

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON PARKS AND RECREATION

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April 22, 2015
Start: 1:26 p.m.
Recess: 3:21 p.m.

HELD AT: Committee Room - City Hall

B E F O R E: MARK LEVINE
Chairperson

COUNCIL MEMBERS:
Darlene Mealy
Fernando Cabrera
James G. Van Bramer
Andrew Cohen
Alan Maisel
Mark Treyger

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

Liam Kavanagh
First Deputy Commissioner
NYC Department of Parks and Recreation

Kate Spellman
Chief of Community Outreach
NYC Department of Parks and Recreation

Henry Garrido
Executive Director
District Council 37

Tupper Thomas
Executive Director
New Yorkers 4 Parks

Peter Stein
Local 508

Franklin Page
President
Local 461

Arthur Miller
District Council 37

Joe Puleo
President of Local 983
Representing Parks Enforcement Officers
APSW - City's Seasonal Aids

Marlena Giga
Representative
APSW, PEP Officers, & City Seasonal Aids

Donnelly Rodriguez
Lifeguard

Tannon Ferreara
Lifeguard

2 [sound check, pause]

3 CHAIRPERSON LEVINE: Folks, we're still
4 waiting for some technical details, but in the
5 meantime, someone left these keys in the men's room.
6 These might unlock every city pool in New York City.
7 So if they're yours, fell free to--you got it? And
8 that looks like a very nice car, too. Thank you.
9 All right. [laughs]

10 [background comments, pause]

11 CHAIRPERSON LEVINE: Now we are ready to
12 begin. Apologies for the delay. Welcome everyone.
13 Welcome to our visitors. Great to have you here at
14 City Hall. My name is Mark Levine, and I am Chair of
15 the City Council Committee on Parks and Recreation.
16 Today, our committee will consider Intro No. 639, a
17 bill that I've introduced, which would extent the
18 city's beach and pool season from its usual end on
19 Labor Day through the end of September. I want to
20 acknowledge the role of Public Advocate Tish James in
21 calling the city's attention to this issue, and her
22 important role in supporting and co-sponsoring this
23 legislation.

24 New York City's beaches and outdoor pools
25 have always served as powerfully democratizing

2 institutions. For millions of New Yorkers who can't
3 afford a vacation in the Hamptons or take a cruise in
4 the Caribbean, these resources offer fabulous summer
5 recreation opportunities right here in the five
6 boroughs. Accessible for the price of a Metro Card,
7 free to enter, and open to everybody no matter how
8 rich or poor. From Coney Island to Orchard Beach to
9 Cedar Grove, our 14 miles of beaches are some of the
10 best on the East Coast. And from Highbridge to Fort
11 Totten to Commodore Barry our outdoor swimming pools,
12 53 in all, offer the chance for wonderful summer
13 activities right in the heart of our neighborhoods.

14 A visit to one of our pools and beaches
15 is a family friendly activity, which promotes
16 exercise for New Yorkers of all ages. Young people
17 in particular benefit from having a place for healthy
18 activity during the summer months when otherwise they
19 might be drawn to less safe pursuits. And New
20 Yorkers are turning out in droves. An average of
21 1.4 million visits to our pools each year, and last
22 year a staggering 18 million people visited our
23 beaches, a number, which is steadily climbing, up 22%
24 last year alone. None of this recreation would be
25 possible without an army of Parks Department staff

2 who keep our pools and beaches safe, secure and
3 running smoothly.

4 Our, 1,500 lifeguards, many of whom I'm
5 happy to say are here today, play a particularly
6 critical role. These highly trained men and women
7 mean the difference between life and death in the
8 water. That is a tremendous responsibility, and our
9 lifeguards have a remarkable track record of keeping
10 millions of beach and pool goers safe year after
11 year. In fact, I believe in the last season during
12 pool hours, during operating hours at beaches and
13 pools there was not a single drowning death. So,
14 yes, that's--[applause]. I--I--I--I should point out
15 that while that applause is sincerely and deserved
16 and, in fact, started by me, we do have a rule in the
17 Council to express our excitement and gratitude in a
18 silent way, which is this way. But we'll--we'll
19 remark it how you guys--practice this, you guys.
20 There you go or twinkle, twinkle. Whatever works for
21 you. But--but your heroism is duly noted and we're
22 grateful for it.

23 As of now, unfortunately, this critical
24 work, your critical work ends on Labor Day every year
25 when our city's beach and pool season officially

2 ends. This end may have made sense in the past, but
3 for a variety of reasons, I believe it's now
4 anachronistic. It's time for an update. The tragic
5 reality of global warming means that like it or not,
6 over time September is becoming warmer. Last year
7 the first week of September was one of the hottest of
8 the year. Depending on the year, our public schools
9 do not necessarily open the day after Labor Day.
10 Again, last year the first day of school was
11 Thursday, September 4th. Meaning that on Tuesday and
12 Wednesday of that week, New Yorkers had to endure
13 scorching hot weather with no school in session, and
14 no way to cool off safely at our pools and beaches.
15 Ask any urban planner or demographer or
16 transportation expert, and they will tell you that
17 our city is undergoing--undergoing a dramatic shift
18 in work schedules with more and more New Yorkers
19 breaking out of the traditional routine of being in
20 the office from Monday to Friday. These mostly
21 younger workers often go to the beach or to the pool
22 to relax and work remotely well after Labor Day even
23 on weekdays as long as the weather is nice.

24 For all these reasons, it should come as
25 no surprise that New Yorkers are indeed going to the

2 beach even after the official close of the seasons
3 despite the lack of lifeguards, putting themselves at
4 serious risk when they go in the water. We can avoid
5 this risk and reap many benefits by extending the
6 beach and pool season through September. This would
7 be an economic boost to the hundreds of businesses in
8 places like Coney Island that rely on beachgoers, and
9 some of this economic activity would directly lead to
10 additional revenue for the city since many of the
11 beach serving businesses are parks concessions. And
12 most importantly, extending the beach and pool season
13 would give millions of New Yorkers a chance for
14 healthy, safe outdoor recreation on days, which
15 because of global warming, are likely to become ever
16 hotter.

17 There are considerable logistical
18 challenges to extending the pool and beach season
19 especially as it pertains to staffing. Lifeguards
20 are seasonal workers, and many are college students
21 who leave the city after Labor Day to return to
22 school. But, a significant number of lifeguards
23 attend college locally or are not college students,
24 or in colleges close enough that they can come back
25 to the city on weekends. And I believe that with

2 sufficient time to plan, the Parks Department can
3 secure adequate staffing.

4 The legislation we are considering today,
5 Intro 69, would extend the length of the beach
6 season--beach and pool season through the end of
7 September each year. In recognition of potential
8 staffing challenges, the bill as currently configured
9 would require that these facilities be open on a
10 daily basis only up until the day before the opening
11 of public schools. They would thereafter remain open
12 only on weekends through the end of the month. The
13 Parks Department would, of course, retain discretion
14 to close beaches and pools due to an emergency or
15 severe weather. And this discretion might be
16 expanded to include the ability to close in the case
17 of particularly cool temperatures.

18 In short, I believe that Intro 629 offers
19 a sensible plan for expanding opportunities for New
20 Yorkers of all backgrounds to enjoy our city's
21 magnificent beaches and pools. And I look forward to
22 hearing comments on this bill by the Administration,
23 members of the public and, of course, our beach and
24 pool workforce who have come here to testify. Thank
25 you very much.

2 I want to acknowledge that we've been
3 joined by my colleagues on the Parks Committee,
4 Council Member Andy Cohen from the Bronx and Council
5 Member Alan Maisel from Brooklyn. We'll be expecting
6 other to be coming shortly. It's a busy day down at
7 City Hall, and with that, I would like to pass it
8 over to our friends at the Parks Department. We're
9 going to go through the formality of an affirmation
10 for you Deputy Commissioner. Kate, perhaps you as
11 well and I'm going to ask Kris, our Committee
12 Counsel, to please read that.

13 LEGAL COUNSEL SARTORI: Kris Sartori,
14 Committee Counsel. Do you affirm to tell the truth,
15 the whole truth, and nothing but the truth before
16 this committee today?

17 DEPUTY COMMISSIONER KAVANAGH: Yes. Good
18 afternoon, Chairman Levine and members of the Parks
19 and Recreation Committee. I am Liam Kavanagh, First
20 Deputy Commissioner of the New York City Department
21 of Parks and Recreation. And joining me on the--on
22 the panel is Kate Spellman, our Chief of Community
23 Outreach for the Parks Department. Thank you for
24 inviting me to testify today regarding Intro 629
25 regarding the length of the season for the city's

2 beaches and pools. In addition to the more than
3 1,900 parks and thousands--one thousand playgrounds,
4 New York City parks oversees more than 14 miles of
5 public beaches and 55 outdoor pools throughout the
6 city. Let me see if I can get this right.

7 Each year, New York City's beaches and
8 pools serve millions of residents and visitors across
9 the five boroughs. Our beaches, as you noted in your
10 opening statement, are a great source of outdoor
11 recreation and relaxation for millions of New Yorkers
12 and other visitors every summer. From Orchard Beach
13 in the Bronx, the Rockaways in Queens, from Coney
14 Island to Brighton Beach in Brooklyn and all the way
15 down to Staten Island, to the south shore of Staten
16 Island. Many childhood memories are forged on the
17 beaches of New York City, and our parks, we at the
18 Parks consider these beaches to be among our most
19 important resources. We work hard to maintain their
20 condition, and offer safe and enjoyable recreation
21 that's available to all New Yorkers. For children
22 and families who can't make it out to the beach when
23 it's warmer, outdoor pools throughout the city are a
24 great way to take a refreshing swim and enjoy a
25 beautiful day. These outdoor pools are a convenient

2 and accessible source of vital recreation, and our
3 staff is dedicated to making sure the pools are
4 clean, well maintained and most of all, safe for
5 everyone's use.

6 Water safety is, of course, the top
7 priority for New York City parks and water safety
8 starts with our lifeguards. To protect the lives of
9 millions of beachgoers and pool visitors each summer,
10 we hire and train approximately 1,500 lifeguards each
11 year who are dedicated to making sure that everyone
12 can enjoy summertime swimming and outdoor activities
13 while remaining safe. And I thank you for noting
14 that last year despite almost 20 million visitors to
15 our beaches and pools, there were no drownings at
16 guarded facilities during operating hours, and that's
17 quite an achievement. It's a testimony to the
18 Municipal Lifeguard Training Program. We only hire
19 lifeguards who are certified by the New York City
20 Municipal Lifeguard Training Program to ensure that
21 our lifeguards are ready for the tremendous
22 responsibilities that they face, or that they may
23 face at our beaches and pools.

24 Recruitment for new lifeguards starts in
25 December with qualifying tests held citywide until

2 mid-January. To qualify, a participant--to
3 participate in the Municipal Lifeguard Training
4 Program, a lifeguard must complete a swim test,
5 fulfill a vision requirement and be at least 16 years
6 of age at the start of employment. Qualified
7 applicants go through a first 16-week training
8 program held at the Chelsea Recreation Center in
9 Manhattan with satellite locations at Far Rockaway
10 High School and Curtis High School in Staten Island.

11 At the end of the training program, they
12 complete a series of tests including a swimming test,
13 and beach lifeguards are required to complete an
14 additional 300-yard open water swim test before they
15 can be assigned to lifeguarding at a beach.

16 Successful candidates, who pass all of these tests,
17 are then hired to work at our beaches and pools.
18 Returning lifeguards are contacted in the spring to
19 determine whether they plan to come back for the
20 upcoming season, and when they might be available to
21 work. They undergo a recertification process before
22 they actually return to work, though, every year.

23 Traditionally, our beaches open on
24 Memorial Day weekend in May, and our pools open in
25 late June after the end of the school seasons. In

2 expectation of the beginning of the new school year,
3 we traditionally close our beaches and pools after
4 Labor Day Weekend in September. Due to annual shifts
5 in the calendar, such as this summer's Labor Day,
6 which fall especially early on September 1st, this
7 can still result in warm stretches of weather in
8 early September, during which our beaches and pools
9 are closed. And as you noted, the day after Labor
10 Day happened to be the hottest day of the summer this
11 year, and certainly, you know, exacerbated, you know,
12 the issue of having beaches and pools closed on Labor
13 Day. By way of comparison, however, Labor Day this
14 year will fall nearly a full week later on September
15 7th.

16 As we discussed during a preliminary
17 budget hearing March, you know, we recognize the
18 interest in extending the season for city's beaches
19 and pools past Labor Day through the end of September.
20 And we have been examining and exploring the issues
21 surrounding this idea. It is important to note,
22 there are certain factors that can make this a
23 complicated and costly enterprise. The most
24 significant challenge in extending the beach seasons
25 late into September would be having an appropriate

2 number of lifeguards to ensure public safety, and the
3 safety of our lifeguards as they work at our
4 facilities. As we noted, we hired 1,500 lifeguards
5 in total, about 650 for the beaches and 850 for the
6 pools, and a large percentage of those lifeguards are
7 students whose--whose availability may be severely
8 limited after Labor Day. On our beaches, but we open
9 the season on Memorial Day weekend, lifeguard
10 staffing levels do not peak until the end of June
11 after school ends. Our workforce remains fairly
12 steady until the last two weeks of August when a
13 significant number of lifeguards begin to return to
14 school or other commitments that they may have.

15 Our pool lifeguard workforce has a
16 similar pattern of both building up to late June,
17 early July remaining fairly steady until the end of
18 August. And then we see some attrition in the pool
19 lifeguard staff as well for the same reasons,
20 returning to school and other commitments that they
21 may have. Similarly, if we are to significantly
22 extend the season, we would also have to retain our
23 seasonal maintenance staff to keep pools and beaches
24 open and operating, clean and functioning for the
25 public. We would also have to maintain a substantial

2 park security enforcement presence to comply with the
3 New York State--New York City Health Code
4 requirements that beach sections closed for swimming
5 be actively patrolled to prevent unsupervised
6 swimming and bathing. Between safety, security and
7 maintenance staff each week of operating our pools
8 and beaches at the height of the seasons costs
9 approximately \$2.4 million. And any extension of the
10 season beyond Labor Day would entail additional cost,
11 you know, depending upon the scale of the operation.

12 In light of the staffing challenges, it's
13 also I think smart to ensure that this is a service
14 that's going to, you know, meet public demand. And
15 whereas we analyze the temperatures in New York City
16 in mid to late September, combined with our review of
17 usage patterns, it suggests that, you know, lower
18 temperatures don't drive people in significant
19 numbers to beach and pool use later in the season.
20 Over the last ten years, the average high temperature
21 for the first three weeks of September in New York
22 City was 81 degrees, 78 degrees and 74 degrees
23 respectively. Demonstrating that--that, you know,
24 the weather does cool down as September progresses.
25 There are hot days in September, as we saw this last

September, but over--again, over the last 10 years, there have been about 30 days in September where the temperature hit 85 degrees or higher. And two-thirds of those days were in the first two weeks of the month. Our internal analysis of beach use shows that when temperatures fall below 75 degrees, the beaches experience a 78% drop in attendance on weekends, and an 81% drop on weekdays. We see some of the decreases in the demand at the outdoor swimming pools when temperatures fall. Outdoor pools have a maximum capacity of about 25,000 at any given time, and experience similar attendance patterns to the beaches. And both are, you know, affected equally by temperature extremes. Average daily pool attendance drops to 48% when the temperatures dip below 80 degrees, and by about 78% when the temperatures are lower than 75 degrees. Given the pattern of lower temperatures in the later part of September and the correlation between lower temperatures and lower use, you know, we have to analyze whether committing significant resource to extend the beach and pool season late into September is a really appropriate investment.

2 I also want to note that our outdoor, you
3 know, see different usage patterns in our beaches as
4 the summer progresses. Beach attendance peaks on the
5 July 4th weekend and sees another usership spike
6 during the Labor Day Weekend. Unlike the beaches,
7 however, the pool attendance tends to gradually
8 decline as the summer progresses resulting in an
9 average daily pool attendance of about 11,500 at the
10 end of the summer. As opposed to an average daily
11 attendance at the beaches of about 200,000 at the end
12 of the summer. But, I should note that the beach
13 attendance is really inflated by that Labor Day
14 Weekend. Labor Day tends to be one of the biggest
15 weekends of the summer as people, you know, try to
16 enjoy their last swim at the beaches. We don't see a
17 similar spike in attendance at the pools of Labor Day
18 Weekend, however. If pools were to operate on
19 weekends only in September, as the legislation
20 suggests, pool water quality and mechanical systems
21 have to be operating and maintained constantly
22 regardless of whether the pool is open for use on any
23 given day. And we do need at 24-hour security
24 presence at many of our pools in order to ensure that
25 people don't get into trouble while many are closed.

2 Despite the complications, it should be
3 noted that we may be able to scale operations for
4 beaches and pools beyond Labor Day to reflect our
5 staff capacity and meet existing demands. At beaches
6 we're able to scale the amount of beach available for
7 swimming by supervised lifeguards early in the season
8 when our workforce is smaller. We do limit the
9 amount of beach open for swimming, and we usually
10 align it with popular sections of beach where you
11 have access to public transportation services and
12 amenities. Similarly, pools can be staffed with a
13 smaller number of lifeguards by either reducing the
14 swimming area using flotation lines and things like
15 that to keep sections of pools closed for swimming.
16 Or, through strategic openings of specific pools
17 based on usage statistics and proximity to other
18 nearby pools. Additionally, I want to note that, you
19 know, residents can always take advantage of our 35
20 recreation centers, which provide programs and
21 activities in climate controlled settings. And our
22 750 spray showers are open through at least Columbus
23 Day each year. So on hot days people can go and cool
24 themselves off in parks and playgrounds throughout
25 the city.

2 While extending the season of our city's
3 beaches and pools presents some significant
4 challenge, we look forward to working with the City
5 Council and the Administration and our workforce to
6 explore whether--whether there are options--what
7 options we have to find a solution that works for all
8 people. We thank Council Member Levine and his
9 colleagues for beginning an important conversation
10 with this proposed legislation. We agree that
11 extending the beach season beyond Labor Day could be
12 a popular addition to the outdoor swimming season in
13 New York provided we can operate a safe and
14 substantive program that adequately serves the demand
15 that exists. To ensure that our parks and facilities
16 can be enjoyed by as many New Yorkers as possible. I
17 thank you for the opportunity to testify before you
18 today, and I'll be happy to answer any questions you
19 may have.

20 CHAIRPERSON LEVINE: Thank you, Deputy
21 Commissioner. Thank you very much. I want to
22 acknowledge we've been joined by three more
23 colleagues on the Parks Committee, including Council
24 Member Darlene Mealy from Brooklyn; Council Member
25 Mark Treyger from Brooklyn; and Council Member and

2 Majority Leader Jim--Jimmy Van Bramer. Thank you
3 all.

4 I want to clarify whether you're making
5 at this point a counter proposal or are you more
6 laying out broad principles that you hope to be
7 adhered to?

8 DEPUTY COMMISSIONER KAVANAGH: We're--
9 we're not making any counter proposal right now.
10 We're just pointing out all of the--the--all of the
11 things that need to be taken into consideration
12 before I think a final decision is made on whether or
13 not to extend the season. Staffing, of course, is
14 the most critical issue. You know, we will be
15 canvassing our returning lifeguards to get a good
16 sense of--of how many could be able to commit to
17 working beyond the traditional Labor Day close, as we
18 will with our other seasonal staff. Because both our
19 beaches and pools depend heavily on seasonal staff
20 for both maintenance and security functions. And, we
21 also have to be confident that we have enough
22 appropriate staff to manage and maintain these
23 facilities at level that's safe for public use.

24 CHAIRPERSON LEVINE: And I want to ask
25 you about all that. I just want to make one

2 logistical note. Folks, you're welcome to move over
3 to the opens side of the--of the hall. Just leave
4 the first two rows open so that if you get a little
5 bit tight there if more people come in. If balcony
6 people want to come down, please feel free. So, you
7 raised really legitimate and important questions
8 about staffing. You said that 50% of the staff are
9 college students or students at public high school
10 and college students.

11 DEPUTY COMMISSIONER KAVANAGH:

12 [interposing] Students at high school and colleges,
13 yes.

14 CHAIRPERSON LEVINE: Right. So would
15 that include both those who leave New York City for
16 college and those who attend school locally?

17 DEPUTY COMMISSIONER KAVANAGH: Yes.

18 CHAIRPERSON LEVINE: So how many are
19 actually really unavailable outside of the strict
20 summer months?

21 DEPUTY COMMISSIONER KAVANAGH: I--I don't
22 know that yet because even lifeguards are students
23 who stay locally. They may have other commitments to
24 either work extracurricular activities or other, you
25 know, things in their lives that will prevent them

2 from working. And we don't know that yet until we
3 have an opportunity to speak with them in detail
4 about what their plans are and how solid of a
5 commitment they could they make. I wouldn't want to,
6 you know, speculate as to how many might be able to
7 do that.

8 CHAIRPERSON LEVINE: But there's--I guess
9 there's some precedence for the early start to the
10 beach season, which is before the end of most
11 universities school year calendars, right? And
12 you've talked about how you're having to ramp up.

13 DEPUTY COMMISSIONER KAVANAGH: Yes.

14 CHAIRPERSON LEVINE: And so, what is it--
15 what is--is Memorial Day the day, the first day of
16 the season to have that open? [sic]

17 DEPUTY COMMISSIONER KAVANAGH: The
18 Saturday of Memorial Day Weekend.

19 CHAIRPERSON LEVINE: And typically at
20 what percent of the full labor force are you on
21 Memorial Day?

22 DEPUTY COMMISSIONER KAVANAGH: It's--it's
23 probably about half, but that's for Memorial Day
24 Weekend. For the week day after Memorial Day, it's

25

2 probably less than a third of full staffing is
3 available.

4 CHAIRPERSON LEVINE: Got it. Weekends
5 it's 50% and it drops to a third until the
6 universities--

7 DEPUTY COMMISSIONER KAVANAGH:
8 [interposing] It gradually increases as schools let
9 out.

10 CHAIRPERSON LEVINE: Right.

11 DEPUTY COMMISSIONER KAVANAGH: And there
12 are--there are a number of--of colleges that do let
13 out early in May--

14 CHAIRPERSON LEVINE: [interposing] And I
15 was--I was--

16 DEPUTY COMMISSIONER KAVANAGH: --but they
17 also begin earlier in August. [laughs]

18 CHAIRPERSON LEVINE: Right, right,
19 absolutely. But you've got experience with managing
20 a phased in or phased out workforce essentially. And
21 you identified some I thought pretty interesting and
22 creative ways to do that by, for example, using
23 floaters to close off part of the pools so you would
24 need fewer staffers. I presume you have a similar--

25

2 similar strategy on beaches, is that right, where you
3 would only leave part of the beach open? Is that--

4 DEPUTY COMMISSIONER KAVANAGH:

5 [interposing] Yes, there is--there is a similar
6 pattern early in the season where we open specific
7 sections and other sections are closed. They are
8 patrolled. They are flagged, and most people
9 understand that they can't go into the water there,
10 and to only go into the guarded sections.

11 CHAIRPERSON LEVINE: Right.

12 DEPUTY COMMISSIONER KAVANAGH: There's a
13 big difference between early in the season, both the
14 water temperature is--is very cold early in the
15 season. And, you know, people are still in school
16 and they are not in the mindset of going to beaches.
17 You know, the water is warmer in September, and if
18 you get a very hot day in September, and you attract
19 very large crowds, it can be difficult to keep them
20 out of the water in those closed sections. You don't
21 tend to see that in late May and early June.

22 CHAIRPERSON LEVINE: Well, the conundrum
23 here it's--it's the very reality you described that
24 it can be so hot in September--

2 DEPUTY COMMISSIONER KAVANAGH:

3 [interposing] Yes.

4 CHAIRPERSON LEVINE: --that--and the
5 water so warm in September that it has led--it's
6 given us motivation to explore--

7 DEPUTY COMMISSIONER KAVANAGH:

8 [interposing] Yes.

9 CHAIRPERSON LEVINE: --the end of the
10 season. But understanding that that's a big
11 challenge to manage from a staff perspective. And
12 it's not only lifeguards who are seasonal, correct?
13 You mentioned security staff. I assume maintenance
14 and cleaning staff and other job categories, correct?

15 DEPUTY COMMISSIONER KAVANAGH: Yes,
16 there's a fairly significant number of seasonal staff
17 that work both--both maintenance and security. And
18 within the maintenance ranks there's approximately
19 200 park staff who are year-round employees, but who
20 were promoted to specific supervisory positions at
21 the beaches and pools. And so, you know, if the
22 season were extended it would delay their return to
23 their normal assignments and have--have some impacts
24 on--on our regular operations.

25

2 CHAIRPERSON LEVINE: And do the non-
3 lifeguard staff tend to have the problem of lack of
4 availability on the edges of the season or are they
5 likely to be more local and available?

6 DEPUTY COMMISSIONER KAVANAGH: My sense
7 is that they'd be more likely to be local and
8 available, but, you know, we also will be canvassing
9 them as they return to work to ensure what their
10 availability might be.

11 CHAIRPERSON LEVINE: So the bottom line
12 in light of these challenges, and also these possible
13 solutions is do you believe that this bill as
14 currently constructed could be implemented in a safe-
15 -in a safe fashion?

16 DEPUTY COMMISSIONER KAVANAGH: I--I think
17 we're interested in discussing with the Council, you
18 know, through--through the Administration how we
19 might be able to--to, you know, address this, the
20 concept of extending the season without making any
21 commitments. I'm not--I don't know that it--the bill
22 as written right now is--is the--is the right way.
23 But we're, you know, we're--we're here to--to lay out
24 what we think are the challenges. And we expect
25 we're going to be having conversations again with--

2 with the Council, the Administration and the
3 workforce before we come up with any commitment to
4 extending the season.

5 CHAIRPERSON LEVINE: I'm going to have a
6 few questions later on--on the finances. I think we
7 can all agree safety is our number one priority--

8 DEPUTY COMMISSIONER KAVANAGH:
9 [interposing] Yes.

10 CHAIRPERSON LEVINE: --far and away. So
11 that's going to be the focus of most of our
12 questions. I'm going to pause now and see if any of
13 my colleagues would like--and I see that Council
14 Mealy would like to ask question. So--and followed
15 by Council Member Treyger. And you can proceed
16 Council Member Mealy, and ask if the sergeant could
17 put a five-minute clock on, too?

18 COUNCIL MEMBER MEALY: Wow. Okay. Thank
19 you. I just have a few questions. Could you tell me
20 what percentage of the students after they come back
21 year after year, transition into full-time employment
22 with the Parks Department?

23 DEPUTY COMMISSIONER KAVANAGH: I'm afraid
24 I couldn't answer that question right now.

25

2 COUNCIL MEMBER MEALY: So you're telling
3 me that's all our jobs are really going to be just
4 seasonal jobs, never room for employment?

5 DEPUTY COMMISSIONER KAVANAGH: Oh, no,
6 no, I'm talking--

7 COUNCIL MEMBER MEALY: [interposing] You
8 just said 200 park staff just moved up to managerial.
9 So some positions opened, and if I know young people,
10 if they come back every year, some of them get a
11 knack for it and they can be--move right into that
12 position where that next Parks person went up to
13 management. So that job opening is open.

14 DEPUTY COMMISSIONER KAVANAGH: I'm--I'm
15 sorry, Councilwoman Mealy. We do hire people who
16 begin their careers that Parks Department. It's a
17 very traditional way--entry way into the agency. I
18 just couldn't tell you how many people who are full-
19 time employees now started their career as seasonals.
20 But, yes, you're right, those people who are
21 appointed to supervisory and specialized equipment
22 operators, many of them are replaced with seasonals,
23 who become part of our organization. And over time,
24 can become full-time employees in the Parks
25 Department.

2 COUNCIL MEMBER MEALY: I just hope that
3 we get a count of that because we still need to know
4 how many young people are coming year after year.
5 And some of them would like to work in the Parks
6 Department, and job opportunities should be there for
7 them--

8 DEPUTY COMMISSIONER KAVANAGH:
9 [interposing] Yes.

10 COUNCIL MEMBER MEALY: --especially, as
11 you just said, you promoted 200 staffers to
12 managerial. And how much additional funding would it
13 be necessary to extend the--the bath and bathing
14 season 'til September maybe 30th?

15 DEPUTY COMMISSIONER KAVANAGH: It--it
16 would depend on the scale of the program, you know.
17 But for argument's sake, and just to put it in
18 context, we spend about-- At the height of the
19 season when every thing is open, it costs about \$2.4
20 million to operate the beaches and pools. So that's
21 roughly \$350,000 a day. So, you know, using that,
22 the assumption is that we would not be able to
23 operate everything as we do at the height of the
24 season. I think that would be unrealistic--

2 COUNCIL MEMBER MEALY: [interposing] So,
3 you're saying in having them employed until September
4 13 is unrealistic?

5 DEPUTY COMMISSIONER KAVANAGH: No, no I
6 said it would be--it might be unrealistic to think
7 that we could operate the entire system all of the
8 beaches and all of the pools at the--at the maximum
9 level that we do in July in September. Simply based
10 on the--the likely attrition, and of lifeguard staff
11 who are able to work past Labor Day. I don't think
12 it would be-- Maybe I shouldn't speculate, but I
13 don't think it would be likely that we would be able
14 to do that. But I'm just--just to give you a sense
15 of what the cost would be, it would probably be
16 somewhere less than \$350,000 a day to operate the
17 pools and beaches past Labor Day.

18 COUNCIL MEMBER MEALY: Okay. So if this
19 legislation pass, is it really--How could I say it?
20 If this is implemented, would the DPR go through to
21 ensuring that it stays all the way until September?
22 If this legislation passed right now, 620?

23 DEPUTY COMMISSIONER KAVANAGH: If--if the
24 legislation was passed, we would comply with the

2 terms of the legislation to the extent that we had
3 staff to operate safely.

4 COUNCIL MEMBER MEALY: Okay. Thank you,
5 Chair.

6 CHAIRPERSON LEVINE: Thank you Council
7 Member Mealy and now Council Member Treyger, please.

8 COUNCIL MEMBER TREYGER: Thank you, Chair
9 and welcome Deputy Commissioner. As a matter fact,
10 the--I remember when I was still a teacher at New
11 Utrecht High School, we met to train lifeguards at my
12 former school. And I actually see some former
13 students here in the audience right now that became
14 lifeguards.

15 DEPUTY COMMISSIONER KAVANAGH: Great.

16 COUNCIL MEMBER TREYGER: And--and I will
17 say that what prompted my call was a report at that
18 time that the Parks Department during the previous
19 administration was recruiting people from Europe when
20 we have so many qualified people right here,
21 especially in our school system and communities.
22 We're on the topic of safety. I want to--there's no
23 question lifeguards are critical, and we have to I
24 think pay them more, and create a more sustainable
25 workforce [applause] schedule for them. But I want

2 to also talk about a topic that we--we discussed as
3 well, PEP--PEP Officers, Parks Enforcement Patrol. I
4 see you have some data about how many lifeguards are
5 hired and whatnot. But do we know how many PEP
6 patrol the beaches of New York City?

7 DEPUTY COMMISSIONER KAVANAGH: We have
8 approximately--at the beaches approximately 130 PEP
9 officers and Parks security staff are assigned to the
10 beaches during the summer.

11 COUNCIL MEMBER TREYGER: And 130 for all
12 of the beaches?

13 DEPUTY COMMISSIONER KAVANAGH: Yes.

14 COUNCIL MEMBER TREYGER: And do we know,
15 for example, in my district Coney Island, do we know
16 how many were assigned there last year, last season?

17 DEPUTY COMMISSIONER KAVANAGH: I don't
18 have the exact number with me, but I think it was
19 between 30 and 40.

20 COUNCIL MEMBER TREYGER: 30 or 40?

21 DEPUTY COMMISSIONER KAVANAGH: Between 30
22 and 40.

23 COUNCIL MEMBER TREYGER: Can we double
24 check that because that's what I heard in previous
25 testimony from other officials. They like to combine

2 I know PEP and then you have the Parks security, but
3 that's not PEP. And so, to me as someone who has a
4 district that we have 2-1/2 miles of beach and
5 boardwalk. They have--we have an amusement district.
6 Certainly safety is paramount, but it also puts an
7 enormous strain on the local police precinct. And
8 time and time again we hear about the partnership
9 that's needed with the Parks Department to provide
10 additional PEP. So if we're talking about extending
11 the season, we need a commitment from the Parks
12 Department that we're also extending an increased
13 level of PEP security to help--to help the police
14 also patrol residential areas and not just commitment
15 all their resources to the recreational areas. Is
16 there--is there--are there any plans right now--even
17 minus this legislation, are there any plans right now
18 to increase PEP particularly in Coney Island and the
19 city in general?

20 DEPUTY COMMISSIONER KAVANAGH: I believe
21 that the--the Council in their Budget Statement has
22 called for additional PEP officers to be hired by the
23 City, and if that is enacted in the budget, we would
24 be--welcome their--their arrival and deploy them
25 appropriately.

2 COUNCIL MEMBER TREYGER: So--and I
3 appreciate that, and certainly the Council is pushing
4 it, but is the Administration? Is this something
5 that other than resources is allocated from the
6 Administration's side to hire more PEP. And to make
7 sure that we see PEP more equitably across the City
8 of New York, across the five boroughs?

9 DEPUTY COMMISSIONER KAVANAGH: Well, the
10 additional PEP that have been hired over the last few
11 years, and there have been some hired by the
12 Administration and some through the Council funding,
13 have been directed towards the borough operations for
14 the most part.

15 COUNCIL MEMBER TREYGER: And just so I'm
16 clear and Chair forgive me. I don't know if this was
17 covered earlier. What is the salary now of--of our
18 lifeguards? What is the actual--?

19 DEPUTY COMMISSIONER KAVANAGH: A first
20 year lifeguard earns approximately \$14 an hour after
21 the most recent collective bargaining.

22 COUNCIL MEMBER TREYGER: \$14 an hour?

23 DEPUTY COMMISSIONER KAVANAGH: Yes, and
24 it increases to a maximum of \$19 an hour based on
25 seniority.

2 COUNCIL MEMBER TREYGER: \$14 an hour.

3 That's funny because many in the city are advocating
4 for at least \$15, right, and we're pushing for more
5 and more. But certainly we need to--we need to
6 create a better salary structure, and to really look
7 at how to make this a more sustainable workforce for
8 our city because they do play an enormous role. And
9 might I add, Chair, and I know my time is almost
10 running out--that the first season that the high
11 school kids worked from my high school on the beaches
12 actually saved someone's life. And so, they--you
13 are lifesavers and you are doing a great service for
14 the City of New York and we than you. Thank you.

15 DEPUTY COMMISSIONER KAVANAGH: Thank you
16 very much. [applause] And I--I--I would add that
17 they--they--I--I recall the incident, and it was
18 before working hours that the lifeguards who came
19 from the U tracks [sic] made a rescue.

20 CHAIRPERSON LEVINE: Thank you, Council
21 Member Treyger. After hearing how low the salaries
22 are, I understand why you were applauding when
23 Council Member Treyger mentioned a raise.
24 Considering that these professionals have matters of
25 life and death their hands, I think they should be

2 paid adequately, and in proportion to the seriousness
3 of the task that they are charged with.

4 I want to ask about the demographics of
5 both the lifeguard force and the users of pools and
6 beaches. Do you have rough estimates that
7 information like a breakdown of both groups?

8 [pause]

9 DEPUTY COMMISSIONER KAVANAGH: Yes, the
10 beach lifeguards--approximately 60% of the beach
11 lifeguards are White; 37% are Black or--and Hispanic.
12 The pool lifeguards it's the reverse. Approximately
13 32% are White and 62% are Black or Hispanic.

14 CHAIRPERSON LEVINE: And usage numbers,
15 would you know that?

16 DEPUTY COMMISSIONER KAVANAGH: Usage?

17 CHAIRPERSON LEVINE: In terms of the
18 users. Not the total numbers, but do we know the
19 demographic breakdown of the users of parks and pools
20 and--

21 DEPUTY COMMISSIONER KAVANAGH: We don't--
22 we don't do that kind of analysis, but, you know,
23 clearly especially with the pools it reflects the--
24 you know, the demographics of the neighborhoods.
25 And, you know, that's--that's our clear pattern. The

2 beaches because it attracts from a broader, you know,
3 demographic pool. Excuse that pun. It is I think
4 probably more diverse.

5 CHAIRPERSON LEVINE: It is fair to say
6 that pool users are more likely to be people of color
7 because these are facilities often in neighborhoods
8 with that makeup?

9 DEPUTY COMMISSIONER KAVANAGH: Yes. You
10 know, pools that are in either minority neighborhood,
11 yes, the demographic use will be largely people who
12 are minority.

13 CHAIRPERSON LEVINE: And I--I--I pursue
14 the point just because I think it's important that we
15 not neglect pools--and you haven't implied this at
16 all--but that as a decision making body we prioritize
17 pools. Because for many low-income families they are
18 the recreational option of first resort. And they
19 are thankfully located in many cases in low-income
20 communities, and communities of color. And we want
21 to recognize that. The total--you mentioned the
22 daily park--the cost to the Parks Department is
23 \$350,000, is that correct? Is that for pools and
24 beaches combined?

25

2 DEPUTY COMMISSIONER KAVANAGH: That's
3 pools and beaches combined.

4 CHAIRPERSON LEVINE: So for the whole
5 season would it be--

6 DEPUTY COMMISSIONER KAVANAGH:
7 [interposing] It's about \$24 million for the whole
8 season.

9 CHAIRPERSON LEVINE: \$24 million for the
10 season. Got it. And you mentioned a \$2.4 million
11 weekly cost, which sounds like it's probably just a
12 tenth of--

13 DEPUTY COMMISSIONER KAVANAGH:
14 [interposing] Yes.

15 CHAIRPERSON LEVINE: --the whole season.
16 But in scenarios where you're working on a reduced
17 scale because you have insufficient staff, and you're
18 closing off parks and beaches and pools, I assume
19 that number would drop, correct?

20 DEPUTY COMMISSIONER KAVANAGH: Yes.

21 CHAIRPERSON LEVINE: Do you know how much
22 you're spending, for example, the first week of the
23 season when you're at reduced capacity?

24 DEPUTY COMMISSIONER KAVANAGH: I--I don't
25 have that with me, but yes we--we will get it. [sic]

2 CHAIRPERSON LEVINE: [interposing] But
3 it could be, I don't know, \$1.5 million. It could be
4 significantly lower, right.

5 DEPUTY COMMISSIONER KAVANAGH: Yes.

6 CHAIRPERSON LEVINE: Maybe not half, but
7 I understand you have some fixed costs. And in the
8 case where pools are open to the public only on the
9 weekend, but as you point out during the week you
10 have to provide all sorts of security and cleaning
11 services. Can you estimate what percent of the cost
12 compared to a full week open full time that would be?
13 Is that half the cost or--?

14 DEPUTY COMMISSIONER KAVANAGH: No, it
15 would be less than half the cost.

16 CHAIRPERSON LEVINE: Okay. So it's not--
17 it's not as much as if we were totally out of
18 operation Monday through Friday. But there's
19 significant savings versus open--being open to the
20 public seven days a week, and that scenario where
21 it's only open on the weekends is what--

22 DEPUTY COMMISSIONER KAVANAGH:

23 [interposing] Yes, there would be--

24 CHAIRPERSON LEVINE: --is what it sounds
25 like.

2 DEPUTY COMMISSIONER KAVANAGH: --it would
3 cost much less.

4 CHAIRPERSON LEVINE: You conduct--you
5 conduct inspection ratings on all you facilities--

6 DEPUTY COMMISSIONER KAVANAGH:
7 [interposing] Uh-huh.

8 CHAIRPERSON LEVINE: --correct? All your
9 properties. Can you tell us about inspections for
10 pools and beaches, and particularly if you're seeing
11 trends year-to-year on that.

12 DEPUTY COMMISSIONER KAVANAGH: At the
13 beaches we do--we do inspect the beaches, the
14 boardwalks, promenades every year. Last year we
15 conducted 32 inspections for the Park Inspection
16 Program. The overall condition was rated at 84%;
17 cleanliness at 94%. The overall condition was just a
18 point below our target of 85. Cleanliness was at
19 94%, four percentage points about our target of 90%.
20 We don't have park inspections, program inspections
21 in the pools themselves. Surrounding park, of
22 course, are inspected through the program. But the--
23 the nature of the pool facilities inside the--the
24 gates is very different from what the park inspection
25 program inspects in the normal course of business. We

2 do have regular inspections that are performed by
3 supervisors and managers. But they focus on
4 different aspects of the facility and the operation
5 than what we see in a typical park inspection program
6 report. So we don't have comparable numbers for the
7 outdoor pools.

8 CHAIRPERSON LEVINE: Great, but this is a
9 little bit below I think what is your system wide
10 average is, correct?

11 DEPUTY COMMISSIONER KAVANAGH: On the
12 overall condition, it was approximately two
13 percentage points below the entire system last year.
14 But the cleanliness I think was three percentage
15 points about the cleanliness range for the entire
16 system.

17 CHAIRPERSON LEVINE: And how do you
18 explain that?

19 DEPUTY COMMISSIONER KAVANAGH: Well, we
20 have a lot of dedicated staff at the beaches and
21 pools through the--the day. Whereas in, you know,
22 in, you know, in--in parks that are inspected, they
23 may not have a dedicated staff. For example, in
24 large park zones in a--in a Prospect Park or a Saint
25 Nicholas, there might not be staff in there everyday

2 of the week. As opposed to a pool where we do have
3 staff, or a beach where we do have staff, you know,
4 assigned to those facilities everyday.

5 CHAIRPERSON LEVINE: Right. You--you
6 displayed some interesting and compelling graphs
7 charting usage by date and temperature.

8 DEPUTY COMMISSIONER KAVANAGH: Uh-huh.

9 CHAIRPERSON LEVINE: And a couple
10 questions about that. One, can you explain why the
11 pool usage drops off so much at the end of the
12 season?

13 DEPUTY COMMISSIONER KAVANAGH: I think
14 it's two things. One, it's cooler temperatures,
15 which definitely has an impact, and the weather does
16 gradually begin to get cooler at the end of August.
17 And then I think that, you know, people start
18 transitioning to the new season. You know, school is
19 coming up. A lot of people take vacations at the end
20 of August, and they start getting ready for school.
21 And they start pursuing a different interest. In
22 some cases particularly with kids who I think form
23 the--the majority of the pool users after six or
24 seven weeks, they--they have become tired of--of

25

2 going to the pool everyday. And they start looking
3 for different things to do.

4 CHAIRPERSON LEVINE: Right. I'm not
5 seeing the graphs right now, but I know you showed a
6 graph or stats that look at usage when the
7 temperature falls below various thresholds. And it
8 seems like you're identifying 75 degrees as a tipping
9 point after which you see a significant drop off
10 particularly of beach usage. Is that accurate?

11 DEPUTY COMMISSIONER KAVANAGH: In both
12 places, 75--below 75 degrees discourages use. And,
13 you know, the converse is true. Eighty-five degrees
14 and above really drives usership at both the beaches
15 and pools. And, again, you can have very hot days in
16 September, but they're fewer than you see in July and
17 August, and they tend to be at the--at the beginning
18 of the month rather than mid to late month.

19 CHAIRPERSON LEVINE: But it looked like--
20 I'm not looking at the graphs now--but the average
21 temperatures in the first I think two weeks of
22 September were still above 80 degrees, correct?

23 DEPUTY COMMISSIONER KAVANAGH: The first
24 week is--I think 81 degrees is the average high

25

2 temperature. I think in the second week it's about
3 78 degrees--

4 CHAIRPERSON LEVINE: [interposing] Got
5 it.

6 DEPUTY COMMISSIONER KAVANAGH: --and
7 after that, it--it falls lower.

8 CHAIRPERSON LEVINE: And so it's only by
9 the third week that we fall what you identified as
10 the tipping point only by a degree--

11 DEPUTY COMMISSIONER KAVANAGH:
12 [interposing] Yes.

13 CHAIRPERSON LEVINE: --but I assume this
14 is historical data and--

15 DEPUTY COMMISSIONER KAVANAGH:
16 [interposing] It's--it's ten years of temperature--

17 CHAIRPERSON LEVINE: [interposing] --the
18 sad reality of global warming, it's easy to see that
19 even in the third week we could move above 75
20 degrees.

21 DEPUTY COMMISSIONER KAVANAGH: That could
22 change, yes.

23 CHAIRPERSON LEVINE: Great. And, you--
24 you at present have discretion to close the beaches

2 and pools if there's a weather hazard or some other
3 complication, correct?

4 DEPUTY COMMISSIONER KAVANAGH: Yes.

5 CHAIRPERSON LEVINE: How often is that
6 invoked?

7 DEPUTY COMMISSIONER KAVANAGH: It's--it's
8 rare, but it does happen, and most frequently it has
9 to do with thunderstorms. You can't have people in
10 the water during thunderstorms. And any sign of
11 thunder or lightning, lifeguards are empowered to
12 close the facility until I think it's 20 minutes
13 after the last sound of thunder is heard.

14 CHAIRPERSON LEVINE: And would you ever
15 close a facility because of the temperature,
16 presumably not if it was too hot, but if it were too
17 cold.

18 DEPUTY COMMISSIONER KAVANAGH: We've
19 never done it because it's too cold. But lifeguards
20 to their credit stay on their posts even in cooler
21 weather, and in some cases rainy weather.

22 CHAIRPERSON LEVINE: Right. One--one
23 possible way we could work to manage the logistical
24 and cost implications in September is to give you
25 discretion is that if it's particularly cold on a

2 certain day, you're not open. So that people aren't
3 sitting there if it really were 59 degrees out, you
4 wouldn't have to have a full staff sitting out there.
5 Just something to think about. And my last question
6 is concessions, and could you describe the scale of
7 concessions that the Parks Department has in beaches-
8 -beaches and pools, and the sense of how much revenue
9 that's come--coming in?

10 DEPUTY COMMISSIONER KAVANAGH: We
11 generate a grand total of about \$1.8 million through
12 concessions at beaches and pools. There are very few
13 concessions at pools.

14 CHAIRPERSON LEVINE: Right.

15 DEPUTY COMMISSIONER KAVANAGH: We have a
16 great partnership with the Department of Education
17 for the Summer Meals Program. And as a result of
18 that, the pools are not considered to be a viable
19 concession opportunity for--for, you know, small
20 businesses because--

21 CHAIRPERSON LEVINE: [interposing] Right.

22 DEPUTY COMMISSIONER KAVANAGH: --so much
23 food is--is distributed free of charge to children at
24 those facilities. At the beaches we operate
25 concessions at--at all of the major beaches, but the

2 biggest concessions, those in Coney Island are not
3 Parks Department concessions. The biggest businesses
4 there are not Parks Department concessions. The
5 biggest businesses there are not Parks Department
6 concessions. So, you know, while we do have some
7 concessions out at the--at Coney Island, which
8 generate roughly \$350,000 a year, it doesn't
9 represent the--the level of business activity that
10 occurs there. Orchard Beach because the parking lots
11 generate a lot of money, is--is actually a fairly
12 large revenue source, over \$750,000. Other places--
13 again, Manhattan Beach is similar because of the
14 parking situation there. It generates a fair amount
15 of money, over \$350,000 a year.

16 CHAIRPERSON LEVINE: So, you said the
17 total is only \$1.8 million?

18 DEPUTY COMMISSIONER KAVANAGH: Yes.

19 CHAIRPERSON LEVINE: Even with \$750,000
20 just from one parking lot?

21 DEPUTY COMMISSIONER KAVANAGH: Well,
22 \$750,000 plus the other concessions at Orchard Beach.

23 CHAIRPERSON LEVINE: Okay, got it. So
24 extending the fees and would the costs partly be

25

2 defrayed by additional concession income. Although
3 sadly it doesn't go back to you the Parks Department.

4 DEPUTY COMMISSIONER KAVANAGH:

5 [interposing] No, it doesn't come back to me, but yes
6 it does go back to--

7 CHAIRPERSON LEVINE: But ultimately, it
8 goes back to the City of New York. Thank you very,
9 very much for your testimony. Oh, forgive me.
10 Council Member Mealy has another question. Okay.

11 COUNCIL MEMBER MEALY: I just want to
12 know the pay scale between lifeguard and experienced
13 lifeguard. What's the difference, or it's life--a
14 supervisor--a lifeguard supervisor?

15 DEPUTY COMMISSIONER KAVANAGH: Again, the
16 first year lifeguard earns about \$14 an hour. The
17 maximum pay for a lifeguard after a certain amount of
18 seniority is \$19 an hour. For supervisors, a first-
19 year supervisor earns about \$22 an hour, and a--

20 COUNCIL MEMBER MEALY: [interposing]
21 First time?

22 DEPUTY COMMISSIONER KAVANAGH: A first
23 year supervisor earns about \$22--\$23--\$22 an hour,
24 excuse me and it--it increases to about \$25 an hour
25 at the maximum.

2 COUNCIL MEMBER MEALY: Okay. What is the
3 typical turnover rate of lifeguards from year to
4 year?

5 DEPUTY COMMISSIONER KAVANAGH: We
6 experience attrition in the range of 25 to 30% each
7 year.

8 COUNCIL MEMBER MEALY: Twenty-five.
9 Okay, could you describe the--how you recruit
10 lifeguards because summer is coming now, and I
11 haven't seen a flyer, ad or anything.

12 DEPUTY COMMISSIONER KAVANAGH: We do the
13 majority of our recruitment in--in November, December
14 and January.

15 COUNCIL MEMBER MEALY: Do you do it in
16 any union papers or sponsorship?

17 DEPUTY COMMISSIONER KAVANAGH: We--we--we
18 have--we have--

19 COUNCIL MEMBER MEALY: [interposing]
20 Could you name them?

21 DEPUTY COMMISSIONER KAVANAGH: Yes, I
22 think probably--

23 COUNCIL MEMBER MEALY: [interposing] The
24 Amsterdam News?

2 DEPUTY COMMISSIONER KAVANAGH: We do
3 advertise in the Amsterdam News and the El Diario.
4 We advertise in local newspapers in Queens, Brooklyn,
5 the Bronx and Staten Island. The Staten Island
6 Advance, of course. The papers in the Rockaways, the
7 Rockaway Wave and the Rockaway Times. We advertise
8 in a citywide newspaper as well--

9 COUNCIL MEMBER MEALY: Our Time Press?

10 DEPUTY COMMISSIONER KAVANAGH: I think we
11 do use Our Time, but I have to check on that to be
12 sure.

13 COUNCIL MEMBER MEALY: Please do.

14 DEPUTY COMMISSIONER KAVANAGH: We use--we
15 use a major citywide newspaper. I believe it's the
16 Daily News. We used papers such as A.M. New York and
17 Metro. So we do use them. We make a lot of use of--
18 of social media to promote it. We use a lot of
19 email. Our primary, however, source and--and
20 recruitment source are swimming teams. Fortunately,
21 our lifeguards have great working relationships
22 through schools throughout the city. And they
23 recruit heavily from swimming teams at high schools
24 and colleges are the--around the city, and they

2 provide the--the primary source of our new
3 lifeguards.

4 COUNCIL MEMBER MEALY: Okay, my last
5 question to you. I'm sorry. I didn't--I didn't hear
6 the percentage. What's your breakdown of ethnicity?
7 You said, let's see it's 60% of European and the 40%
8 African-American--

9 DEPUTY COMMISSIONER KAVANAGH:
10 [interposing] African and Hispanic.

11 COUNCIL MEMBER MEALY: --at the beaches
12 and Hispanics.

13 DEPUTY COMMISSIONER KAVANAGH: Right.

14 COUNCIL MEMBER MEALY: And then--No,
15 that's at the pools.

16 DEPUTY COMMISSIONER KAVANAGH: No, at
17 the--at the beaches it's--it's 60% Caucasian and
18 roughly 40% Black and Hispanic. At the pools, it's
19 the reverse. It's 32% Caucasian and 62% Black and
20 Hispanic.

21 COUNCIL MEMBER MEALY: Okay, I will be
22 looking at that because I don't see that in our pools
23 in our district.

24 DEPUTY COMMISSIONER KAVANAGH: I do.

25 [laughs]

2 COUNCIL MEMBER MEALY: So I will check
3 that.

4 DEPUTY COMMISSIONER KAVANAGH: Please.

5 COUNCIL MEMBER MEALY: Thank you.

6 DEPUTY COMMISSIONER KAVANAGH: You're
7 welcome.

8 CHAIRPERSON LEVINE: Before I let you go,
9 I realize I just have one more question--forgive me--
10 which is, is there a trend up in the--in the head
11 count among lifeguards? You have 1,500 now. We've
12 had such a dramatic increase in usage. Are you
13 expanding the ranks of lifeguards to meet the
14 increased demand on beaches and pools?

15 DEPUTY COMMISSIONER KAVANAGH: We're
16 always interested in expanding when we can. You have
17 to remember that just a few years ago, as Council
18 Member Treyger pointed out, we had very few--we had
19 fewer lifeguards on an annual basis than we do now.
20 Thanks to the, you know, the great work of our--of
21 our lifeguards and the supervisors we have been able
22 to maintain. We grow the lifeguard program to
23 approximately 1,500 every year, and maintained it at
24 that high level for several years in a row now. So
25 it's something that we are focused on. We understand

2 both the importance of providing safety, but also in
3 expanding our programming to have more lifeguards.

4 CHAIRPERSON LEVINE: But you had--you had
5 1,500 in the summer of 2013, I guess and 1,500 again
6 in the summer of 2014. But my--my--my stats show you
7 had a 20 some percent increase of usership of beaches
8 between those two years. Is that right?

9 DEPUTY COMMISSIONER KAVANAGH: Yes,
10 that's correct. Yes.

11 CHAIRPERSON LEVINE: So that's a--that's
12 a heavy load to--to bear for the staff. Maybe we'll
13 ask some of the representatives of the workers how
14 that--how they're managing that. But it sure seems
15 to me there's an argument for increasing the budget
16 allocation for this understanding your recruitment
17 challenges. And forgive me, one more thing. I think
18 that Council Member Treyger had an additional
19 question. If so--

20 COUNCIL MEMBER TREYGER: [interposing]
21 Yeah, just a quick follow-up question, Chair. I'm
22 not clear if this was covered. Is--how do you
23 determine the number of lifeguards per beach? Is
24 there a ratio? How is that determined?

25

2 DEPUTY COMMISSIONER KAVANAGH: The Health
3 Codes of both the State and the City have
4 requirements for the number of lifeguards at beaches
5 and pools. At beaches you have to have a minimum of
6 one lifeguard for every 50 yards of open beach.

7 COUNCIL MEMBER TREYGER: Because I know
8 that in particular--I mean, again, I speak for my
9 district, which has one of the--I guess--the biggest
10 beach we have in the city, right. So, it is packed,
11 and it--especially, you know, it is really jam
12 packed, and the question are--is there--do you--we
13 hear--you're saying that there are State mandates and
14 guidelines. Are there any city recommendations and
15 guidelines. Do we--because I'm not sure if that's a--
16 -if there is a sufficient number of them. And the
17 other concern I have is that in the past I've heard
18 reports that if a lifeguard might call out sick and
19 no one is there, they close the section of the beach.
20 And how is that being addressed by the Parks
21 Department?

22 DEPUTY COMMISSIONER KAVANAGH: Well, if--
23 if we don't have enough lifeguards to comply with the
24 requirements of the Code--it's both the City and
25

2 State Health Code. They have the same--have the same
3 requirements--

4 COUNCIL MEMBER TREYGER: [interposing]
5 Okay.

6 DEPUTY COMMISSIONER KAVANAGH: --we will
7 reduce the amount of beach that's open for swimming
8 because we don't want to fall below those
9 requirements. And yes, Coney Island is the busiest.
10 It's not the biggest beach, but it is the busiest.

11 COUNCIL MEMBER TREYGER: It's the
12 busiest, I would say, yes.

13 DEPUTY COMMISSIONER KAVANAGH: There's no
14 question about that, and while, you know, the--the
15 code requires a minimum, we do--we can--let's put it
16 that way--assign more lifeguards to busier sections
17 when we have them available to work.

18 COUNCIL MEMBER TREYGER: [interposing]
19 Can you tell me when was that Code written?

20 DEPUTY COMMISSIONER KAVANAGH: I believe
21 it was amended in 1994--was a--was a major revision
22 of the--

23 COUNCIL MEMBER TREYGER: [interposing] I
24 think we need to update some stuff because as the
25 Mayor keeps pointing out, the city is growing and the

2 population keeps growing. That's about his--his
3 release today of One NYC. It continues to grow, but
4 that means that our needs are continuing to grow--

5 DEPUTY COMMISSIONER KAVANAGH:

6 [interposing] Uh-huh.

7 COUNCIL MEMBER TREYGER: --and I think
8 that there's clearly a need in numbers of additional
9 lifeguards. Is there a breakdown in how many full-
10 time and part-time lifeguards that we have?

11 DEPUTY COMMISSIONER KAVANAGH: We have
12 approximately 60 full-time lifeguards in the system
13 that--that work in the indoor pools after the--the
14 beach and pool season is over.

15 COUNCIL MEMBER TREYGER: So how many--are
16 they part-time positions?

17 DEPUTY COMMISSIONER KAVANAGH: No,
18 they're full-time positions.

19 COUNCIL MEMBER TREYGER: But are there
20 any part-time positions whether it's pool, lifeguards
21 or any of these types of-- These are all--they're
22 part-time positions?

23 DEPUTY COMMISSIONER KAVANAGH: No,
24 they're full-time positions.

25

2 COUNCIL MEMBER TREYGER: But are there
3 any part-time positions whether it's pool, lifeguards
4 any of these types of--these are all full-time?

5 DEPUTY COMMISSIONER KAVANAGH: They're
6 all full-time positions.

7 COUNCIL MEMBER MEALY: [off mic] They're
8 only seasonal.

9 DEPUTY COMMISSIONER KAVANAGH: You can
10 say they're seasonal, yes, but they are full week
11 positions.

12 COUNCIL MEMBER TREYGER: And is there
13 anything currently in the works to see what--how we
14 can incorporate this workforce into a sustainable
15 year round? Because again, granted there are some
16 who are students who go back to school and we
17 understand that. But, what is the plan, if there's a
18 plan, to see how we can incorporate them into a year-
19 round sustainable work environment? Because there
20 are needs around it. I mean, we've discussed this
21 Deputy Commissioner, and I think you understand that
22 there are needs that our Parks system has year-round
23 beyond just the--the beach season. And here you have
24 a workforce that already has experience and skills,
25 and why are we not incorporating that into a year-

2 round sustainable workforce? And I would like just
3 to hear more--more thoughts from you about that.

4 DEPUTY COMMISSIONER KAVANAGH: Council
5 Member, that's a--that's a complicated question that
6 has to do with--with many factors, principally the
7 budget of the Parks Department, you know, to expand.
8 And I'm not arguing it for or against the Parks
9 Department's workforce either for or against. Let's
10 say for argument's sake by a thousand people has a
11 significant budget implication. And it's something,
12 you know, sitting here now I'd be able to say yes
13 this is something we are capable of pursuing. But,
14 you know, we're certainly eager during this--this
15 budget season to discuss, you know, new ideas with
16 the Council. And if--if there is some way to achieve
17 them, we're open minded about these things.

18 COUNCIL MEMBER TREYGER: The--the Council
19 historically, and I'll close, and thank the Chair for
20 his time. The Council historically has had to fill
21 the gaps or the holes that the Administration has
22 given us. But we'd like to have a partnership where
23 this is a real goal for the Administration with the
24 Council. It takes, you know, we need the
25 Administration and the Council to come together on

2 this. And I think that from--you know, we keep
3 hearing about people need employment. We keep
4 hearing that people need employment. We keep hearing
5 about how many of the parks, particularly in the
6 Outer Boroughs sometimes in certain areas are not
7 always very well served. There's a need. You have
8 an able, willing ready workforce. Let's get it done.
9 And so, let's make this a city priority, and--and I
10 think-- [applause]

11 SERGEANT-A-ARMS: [interposing] Quiet
12 down. Quiet down please.

13 COUNCIL MEMBER TREYGER: And I--and I--
14 and I appreciate the applause, but it's really--it's
15 serious because this is a need that we actually hear,
16 you know, very often in our communities. So, let's--
17 let's work, and the Chair has been doing a good job
18 in pushing for equity. This has to be a part of the
19 discussion of equity. Thank you very much, Chair.

20 CHAIRPERSON LEVINE: You're welcome. If
21 you are looking for some full-time staff, I think in
22 the balcony there's some very enthusiastic people who
23 are looking for year-round employment and they're
24 raising their hands. Thank you, Commissioner and
25 thank you Kate very much. And now we're going to

2 call up our first panel, and so I'd like to invite
3 the Executive Director of District Council 37, Mr.
4 Henry Garrido to please join us as well as Tupper
5 Thomas from New Yorkers 4 Parks. That will be our
6 first panel.

7 [pause, background comments]

8 CHAIRPERSON LEVINE: Okay, whenever
9 you're ready, Mr. Garrido, you can lead us off.

10 HENRY GARRIDO: Good afternoon. I love
11 the, you know, the visual aid, but without the
12 bulldozers and the pipes going on in the Rockaways, I
13 think that's missing something. So, I just wanted to
14 mention that. Good afternoon, everybody. I'm Henry
15 Garrido. I'm the Executive Director of DC 37. I am
16 here on behalf of my union representatives, 121,000
17 members and 60,000 retired members. Who are not only
18 working for the City of New York, but taxpayers using
19 the services. And to be more productive in my
20 testimony, I'd like to kind of take it from two
21 different perspectives. One, is to address the
22 issues of the budget, and some of the concerns
23 because I think they're tied to the whole issue of
24 the pool and services. And I think Council Member
25 Levine and Chair thank you for having this hearing,

2 and Council Member Treyger raised this issue before.
3 And I want to address this issue. Because I think
4 that before you talk about extending services and
5 extending the season, we have some fundamental
6 problems with this budget as it is right now.

7 I think there was a mention about park
8 officers or PEP officers, but I don't think you can
9 have a conversation about the legislation without
10 addressing some of the concerns that we have about
11 the current proposed budget, at least the preliminary
12 budget that we've seen. You know, I--the Council
13 would like to extend the season for pool and beaches,
14 and passage it traditionally with the end of the
15 summer. And I want to be very clear, emphatically
16 clear that we are not against the extension of the
17 season. But we have some concerns obviously raised,
18 as I mentioned, on the budget. Part of our concern
19 remains with the issue of safety, right. And so, I
20 think there was mention of that. The current
21 budget, preliminary, and I won't--I won't read the
22 article, but the--the testimony directly. But I
23 think one of the concerns we have is that the current
24 preliminary budget, as it is right now without the
25 extension, would represent a reduction of 230

2 positions within the Parks Department right now as
3 is.

4 That is positions that were not
5 backfilled from last year's budget. That includes
6 three--\$3.7 million for park maintenance; \$5 million
7 for PEP officers that were not backfilled; a million
8 dollar for tree pruning; \$750,000 for stump removal;
9 and \$750,000 for gardeners. And there's a program to
10 address this issue. We believe that if these funds
11 are not restored in the budget it would result in a
12 reduction of 80 PEP officers, 50 gardeners, 11 City
13 Parks workers. Because I--and I talk about this
14 because I don't think you can separate the funding
15 issue with the issue of the extension. If we're
16 going to run an efficient city, an efficient parks,
17 pools and beaches, we need the proper funding for the
18 people who are providing the service. Because before
19 we even talk about it, you know, these--the people
20 you see in this room made the city shine by having a
21 season that was free of any fatalities. Which is
22 something that has not been mentioned enough. In
23 spite of the high utilizations of the beaches and the
24 pool, we saw a stellar performance by our staff, by
25 our members day in and day out.

2 I have a series of concerns with it. I
3 mean I think it's rare that we have an agreement with
4 the Administration on the issue of retention, but
5 this is one that we have some concerns of regarding
6 the number of people who leave and go back to school.
7 I think that's a serious issue. I think that
8 staffing will remain a problem, and we don't want to
9 create a situation where for the sake of providing an
10 added benefit, we put people's lives at risk. And
11 there is language in the legislation allowing some
12 power for the Commissioner, although it is not quite
13 clear which commissioner. It just says the word
14 commissioner. I would ask the Council to look into
15 that because I think that there is more than one
16 commissioner involved here, and so that you have to
17 authorize the power. But I have to--I have to--as a
18 user of the beaches myself, and a frequenter goer to
19 Far Rockaway on the weekends, there's a series of
20 concerns that I think the Council Member raised.

21 And this is even if you take a number of
22 people, and you decide that you're going to remain--
23 survey those who want to remain into an elongated
24 season, you still have the issue of safety. I saw
25 with my own eyes where flags were put on both sides

2 of limitations, and people still going into it.
3 Going past the area where swimming was allowed, and
4 so what happens is you're taking people who are
5 generally supposed to be used to patrol an area now
6 to go in the park and try to retrieve people who are
7 not supposed to be there to pull them back into the
8 area. So, obviously, safety is a concern. Having
9 the proper staff that are able to maintain is a
10 concern. Collective bargaining is a concern. I
11 understand this is a well intentioned legislation. I
12 understand that there is going to be some discussions
13 and negotiations, as there should be, between the
14 Council and the Parks Department and the
15 Administration.

16 But, I want to make this very clear. Our
17 collective bargaining is our collective bargaining.
18 Any changes on that negotiations that alter this
19 collective bargaining agreement we want to be part of
20 the solution, not a victim or a consequence of a well
21 intentioned legislation that could lead to other
22 problems. For instance, the concept that if you were
23 going to just open on the weekends, for instance,
24 what happens to the works during the week? Do you
25 furlough them? Right? Do you then discipline for

2 the purpose of retention by the following year?

3 Well, that has an impact on the--the retention of a
4 hard--an already hard to recoup title that exists
5 here in the city of New York. So we are concerned.
6 We're supportive of the idea of extension. I do--
7 would say this:

8 If there is going to be an extension, we
9 insist that that extension be--absolutely involve
10 pools and beaches. That it won't be exclusive to the
11 beaches. I--we think it's--it would be unfair to a
12 lot of community color--of color and minorities who
13 in the inner cities that do not have access to the
14 beach from. That would be able to be
15 disenfranchised, if you will because they won't be
16 having access to the pool. So if there is--if it's
17 good for the beach goers, then it should be good for
18 the pool goers. And we--we gotta be fair for
19 everybody. So, I would suggest to you that that's
20 one of the things that we insist on having.

21 And then lastly, and I won't belabor
22 this. I mean I think there was a discussion here
23 earlier about recruitment and the hard--the hard time
24 that we have recruiting. There is a disconnect
25 between what happens in the New York City Department

2 of Education and the Parks Department when it comes
3 to lifeguard. Developing the program in the New York
4 City high schools that could develop and train the
5 next generation of lifeguards in the New York City
6 Department of Education is critical. We've seen such
7 a tremendous cut and elimination of those programs
8 that could lead a pipeline of people who would be
9 staffing properly. You wouldn't have this problem
10 with staffing if you were to expand the high school
11 programs that allow the teaching and training
12 necessary to maintain those local kids to be able to
13 do the work. So I would just put a focus since we're
14 acting as one city, and it was mentioned before, that
15 we behave as one as well. Thank you. If you have
16 any questions, I'd be happy to answer them.

17 CHAIRPERSON LEVINE: Thank you, Mr.
18 Garrido. Excellent, excellent. [applause] Folks,
19 please, please, please, please, please. We'll have a
20 couple of questions for you in a moment. I want to-
21 want to in a second pass it off to deliver her
22 remarks. So, I'll just say that you made many, many
23 excellent points. One obvious way to tackle the
24 improvement challenge is simply to increase the
25 salaries so more people are drawn in. Can I--there

2 we go. Very good. And we--this committee has worked
3 relentlessly to highlight the chronic underfunding of
4 the Parks Department. We're only devoting a half of
5 a percent to the whole budget to our Parks
6 Department, and that's resulted in staffing
7 shortfalls. We have far fewer staff today than we
8 had in decades past, and far fewer staff relative to
9 other cities. You know, there's a great measure
10 that's used nationally, which is the number of park
11 staff per 10,000 residents.

12 HENRY GARRIDO: Yeah.

13 CHAIRPERSON LEVINE: And in New York City
14 the number is only six. And that ranks us I believe
15 50th out of the 51 largest cities in America. So by
16 the most objective measures we're under-funding,
17 under-staffing the Parks Department. And I think it
18 probably has implications for our beaches and pools,
19 which we'll get to in a moment. But I do want to
20 allow the wonderful Tupper--Tupper Thomas from New
21 Yorkers for Parks to please share her remarks with
22 us.

23 TUPPER THOMAS: Good afternoon. Tupper
24 Thomas from New Yorkers for Parks, and I'm going to
25 go a little off script because that was a very--a

2 terrific testimony just now. I think the real issue
3 is that nobody is really ever going to be opposed to
4 having kids be able to get to swim, to at beaches, to
5 be at the pools if it's hot. And, of course, we
6 should have a way of doing that. But the reality is
7 that all of the seasonal workers are also essential
8 in all of the other parks and spaces. Because all
9 the parks are packed with people. I think--I don't
10 know the numbers, but I would bet you that we are now
11 at the highest of all usage in parks across the City
12 of New York, and yet, our budget continues to fall.
13 And as we saw, most recently in the budget
14 conversations the new Administration budget did not
15 incorporate the funds you were just mentioning, and
16 now it goes back to the dance.

17 So I think we're certainly in favor or
18 whatever can be worked out as long as additional
19 money can be put into the city's budget. Obviously,
20 lifeguards have to make a decent wage. Obviously,
21 all the people, the PEP officers, the maintenance
22 workers who are there. You can't just say, oh, it's
23 a bad day. We'll close it and save money because no
24 matter what, the people come into work and they
25 deserve to get paid. So that doesn't really save you

2 any money. And it would seem to me that if you all
3 and the Parks Department worked together, we could
4 come up with some sort of pilot for this coming year
5 that would allow us to test it out. See how heavily
6 used are some of the pools, how heavily used are the
7 beaches in those later times. I know that even in
8 the other parks, people stopped coming as often. As
9 school gets ready, you've got to go to the mall and
10 pick up your supplies, and do all those kinds of
11 things.

12 So, I--I do--we had--we totally do
13 support the concept of having as much as possible.
14 But if you had that millions of dollars that it's
15 going to cost is that the only place you would put
16 it? Is that the only thing you would do with it for
17 all of our parks. We have a lot of parks. They are
18 all underfunded, and we need to always be looking at
19 the largest picture. We need more permanent staff.
20 If there's a great way to use lifeguards to do other
21 things in the rest of the year, terrific. But we
22 have to have more park money. We have to have more
23 funding for permanent staff. We have to have more
24 other things. So I would just like to suggest that
25 we try to do some step of this to see how it works,

2 and what the needs are and then continue. Or, get a
3 lot more money. Because I think the money is the
4 obviously essential thing in this process. We can't
5 be at that percentage of the city's budget. Parks
6 are way too important.

7 CHAIRPERSON LEVINE: Amen to that. Mr.
8 Garrido, have you or your team looked at staffing
9 levels at beaches and pools to determine whether you
10 think they're adequate now, or do you know what an
11 adequate level would be?

12 HENRY GARRIDO: We-we have, and I think
13 this is an important point because I think there was
14 a question about whether the standard that is now in
15 place is adequate. And I think that obviously it's
16 not. I mean I think that things have changed. It's
17 not just the fact that you have greater population,
18 greater utilization. But you have greater
19 challenges. It might have seemed like I was quipping
20 about the idea that there is constructive on the
21 beaches with the bulldozer or whatnot. But if you
22 actually go, you will see that the scenario of the
23 clean beaches-- Right now it's a stand. [sic] It's
24 not there any more. You have people and you have to
25 go through these berms and different things and

2 piping. And so, visibility is limited, right. And
3 so you have all kinds of things. I would say this,
4 though. The funding for parking--for Parks and
5 Recreation is a problem in not--not just that we keep
6 the level of funding lower than a lot of other major
7 cities. But the fact that we don't receive any State
8 or federal funding for them, right? And in other
9 agencies where you have education and hospitals and
10 social services, you augment some of the services by
11 reimbursables so you don't have that kind of
12 situation. And I would suggest to you that one of
13 the problems that I saw in analyzing the staffing is
14 a lot of the people that work for the for the--in the
15 seasonal nature in the pools also work for other city
16 agencies. For instance, you have teachers, right,
17 who leave, and then they go and work for the--for the
18 Parks. So now you extend the season, now you're
19 affecting what happens to DOE, right? Because now
20 those teachers have to go back and do the lesson
21 plan.

22 And I want to address the issue of
23 concessions that you raised because I believe that
24 the City is being cheated out of a lot of money on
25 the concessions particularly in the pools--in the

2 beaches, and I experienced this myself. I went into
3 the Rockaways, and I actually toured the entire area.
4 There were a lot of concession vendors who were
5 sitting there providing scuba classes or diving
6 classes or wind surfing or whatnot in the Rockaways
7 who are not listed at all on the City's Park
8 Concessions contracts, at all. There were a lot of
9 things that were done. I mean there was a whole
10 concert going on where you have bands and people
11 selling T-shirts and selling all kinds of things that
12 the City is not, you know, benefitting from. But
13 yet, we have to provide the services, whether it's
14 security, maintenance, cleanup after the people
15 leave. You know, even existing relationships like
16 Shave Shack, which these is, you know, or concessions
17 where they are taking possession of boardwalk and
18 expanding businesses, if you will, with vans. That's
19 not recorded in any of the contracts that I've seen,
20 and I have an opportunity. As you know, I did a lot
21 of research on--on our concessions. So I believe in
22 order for this committee if we wanted to identify
23 additional sources of funding to request an order of
24 the Controller's Office on the concessions in the--
25 out in the park. Because you will find a lot of

2 areas, and I have some pictures that I will show you
3 that I saw. And compare them to the list of
4 concessions contracts existing in the parks. But I'm
5 not listed at all, and may not even be licensed to be
6 able to do that. But, you know, it happens right?
7 We have people going on, and I don't think you want
8 to-- And then finally, what I'm going to say about
9 the issue of your methodology, how do we determine
10 utilization for these entities? I think the
11 methodology is called eyeballing. Where you have
12 clicking of individuals coming in, and the--the
13 beaches is a less perfect science. Let's put it that
14 way. I think part of the problem we have is that we
15 don't a true picture sometimes of what happens in
16 peaks and valleys of utilization. And I think it
17 would be important for us to do that because it would
18 address the issue of staffing. Not just under the--
19 the--the number lifeguards per, you know, per
20 distances. But what the real utilization would be in
21 some of the most dangerous areas in the City of New
22 York.

23 CHAIRPERSON LEVINE: Is there a good
24 counting system that might give us better numbers
25 that what we currently have? [sic]

2 HENRY GARRIDO: [interposing] Well, I
3 think in other--other municipalities have a different
4 way of measuring. So that you have sort of like a
5 cookie cutter--a cookie cutter approach. But that
6 there are other conditions that just say, okay, if
7 you establish a minimum level of staffing based on
8 distances, are there any other conditions that would
9 facilitate for you to? And I think Deputy
10 Commissioner Kavanagh raised some of those issues.
11 But there are other issues that we're not counting.
12 I mean this past summer, I had an opportunity to go
13 again to the Rockaways because I--I love going there.
14 And there were concerts going on, and there was music
15 blasting from different sources. Now, not only are
16 lifeguards sitting there, and you're supposed to be
17 monitoring this where you have sounds coming from all
18 over the place. And you're supposed to be hearing a
19 potential person that you need to go to. You know,
20 that condition requires an automatic staff-up in my
21 view. Just given what was happening around the
22 environment around it. That it wasn't just
23 straightforward. And as long as we're complying with
24 the minimum standards, that's not going to happen.
25 So there has got to be a recognition that--that you

2 have to respond to the conditions that you see in
3 addition to meeting that minimum standard.

4 CHAIRPERSON LEVINE: Oh, correct.
5 Council Member Treyger.

6 COUNCIL MEMBER TREYGER: Yeah, thank you,
7 Chair and thank you very much for this very
8 meaningful and helpful feedback. I--I think that--I-
9 -I agree with you that we have to relook at or
10 examine these codes and standards. You know, if, in
11 fact, they were last updated in 1994, a lot has
12 changed since 1994. I hear that, you know, the
13 Rockaways were great, but I welcome you as well to
14 Coney Island, too. And we have become, you know, and
15 the Rockaways as well to their credit, have become
16 greater and greater destination sites. Eventually,
17 in the future they plan to--they rezoned Coney Island
18 to eventually have hotels. The amusement district is
19 growing. They eventually plan to have concerts in
20 theaters and so forth. And so the population that
21 they--the--the number of people coming both residents
22 and tourists everyone--it's increasing. The beaches
23 are packed and I think that we have to look at maybe
24 a different metric how we staff these public spaces.
25 Because it's only growing and we need--it's not just

2 a matter of want. We need additional staffing. Of
3 course, safety first, lifeguards, PEP, maintenance
4 staff. Because who--as you said, who cleans up--
5 cleans this stuff up after this is done? And so I--I
6 think that this is a very fluid but a very important
7 conversation, and I thank you for your feedback. And
8 I--I thank the Chair for really-- I--this is an
9 important topic. I--this has never really been
10 examined at this--this in-depth, and I--I really
11 appreciate the Chair and leadership on this. Thanks.

12 HENRY GARRIDO: Council Member, for the
13 record, I've been to Coney Island, but my kids would
14 not let me go to the beach. They wanted to do other
15 things. So just so you know.

16 CHAIRPERSON LEVINE: Council Member
17 Mealy.

18 COUNCIL MEMBER MEALY: I just more have a
19 statement. I--I really want to see how we can work
20 that out with our high school in regards to any high
21 school that has a swimming pool we should be
22 definitely putting them in the queue for them to be
23 lifeguards. That's jobs right here in the city.

24 HENRY GARRIDO: Sure.

2 COUNCIL MEMBER MEALY: And I would
3 definitely love to work with you on that. And,
4 Tepper, I--I love you. I know all the work you do
5 with the parks, but that is an excellent idea what
6 you said. Because if our employees go to work and if
7 there's a thunderstorm, they should not have to lose
8 a day's pay. Maybe both entities should try to find
9 out where they should go. So maybe the Parks
10 Department and work in the garden at Prospect Park or
11 something. They should not go home and be minus that
12 day's pay. So I would definitely look into that.
13 And I feel that that's a way that we could keep our
14 jobs here, and our people employed. And to make sure
15 is someone wants to work, they should not have to go
16 home just because it's raining or thundering. And
17 thank you, Chair. This is a great hearing. Thank
18 you.

19 CHAIRPERSON LEVINE: Okay. Thank you
20 both very much.

21 TUPPER THOMAS: Thank you.

22 CHAIRPERSON LEVINE: We appreciate it.
23 The next panel will consist of Mr. Peter Stein from
24 Local 508. Franklin Page from Local 461 and Arthur
25 Miller from the DC 37.

2 [pause]

3 CHAIRPERSON LEVINE: Put a three-minute
4 clock.

5 [background comments]

6 COUNCIL MEMBER MEALY: Start any time.

7 CHAIRPERSON LEVINE: No problem.

8 PETER STEIN: Okay.

9 CHAIRPERSON LEVINE: Okay. So we'll
10 start.

11 PETER STEIN: Here he is.

12 CHAIRPERSON LEVINE: All right. Okay, so
13 we'll start with you, Mr. Stein.

14 PETER STEIN: Thank you. Council people,
15 I want to thank you for this opportunity. I also
16 want to begin by saying there is much here that has
17 to be done, and I'm going to try to do it in three
18 minutes. So I'm going to talk very quickly. It has
19 taken-- Firstly, the folks you see here are the
20 forgotten emergency service of the City of New York.
21 They save people's lives. That's what they do, and
22 somehow it doesn't get recognized. It took 'til
23 April 22nd for there to be any tacit acknowledgement
24 that they spent an entire summer last year creating a
25 record that astonishes me. I've been doing this for

2 50 years. This is the second time in 50 years that
3 there have been no drownings in the City of New York.
4 So I want to thank the Council. I want to thank
5 Commissioner Kavanagh, but it's been a long time
6 coming. And somehow I don't understand why that was
7 kept a secret. It's an amazing accomplishment, and
8 these young men and young women work very hard.
9 They're committed employees, and they really should
10 be recognized for the training and the work that they
11 do. And yes, I was at New Utrecht in the morning,
12 and I still see your former principal on occasion.
13 Thank you.

14 All right, let me try to go quickly.
15 There are three issues. Number one, I want to tell
16 you we would support keeping the beaches and pools
17 open 52 weeks a year if it were possible. However,
18 so we're not--not supportive of this concept but
19 there are some concerns and reservations that need to
20 be addressed to make this happen in a safe way. In a
21 way that respects our collective bargaining rights.
22 And in a way that avoids any unintentional racism.
23 This is an administration that is committed to
24 diversity. If anybody needs to visit a pool and
25 figure out who the usership is of those pools when

2 it's hot, it's the kids in the neighborhood, the
3 neighborhood where the pools are. And you're not
4 familiar with where the pools are, they were built at
5 a time in the city when the city was growing in
6 different directions, and they basically are in the
7 inner city today. So, please, please resist the
8 temptation to watch these slides that say usership is
9 down. The methodology in determining that is flawed.
10 There is a precise count at the pool. There is
11 someone standing in the front with a clicker. At
12 beaches it's voodoo estimation. Well, how many
13 people do you think are here today? Oh, I don't
14 know. Well, nobody knows. And if you want a way to
15 look at it accurately, there was an administration.
16 I've been doing this 50 years. They've got the
17 Police Aviation to go up in a helicopter. They took
18 pictures, and then they multiplied the square out for
19 how many people they counted in a certain dimension.
20 That's a lot more accurate than two guys standing on
21 the boardwalk estimating how many people are coming
22 there. Coney Island, as you well know, it's
23 unbelievable. You can't see the sand, and I'd like
24 to ask in just a few more if I might, but you cannot
25 see the sand. That's how dense the crowd is, and for

2 a lifeguard with one set of eyes to be able to
3 surveil everyone who is in that water is an amazing
4 accomplishment, really. And these folks deserve to
5 be considered for other employment. The question was
6 asked how many go onto other careers in the Parks
7 Department. Precious few. They're excluded from
8 promotional exams because they are seasonals. Well,
9 our members come from every walk of life, come from
10 every neighborhood. We are the largest probably
11 minority hiring programs of summer youth in the City
12 of New York. The pools are predominantly staffed by
13 people who live in the neighborhoods where they are.
14 And if you have been to a pool and you take a look
15 around to who works there, it will tell you. I'm
16 astonished. I mean I'm going on a tangent here. The
17 Fire Department had a problem recruiting minorities.
18 Why didn't they turn to this workforce. They are the
19 most physically fit people in the City of New York,
20 and yet no outreach to try to recruit them into the
21 Fire Department. Years in court. They could have
22 come to the Parks Department and said look you've got
23 trained people who have a history coming to work.
24 They're conscientious. They're physically fit.
25 Never happened. So one, I would suggest try to bring

2 this workforce into the permanency by opening up
3 promotion exams for them, and get away. I don't know
4 what kind of seasonal some of them are. Some of my
5 members have been working 20, 30, 40, 50 years. It's
6 a hell of a long season.

7 CHAIRPERSON LEVINE: Yeah.

8 PETER STEIN: Now let me just try to move
9 on all right. In terms of safety, and that's our
10 primary concern, we didn't accomplish that record by
11 just being trade unionists. We are advocates of
12 water safety and have been our whole careers. I was
13 a teacher of swimming for the Board of Education, and
14 I have sadly watched with colleague Richard Share as
15 more and more and more education department swimming
16 pools have been abandoned. We came to this Council
17 with a proposal. I'm going to find it, and I'm going
18 to bring it back again. A proposal that would get
19 swimming reconstituted in the high schools in the
20 City of New York. Because that's where it starts.
21 We don't take people who don't know how to swim and
22 turn them into lifeguards. That's a hell of a leap.
23 The first thing is you've got to teach people to
24 swim. And this notion that certain ethnicities just
25 can't swim, well, if there's no access. Middle-class

2 people go to summer camps. Middle-class people go to
3 day camps. Middle-class people somehow have access
4 to swimming lessons. It is the responsibility really
5 of the City Department of Education to provide that
6 access. Our members come from swimming teams, and
7 were basically taught to swim in the New York City
8 high schools.

9 CHAIRPERSON LEVINE: Thank you, thank
10 you.

11 PETER STEIN: One--one last thing if I
12 may.

13 CHAIRPERSON LEVINE: If you could wrap it
14 up, because we're only here for like one more half
15 hour. [sic]

16 PETER STEIN: I'm going to wrap up and
17 then I'm going to go to my colleagues. I want to get
18 this notion of when you don't have enough people we
19 quote, unquote "close sections of the beach." That
20 is a pretext. There is no physical way to limit
21 people from going into the way. This is not Jones
22 Beach where you block a certain field. There's no
23 parking, and people don't swim there. It's a
24 continuous piece of property, and the notion is you
25 put one life guard there and a red flag, and

2 everybody is swimming everywhere. And to that end,
3 we made 20 rescues last year in quote, unquote
4 "closed areas." Two years ago, or I'm sorry, it
5 might have been three years ago, we had a drowning in
6 a closed area. We just couldn't get there quick
7 enough. we just couldn't get there quick enough. So
8 this idea of we're going to incrementally open, and
9 we're going to put flags and consider those areas
10 closed is nonsense. It is an unreasonable burden to
11 place on PEP. They can't enforce it. There are not
12 enough of them. I mean, you've got a million people
13 on the beach in Coney Island you've got 25 PEP
14 officers patrolling it. It's mindboggling. So I
15 would suggest number one, it's nice to say that
16 people want to work with the workforce. I didn't
17 hear the word union in any of that. This is an
18 administration. You know, I understand the preceding
19 administration had a problem saying that word. But
20 this administration really needs to involve--

21 CHAIRPERSON LEVINE: [interposing] Thank
22 you.

23 PETER STEIN: --their workers in what it
24 is that they do.

25 CHAIRPERSON LEVINE: Thank you.

2 PETER STEIN: And I thank you for your
3 time.

4 CHAIRPERSON LEVINE: All right, thank you
5 very much. Mr. Page.

6 FRANKLIN PAGE: I think Peter said
7 everything that was said--that should have been said,
8 but one of the things--

9 CHAIRPERSON LEVINE: [interposing] Can
10 you at least explain how your local is different from
11 508?

12 FRANKLIN PAGE: I represent the
13 lifeguards of the City of New York and he's the
14 supervisors. We work together as a union because
15 experience is the best teacher, and that's how we get
16 along. Thank you for the opportunity for letting me
17 speak in front of you, and I really appreciate it.
18 And I represent the people who are sitting outside
19 and upstairs and over there. This is the demographic
20 that workforce represents in terms of lifeguards,
21 whether they are European or African-Americans. We
22 all are one. We don't discriminate, all right. Most
23 of the people you see here are from their districts.
24 Whether you track Coney Island, Brownsville,
25 Councilwoman Mealy, and we represent everyone from

2 all walks of life. If you're going to extend the
3 beach hours, I would like you also to extend the pool
4 hours for these people. But we work together as a
5 union. You cannot take kid to a candy store, and buy
6 a candy for one other child and say, you know what,
7 you can't get none. Either you break it and share it
8 or no one gets anything. So, I sense a big racial
9 disparity when it comes to the beaches and the pool
10 on an economic level. If you're going to do for the
11 beach, extend the hours, I'm actually pleased. These
12 people need jobs. They're here. It's been said over
13 and over again, they're the ones who save the lives
14 in the City of New York. You might not hear about
15 it. We might not be appreciated by management, but
16 we are here. Not only we are lifeguards saving
17 children we babysit them also because that's the only
18 place they have to go. Like you said, the Hamptons I
19 can't afford it, and I'm part of the neighborhood.
20 Not only myself but others. We are teachers,
21 lawyers, even a former police captain who works for
22 us. So we take people as they come in, and you know,
23 we represent people as a whole. So I'm asking you
24 please look at us as a unit, not just as a diverse
25 population, you know, and try to treat us

2 differently. And like he said, the word union was
3 not mentioned. Everything is done through collective
4 bargaining. You cannot tell me, Hey, Franklin,
5 you're going to work the pool and Tom you're going to
6 work the beach. You know, things have to put our way
7 before an agreement is made. And Council Member
8 Mealy she's not here. I can attest to it. I've seen
9 her in the summertime outside one of her biggest
10 pools there is, at one of the quote, unquote "most
11 dangerous pools." That's the head pool in East New
12 York. I've seen her. She sat outside in her car.
13 She watched all the kids stand on the side trying to
14 get into the pool. So someone stands at the pool
15 entrance and go click, click, click, click. All
16 right, one, two, three, four, five. The numbers are
17 not accurate because I'm there. I'm out there. I
18 know. So I'm just saying please represent these
19 people. Give what is fair to us, and we shall work
20 together if it's possible.

21 CHAIRPERSON LEVINE: Thank you, Mr. Page,
22 and maybe this summer you'll come to Sheltering Arms
23 Pool in my district in West Harlem and we can spend
24 some time there.

2 FRANKLIN PAGE: I would like to extend my
3 invitation for you to come to Westchester [sic] Pool
4 on a 90 degree day, and you know--

5 CHAIRPERSON LEVINE: I--I--I look forward
6 to that.

7 FRANKLIN PAGE: You know, or even
8 Highbridge. You know, just come by. You know, bring
9 the family, you know, and we'll show you how easy it
10 is. You know. Show appreciation.

11 CHAIRPERSON LEVINE: I don't think the
12 people of New York want to see me in a swimsuit, but
13 we'll--we'll see what we can do.

14 FRANKLIN PAGE: Well, we don't
15 discriminate. This is a melting pot. This is what
16 we're looking for, and this is what the Mayor wants.
17 So let's change the law to '94 and get moving.

18 CHAIRPERSON LEVINE: Thank you and thank
19 you for your comments, and Mr. Miller, please.

20 ARTHUR MILLER: Okay. May I relinquish
21 my time to Peter Stein?

22 PETER STEIN: Thank you very much, Arthur
23 Miller. [laughter] Okay, quickly. All right, first
24 I want you to know that Arthur [sic] is a high school
25 teacher of swimming of Midland High School ironically

2 enough. There's no swimming school at Midland High
3 School and go figure that one out. [laughs] But
4 okay, all right, but in any case, I just wanted to
5 add two thoughts. Number one, you can't legislate an
6 elephant to fly. You can try but that elephant isn't
7 going to fly. You've got to be able to pass
8 legislation that's realistic and has a realistic
9 goal. If the staffing isn't there, you can't open a
10 beach or a pool, and right now it's somewhat unknown
11 whether there is adequate staff to do this. So how
12 do you put an mandate in place or a law or not be
13 concerned with the fact that maybe it just isn't
14 doable. I don't know why the Parks Department
15 doesn't tell you that. But that's the simple reality
16 of it. Even we--we don't have a clue. We're going
17 to try to find out. So maybe somebody ought to do
18 this on a pilot interim basis and see if it's
19 feasible. The second thing, I want to dissuade this
20 notion oh, lifeguards. No problem. There are
21 thousands of people who want jobs. Yes, that's true.
22 But there aren't thousands of people who--the
23 universe or the demographic of who is going to become
24 a lifeguard is a very narrow demographic. It's a
25 good swimmer. It's a good swimmer and because the

2 Board of Education or the Department of Education has
3 abandoned the teaching of swimming, and this isn't
4 just in New York. This is throughout the nation.
5 It's very, very difficult, a lot of training. A lot
6 of responsibility and probably the same money that
7 you could make at Burger King. So you haven't got
8 people. I mean these folks turn out all winter and
9 break their necks training to get these jobs. And
10 so, the question is how do you keep them? Well, you
11 don't keep them by being the only municipality, not
12 private. We are not an apartment house in Brighton
13 Beach where, Gee whiz, it looks like it's going to
14 rain. Let's close today and send everyone with no
15 money. Those days are over with, folks. You don't
16 have nobody working with you attempt to go there.
17 That's number one. Number two is the notion that at
18 our beaches there are people who swim in the rain.
19 They just do it. Nobody stops them. They come out
20 and they swim, and there's no commitment made any
21 place that it's going to continue to rain. We've
22 gotten out--up there in the morning and until 12
23 o'clock it was awful and all of a sudden the sun
24 breaks out. What are you going to do? Call them
25 back and say, we changed our minds. Come back to

2 work. That is a concept that went out with high
3 button shoes, and I for one will tell you it's not a
4 sensible concept to think about. [bell]

5 CHAIRPERSON LEVINE: I appreciate that.
6 Thank you, and thank you to our panel. Thank you.

7 PETER STEIN: Thank you very much.

8 CHAIRPERSON LEVINE: Okay, next up we
9 have Marlena Giga from Local 983, Jeffrey Croft, Joe
10 Puleo. Okay, and we're going to do also Donnelly
11 Rodriguez and Tanishia Parerra, Pareda. [sp?]

12 JOE PULEO: Okay, good afternoon, City
13 Council.

14 CHAIRPERSON LEVINE: So, sorry, are the
15 other individuals not present?

16 JOE PULEO: I don't believe so. I don't
17 know.

18 CHAIRPERSON LEVINE: Okay. That's fine.
19 All right, Mr. Puleo take it away.

20 JOE PULEO: Thank you. Good afternoon,
21 City Council.

22 [background comments, pause]

23 JOE PULEO: Are you here? I'm sorry.
24 I'm sorry, we have two of the--two of the speakers
25 are here.

2 CHAIRPERSON LEVINE:

3 MARLENA GIGA: I'm Marlana Giga.

4 APRIL CROFT: April Croft.

5 CHAIRPERSON LEVINE: Okay, I called both

6 of you right? Okay, please have a seat. Join us.

7 Thank you. Okay, Mr. Puleo, the floor is yours.

8 JOE PULEO: Okay. Again, my name is Joe
9 Puleo. I'm, the park workers in all the city parks.
10 Okay, I'd like to thank you. Again, you and all the
11 other council members here. I think you're doing a
12 great job in the restorations. We would like to see
13 more money put in for the--for the Parks Enforcement
14 Officers. I know that eight of them are subjected to
15 termination, and that there's money that's going to
16 be allocated to combat that. But we would still like
17 to see more money into the--into--into--into the
18 Parks system.

19 I would like to begin by saying that this
20 is a good idea, you know, but I don't think the
21 concept has been fully thought out. The beaches, you
22 know are, you know, are very important to us. The
23 lifeguards do a tremendous job. They been, like I
24 said before no drownings last year. And I would like
25 to emphasize that the lifeguards are the first

2 responders when it comes to the waterways. It
3 shouldn't be the PEP Officers because they're in a
4 closed section of the beach, and people still go onto
5 these sections unfortunately. There has to be more
6 serious consideration brought into this before it's
7 implemented. Again, it becomes a labor issue. We
8 can't have people just come into work for one day,
9 and then told that, you know, we don't need you
10 because of--because of the weather. So I think there
11 should be a lot--a lot more, you know, planning when
12 it comes--when it comes to this. Thank you.

13 CHAIRPERSON LEVINE: All right. Thank
14 you and Ms. Giga.

15 MARLENA GIGA: [off mic] Hi, my name is
16 Marlana Giga--[on mic] Hi, my name is Marlana Giga
17 and I represent APSWs, the PEP Officers and the City
18 Seasonal Aids and had the pleasure of working in
19 beaches in pools. And at times the beaches and the
20 pools were areas that violence did take place. For
21 instance, I worked in Thomas Jefferson, and there
22 were hand guns being slipped through the gates at
23 Thomas Jefferson. So that's one thing that those PEP
24 officers had to deal with. We do work hand-in-hand
25 with the lifeguards. If there are disorderly groups

2 inside the pool, the lifeguards go in and take the
3 person out of the pool, and the PEP takes over from
4 there making the arrest. What I'd like to say is
5 we've had--we've had to arrest patrons at times being
6 in closed areas of the beach while the beach was
7 closed.

8 This is not something that we encourage
9 our PEP officers to do, but with no lifeguards on
10 duty, we're forced to do this. There is
11 approximately two to four full-time PEP officers at
12 each beach. I would say Rockaway probably has the
13 largest amount. At time I would be on Orchard Beach
14 by myself, the only full-time PEP officer, or my
15 staff would be seasonal security who are not able to
16 issue summonses, or write--make arrests. So it was
17 very stressful. The seasonal people cannot do any
18 enforcement except telling people what to do. And
19 also our city seasonal aid security are typically not
20 students. They're typically older people. So I know
21 that they would be able to continue throughout the
22 year working at the beaches and pools.

23 And I also agree with the fact that you
24 cannot send somebody home because of the--the
25 weather. The PEP officers are also on duty

2 typically one hour after the lifeguards leave. I
3 heard Liam testify to the fact that we have PEP
4 officers on duty at the beaches and pools 24 hours, 7
5 days a week. That's absolutely false. Never have
6 there been 24-hour coverage at either of these
7 locations. From time to time if there are incidents
8 reported through 311, we would have night pool
9 security, which is two units assigned to one borough.
10 And they would go and just check the pools, shine a
11 flashlight, see if anybody was swimming. And then
12 just continue on, and that would only be until 12
13 o'clock. So we would definitely ask for more
14 staffing of full-time PEP officers to be assigned to
15 the beaches and pools. It would be imperative.
16 Thank you.

17 CHAIRPERSON LEVINE: And is it--are you
18 Donnelly Rodriguez?

19 DONNELLY RODRIGUEZ: So, I'm Donnelly.

20 CHAIRPERSON LEVINE: Forgive me Donnelly.
21 Okay, you're up next.

22 DONNELLY RODRIGUEZ: You're forgiven.
23 Thank you for having me here. Thank you, Councilman
24 for introducing this legislation and considering it.
25 I'm actually a New York City lifeguard. I'm been

2 lifeguarding with the New York City Parks Department
3 for three summers now, and I just wanted to bring to
4 your attention there's been a lot of politics going
5 on here with the collective bargaining agreements and
6 the Parks Department and, you know, the Council and
7 whatnot, and budget constraints. But I just wanted
8 to bring it to the ground and bring it to the people
9 that, you know, it really matters. And in this case,
10 it's, you know, the lifeguard. It goes unsaid that
11 there are benefits to the public, you know, and in
12 terms of opening the beaches and the pools and having
13 them staffed at all time. But we can't forget the
14 significance that this has for particularly minority
15 communities. And, you know, they--they talked about
16 it, and they used it for a little bit of rallying.

17 But I wanted to bring it on the ground a
18 little bit more. And what it comes down to it, I
19 have a particular friend by the name of Randy who is
20 also with the Parks Department. And he's an
21 individual whose parents make, you know, a little bit
22 more than what they can afford for college. But at
23 the same time they--they don't qualify for financial
24 aid and things of that nature. So these are children
25 or students rather who have to go to college, and

2 during September, which is a significant period of
3 time for them to increase their income, they don't
4 have any job opportunities available to them because
5 they have to do a lot of work. Having the pools and
6 the beaches open during the weekends would be
7 significantly influential and beneficial for these
8 types of students who make up predominantly a large
9 amount of the lifeguards. You know, I was one
10 myself. I have recently graduated so it's not a
11 personal problem for me. But definitely take into
12 consideration the lifeguards.

13 You know, a lot times we get into these
14 conflicts with, you know, the collective bargaining
15 and whatnot. But, you know, we have to make sure
16 that these people are working and they're hired.
17 Because it's--it's providing them income year round.
18 So basically, that's all I wanted to--to let you guys
19 know to consider that. And also, as an alternative
20 it seems like budget restraints have been a
21 consistent problem here. Look into public-private
22 alternatives. You don't have to be so limited on
23 increasing the budget so much. You look into private
24 schools, private pools where you can work hand-in-
25 hand with the Parks Department to qualify young

2 people to go into the parks. And this whole notion
3 about, you know, we talked about how stellar the
4 lifeguards were, you know, and we applaud them and
5 oh, we're not sure if we have enough staff so that
6 they can man these waters. We did in the summer. We
7 can do it in September. We could do it all year round
8 if we needed to. So I just wanted to give you that
9 personal account of lifeguarding from my point of
10 view and my friend's point of view. So just also
11 take that into consideration when voting, and you
12 know, revamping this legislation.

13 CHAIRPERSON LEVINE: Well, thank you
14 Donnelly. I've got it correct this time for not only
15 your remarks, but--but your service to the City and
16 for saving lives out there.

17 DONNELLY RODRIGUEZ: Appreciate it.

18 CHAIRPERSON LEVINE: We're really quite
19 grateful for that, and your perspective is very
20 valuable.

21 Hello.

22 CHAIRPERSON LEVINE: At the risk of
23 mispronouncing another name, I'm going to ask--

24 TANNON FERRERA: It's Tannon Ferrera.

25 [sp?]

2 CHAIRPERSON LEVINE: Tannon Ferrara.

3 TANNON FERRERA: I'm very mixed so it's--
4 I'm from the City. I've lived here my whole life.

5 CHAIRPERSON LEVINE: All right, please.

6 TANNON FERRERA: I am a mother of two. I
7 have been a lifeguard since 1997. So I've worked at
8 Rockaway Beach, Coney Island. I've worked at pools
9 in Brooklyn, East New York and in Central Park. So,
10 I've experienced a variety of places and situations
11 and neighborhoods. And I'm not just asking that you
12 keep it open because of the kids in the city. It
13 also brings tourists and money, and guys complain
14 about money and budget and stuff. This will bring
15 money and funding for the city. So I want you to
16 know that as well, and this--everybody complaints
17 about how children and obesity and all this. This
18 allows the children and the intercity groups to
19 actually have physical activity.

20 I see so many kids who can't afford
21 private pools, and I see them, their moms and their
22 dads working and leaving these kids and they have
23 nowhere else to go. And unfortunately, you close the
24 pools, you close the beaches they're going to be out
25 there anyway, and they're going to be on the streets.

2 And it's upsetting and I--like you can't protect a
3 10-year-old from the corner unfortunately. So you
4 take that away, then you're taking it away from the
5 city. You're taking away opportunity, and that's
6 unfortunate. So may--I understand safety is the key
7 point here, but we've shown that we can provide it.
8 Last year we had proved it. Allow us to prove it
9 again that this will succeed, and this will help the
10 city push forward. Thank you.

11 CHAIRPERSON LEVINE: Thank you again for
12 your passion and your comments, and for--most
13 importantly for your service to this city. Both to
14 you and to Donnelly we're really grateful for that.
15 I wonder if my colleague did you have a question?
16 Okay Council Member Mealy.

17 COUNCIL MEMBER MEALY: I just have one
18 statement and that is so true. Nothing can stop a
19 child from being on the corner if they do not have a
20 pool. So I--I just concur with you because I have
21 Howett [sp?] Pool in my district right in the high
22 density of a housing development and some children
23 stay in the pool every day.

24 TANNON FERRERA: I know they do and I
25 have--

2 COUNCIL MEMBER MEALY: And I have the
3 counters where we--

4 TANNON FERRERA: Sorry.

5 COUNCIL MEMBER MEALY: --we feed them
6 lunch now, because they would not eat. So, I--I know
7 what you're saying and we need more jobs, and we need
8 more people in the community with these jobs also.
9 And thank you, Chair. I just want to make a
10 statement. Thank you.

11 TANNON FERRERA: Thank you.

12 CHAIRPERSON LEVINE: Thank you Council
13 Member Mealy, thank you, too. This concludes our
14 hearing. Thanks to all who participated.

15 [gavel]

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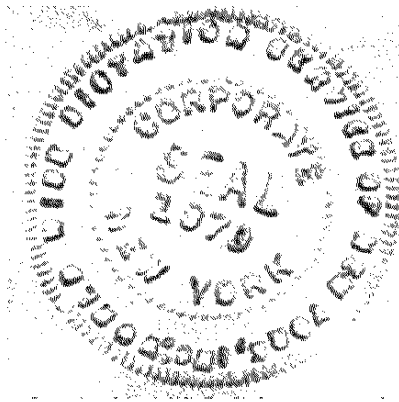
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COMMITTEE ON PARKS AND RECREATION

C E R T I F I C A T E

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



Date May 4, 2015