how quickly it would take any one job to be done.
11 Ah, we can tell you how quickly we were able to
12 resolve, ah, you know, those priorities for, for the
13 entire storm.

15 CHAIRPERSON KOO: So if a tree is not in
16 those high priorities you could take months to remove
17 the tree?

18 FIRST DEPUTY COMMISSIONER KAVANAGH: No.
19 Um, you know, the, the tree priority conditions that
20 I described require highly skilled staff and
21 specialized equipment to address. There are lots of
22 other conditions that occur during a storm, like
23 Tropical Storm Isaias, ah, that can be addressed, ah,
24 by people who are not full-time tree workers but who
25 have the training and experience, ah, to address

1 those conditions. And we employed literally hundreds
2 of them during this storm. So we're working
3 simultaneously on all levels of tree conditions
4 during a storm like this. Really, the priorities
5 that I mentioned, ah, get the most attention from the
6 most skilled staff, ah, but we had, ah, police, fire,
7 ah, crews from New York State Parks, DOT, ah,
8 Department of Environmental Conservation, and our own
9 staff, from our gardening crews, our maintenance
10 crews, ah, and our district crews, who have been
11 trained to use, to use chainsaws safely, ah, to help
12 address those kind of conditions during a storm and
13 they, they all worked extremely hard to address those
14 conditions.

16 ASSISTANT COMMISSIONER GREENFELD:
17 Council Member, we did substantially complete all the
18 street work within 18 days.

19 CHAIRPERSON KOO: So, Commissioner, ah,
20 Kavanagh, you mentioned that of all the trees that
21 were damaged due to the storm some trees had open
22 work orders or were slated for removal prior to the
23 storm. How long those were orders were open prior to
24 the storm?

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FIRST DEPUTY COMMISSIONER KAVANAGH:

Council Member, I don't have that information with me. We can, we can research that and get back to you.

CHAIRPERSON KOO: OK, yeah, please. Um,

has there ever been a cost analysis by Parks to determine how to increase tree maintenance in the present to [inaudible] trees in the future? I mean the future weather events, and what are the cost of savings might be?

FIRST DEPUTY COMMISSIONER KAVANAGH:

Council Member, we did a study, ah, with Columbia University several years ago, ah, to assess the impact of the block pruning program on the trees and on subsequent emergency conditions. Ah, Commissioner Greenfeld, do you recall the specifics of that study?

ASSISTANT COMMISSIONER GREENFELD: Ah,

excuse me, what was the study? Sorry.

FIRST DEPUTY COMMISSIONER KAVANAGH: It

was the Columbia University Capstone Program assessing the efficiency of the block pruning program on emergencies.

1
2 ASSISTANT COMMISSIONER GREENFELD: Right,
3 it reduced, ah, storm-type requests, ah,
4 significantly after a block pruning, um, occurred.

5 CHAIRPERSON KOO: So, so if you do more
6 maintenance now you will prevent further tree damage
7 and further accidents by a tree falling down, right?

8 FIRST DEPUTY COMMISSIONER KAVANAGH: Yes,
9 tree pruning does a number of very good things,
10 including limiting the amount of damage, but I, I do
11 have to say that in a storm such as we experienced
12 with Tropical Storm Isaias where you have both
13 damaging and destructive winds, even a healthy, well-
14 maintained tree can succumb under those conditions.

15 CHAIRPERSON KOO: So because of the
16 future budget cuts, right, pending cuts, ah, it may
17 increase, ah, um, the damage, ah, for fallen trees,
18 if we have a storm, and then we have more storms
19 coming because the earth is getting hotter, so how do
20 we, ah, address this problem? So we want to make
21 sure you advocate for, um, more funding, ah, for tree
22 maintenance. So I'm also doing my part in the City
23 Council. That's, that's my point.

24 FIRST DEPUTY COMMISSIONER KAVANAGH:
25 Thank you, Council Member, for that. Yes, ah, you

1
2 know, restoration of the block pruning program, ah,
3 is important for the long-term health of the urban
4 forest and to reduce to the extent possible damages
5 from storms.

6 CHAIRPERSON KOO: Thank you, thank you,
7 Commissioners.

8 FIRST DEPUTY COMMISSIONER KAVANAGH:
9 You're welcome.

10 CHAIRPERSON KOO: Ah, I finished my
11 questions. 3:15:22 @

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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 October 20, 2020