



March 8, 2022

Testimony of Acting Commissioner Laura Kavanagh, FDNY
Preliminary Budget Hearing

Good afternoon Chair Ariola and all Council Members present. My name is Laura Kavanagh and I am the Acting Commissioner of the New York City Fire Department. I'm looking forward to continuing our great working relationship with the City Council and forming partnerships with newly elected members. I appreciate the opportunity to speak with you today about the year that we've had at the Fire Department and our outlook for the year ahead.

I would like to begin by acknowledging the death of Firefighter Jesse Gerhard, who died in the Line of Duty on February 16th. Firefighter Gerhard had a stellar record of service with the Fire Department – first as an Emergency Medical Technician and then as a firefighter. His great-grandfather was also a firefighter, and it was a job that he looked forward to since early childhood. Firefighter Gerhard was only 33 years old when he died, but the FDNY is lucky to have had his talents and his passion and his love of service to the people of New York.

Unfortunately, the death of Firefighter Gerhard is not the only tragedy that the FDNY has experienced recently. On December 2nd, Probationary Firefighter Vincent Malveaux died after suffering a medical episode while training at the Fire Academy. On December 26th, Lieutenant Joe Maiello – a 22-year veteran of the Department – died in his firehouse on Staten Island. Also in December, Chief Alvin Suriel, who was second in command in the Bureau of EMS, passed away after battling World Trade Center-related illness. To date, 273 members of the Department have died due to World Trade Center-related illnesses. We mean it when we say that the members of this Department are a family, and our family feels each of these losses acutely.

Tragedy is an unfortunate but very real part of the job, both internally and among the community that we serve. All fatal fires are felt deeply among our members – a single civilian fire death is one death too many – but occasionally in responding to an emergency, we experience loss of life on a scale that is almost impossible to imagine. On January 9th, a fire broke out in an apartment in a 19-story building in the Bronx. While the residents of that unit were able to escape, the door to the apartment remained open and toxic smoke spread throughout the hallway, stairwell, and into other parts of the building. Fire units responded quickly and ably. The first due unit was on scene within three minutes and 16 seconds, and numerous EMTs and paramedics arrived to assist. Firefighters located victims on every floor of the building. Seventeen residents died and 45 others were hospitalized. Many firefighters bravely continued working even as their air tanks ran low.

I'd like to briefly touch upon two major takeaways from this fire. First, despite the unthinkable large number of people who died or were injured, many lives were saved due to the heroic work of FDNY members. The fire required a massive response and we dispatched approximately 200 firefighters to the scene as well as 43 Basic Life Support ambulances and 14 Advanced Life Support ambulances. EMTs and paramedics provided immediate care and transported patients to the hospital. Among the residents who were assisted that day were fifteen patients who were found in cardiac arrest and were kept alive by the firefighters and medics who treated them right up until they were handed off to emergency room caregivers.

Another takeaway from that fire is the importance of our work in educating the public about fire safety and – importantly - what to do if a fire does occur. In the wake of this fire, we've had a surge of fire safety education programming, setting up events for individuals and groups in every corner of the city. Many of the councilmembers on this committee signed up to host events through your office – and if you haven't yet, I encourage you to reach out to my team after this hearing. We have also produced and shared multiple Public Service Announcements in various languages and partnered with the Mayor's office and local media on outreach.

But we also know that educating citizens is not enough, and though the NYC Fire Code requires all residential buildings to maintain self-closing doors of apartments and stairwells, it is incumbent upon all building owners and landlords to make sure that their buildings are in compliance with those rules. To that end, we have been working closely with the Mayor's office and with our partners in the Department of Housing Preservation and Development to dial up enforcement of those codes and rules. Building owners should expect an intensified focus on fire safety signage and self-closing doors. We continue to have engaging conversations with the Council, our fellow agencies, and the Mayor's Office to reduce the likelihood of tragedies of this nature.

Like other front-line organizations, the ongoing pandemic has significantly impacted how we have functioned over the last two years. We take pride in the way that our members have risen to the challenge and have met the FDNY's obligation to serve the people of New York, even under the most difficult circumstances. In 2021, the Department oversaw New York City's 16th consecutive year with fewer than 100 fire deaths. It is remarkable to think that as recently as the 1970s, the city regularly saw upwards of 300 deaths a year.

In 2021, Emergency Medical Services (EMS) members spent a second year on the front lines of the pandemic, including as the Omicron wave swept through New York. Medical leave was significantly higher than usual for long stretches of time as EMTs and paramedics became ill with COVID-19, and at one point nearly 1/3 of all EMS members were out sick. However, we did what the Fire Department always does – we pulled together and found a way to get the job done. For the second time during the pandemic, we called upon our regional partners and the National Ambulance Contract and were appreciative to welcome mutual aid from partners to help get us through a tough period. It's always an honor when we can send members to assist others around the country as we often do after hurricanes, flooding, and wildfires. That our fellow fire and EMS

departments were willing to come stand with us when we needed it most is the essence of the concept of mutual aid, which we take very seriously.

COVID also impacted the way that the Fire Department interacted with members of the public in nonemergency situations. Our Fire Safety Education team pivoted from in-person presentations to giving remote programs online. In CY21, the unit performed approximately 2200 such presentations. Over 150,000 New Yorkers participated in these events, which are hosted by active and retired firefighters on topics ranging from safe cooking, fire safety for the holidays, fire safety for seniors, and messaging for children.

In 2021, we teamed up with fellow city agencies, training 2300 frontline child welfare staff at the Administration of Child Services and coordinating with the Department for the Aging to conduct educational programs in over 400 senior centers. We worked with our partners at the American Red Cross to give away more than 15,000 smoke alarms, including 5300 home visits.

The pandemic has also driven some changes in the way that we have approached Recruitment and Retention during the last year. After firefighter classes were delayed in 2020, we recognized that a significant portion of the existing civil service list for firefighter remains untapped and we have taken steps to extend the period in which we can draw from that list. In 2021, we processed two graduating classes of probationary firefighters. 46% of the members who joined the Department from those classes are women and/or people of color. This is a critical first step in making the Department reflect the City that it serves.

We've also introduced some additional efforts to further reduce candidate attrition during the wait for processing. In July 2021, we launched a Stairmill Program at the Fire Academy at Randall's Island and at FDNY Headquarters, enabling firefighter candidates additional opportunities to strengthen their strength and endurance skills so that they are well-suited to achieve required endurance levels. We also created the Probationary Firefighter School Prep program, which launched in October 2021. This prep course is offered to firefighter candidates who have completed intake and medical processing and focuses on improving and maintaining academic and fitness preparation ahead of entering the Academy.

Like most City agencies, in the Mayor's Preliminary Budget, the Fire Department was asked to institute a Program to Eliminate the Gap (PEG). We know how important it is to the people of New York that tax dollars are spent wisely and that expenditures are made thoughtfully. Tasked by Mayor Adams to find efficiencies, we took a careful look at our spending and were able to come up with several savings adjustments for a total savings of approximately \$75 million over FY22-FY23.

The largest savings among the Fire Department's PEG targets in this budget are an upward revision of projected EMS revenue and a vacancy reduction plan. We recognize EMS revenue above our previous target in the amount of \$19.3 million in FY22 and \$15.3 million in FY23 and out years. This reflects an increase in the number of transports that we perform and will not require any change in rates. The Department will also implement a civilian vacancy reduction

plan that will save nearly \$13 million in FY22 and out years. We will eliminate nearly 50% of all City-funded civilian vacancies. While we recognize that this is not an easy task, we will ensure that we can do so without impacting service levels. Other components of the Fire Department's PEG include smaller but significant savings. Grant reimbursements from the federal government in the areas of fringe costs as well as an adjustment related to storm-related deployments will yield \$3.6 million in FY22 and \$4.6 million in FY23.

The preliminary budget reflects a modest funding of new needs, mostly in aligning funding with actual costs. Funding for uniformed overtime is increased in FY22 by \$55 million to help close the gap between funding and the Department's actual overtime use. The Department will also receive an additional \$14 million in funding for Fleet Services, which reflects our actual spending on items such as repair materials and auto parts.

As was already announced by the Mayor in connection with his subway safety plan, the City will expand the Behavior Health Emergency Assistance Response Division, or B-HEARD, pilot. B-HEARD teams use physical and mental health expertise to respond to individuals experiencing crisis to de-escalate emergency situations and provide immediate care. EMS members work in this program with colleagues from Health & Hospitals, the Department of Health and Mental Health, NYPD, and the Mayor's Office of Community Mental Health to provide care and coordinate support for patients presenting with mental health and substance use challenges.

We also pay particular care to the mental health needs of members within the Fire Department. EMTs and paramedics continue to experience the frontlines of the COVID and other crises in the field every day. Firefighters put their own lives on the line and experience trauma responding to fires and medical emergencies. And our entire staff – uniform and civilian – are bearing the weight of the pandemic, of disruptions to their normal lives, and of current events around the world that hit close to home. Our Counseling Services Unit (CSU) maintains a 24-hour hotline so that members have the option of speaking with a live counselor at any time of the day. In 2021, CSU added 92 EMS-trained peer support counselors who proactively visited firehouses and EMS stations. The Department continued performing targeted outreach to members who were quarantined or isolating with their families. CSU members played a critical role in the aftermath of the tragic Twin Parks fire in the Bronx, providing support for members who experienced trauma. We take this effort very seriously, and we know that, in addition to providing top notch physical care for our members, it's also critical for us to provide mental health support.

Finally, this weekend is Daylight Savings Time. I'd like to take this opportunity to remind all New Yorkers of a phrase that the Fire Department likes to emphasize: "Change your clocks, change your batteries." This is a good time to test the smoke alarms in your home and make sure that all are in working order. Change the batteries if necessary. If the alarm is not working, it's time to replace it. By taking this small step, you may save the lives of your family members or yourself. Check out [FDNYSmart.org](https://fdnysmart.org) to find safety tips.

I thank the Chair and the councilmembers for the opportunity to discuss the work of the Fire Department. With your partnership and support, we will continue providing the best service

possible to the people of New York. At this time, I am happy to answer any questions that you may have.



**Testimony of
Zach Iscol
Commissioner
New York City Department of Emergency Management
Preliminary Budget Hearing
March 9, 2022**

Good morning Chairperson Ariola and members of the Committee on Fire and Emergency Management. I am Zach Iscol, Commissioner of New York City Emergency Management. I am joined today by First Deputy Commissioner Christina Farrell and Chief Financial Officer Stacy Rosenfeld.

I have been Commissioner for not quite three weeks, and while this may be our first meeting, and perhaps even your first introduction to our agency, no doubt you are aware of this agency and the great work we do to ensure New Yorkers are prepared for emergencies, and to assist them in recovering after their most difficult moments. New York City Emergency Management is responsible for preparing and educating people prior to emergencies and coordinating citywide emergency planning and response for all types and scales of emergencies while completing mitigation projects that range from temporary flood protection measures to building stronger communities. From water main breaks to fires to coastal storms and global pandemics, we are the ones coordinating resources so agencies can fulfill their core missions during emergencies.

It has been, as ever, a busy year. NYC Emergency Management has been fully activated for COVID-19 for more than two calendar years, the longest activation in our agency's history. Our emergency managers have been literally working around the clock, often for concurrent emergencies – fires, extreme heat and winter weather emergencies, and the devastating flash flood emergency caused by Hurricane Ida. In the current fiscal year to date, we responded to or monitored more than 2,500 incidents, including building collapses, infrastructure incidents, and water main breaks. January 2022 was one of our busiest months ever, with six activations including the tragic fire in the Bronx, a gas explosion, and multiple snow events. As always, throughout all emergencies, we continue our blue-sky programs and responsibilities, and this past fiscal year have held over 300 Ready New York preparedness events, released 16 podcasts, sent 60 press releases, held over 80 briefings with the private sector, and provided over 900 notifications to elected officials. Emergency Management continues to assist with large-scale program management, such as the Vaccine Command Center and the Mayor's Extreme Weather Task Force. Our most public-facing program, Notify NYC – which just hit one million subscribers! – is available in 13 languages, including American Sign Language (ASL) video format; this program issued over 1,500 Notify NYC messages to subscribers in the current fiscal year to date and more than 22,000 notifications since its inception. Emergency Management also has identified COVID-19 pandemic recovery priorities. Our Risk Reduction and Recovery division led a multi-partner framework process to guide COVID-19 recovery to be equitable and visionary. The team tracked how the city was recovering along the healthcare, housing, social/community, economic, transportation and infrastructure sectors and, to date, has distributed 61 recovery dashboards.

We continue to strive to make this agency reflect the city that we serve. Continuing our commitment to best prepare our non-English speaking residents, New York City Emergency Management conducted a multilingual biennial emergency preparedness survey. We attended over 200 District Service and Borough Service Cabinet Meetings and trained 33 new Community Emergency Response Team (CERT) members who are now volunteering their time to their communities, with a new basic training session beginning this spring. We hosted mobile office hours in each borough in partnership with elected officials. In an effort to further expand our presence in your communities, we are



embarking on a long-term project to have borough command centers strategically located throughout the city.

We continue to look ahead to find new ways to prepare the city and our residents for the next emergency. With that, let me now provide a snapshot of our budget for next fiscal year.

Our projected total Fiscal Year 2023 City Tax Levy expense budget is \$37.5 million. We rely on our City tax levy expense budget to support the majority of the agency's administrative, technological and operational costs.

The projected Fiscal Year 2023 City Tax Levy Personnel Services budget is \$11.2 million, which supports the 82 personnel lines paid directly through our tax levy funds. This includes \$1.6 million in funding for 18 staff members dedicated to working on increasing communication and services to people with disabilities, access and functional needs. Our other staffing is supported through grant funds and personnel on assignment from multiple City agencies.

With the January Financial Plan, the Adams administration directed City agencies to meet a 3% spending reduction target along with a vacancy reduction. Our agency worked to meet this target in a way that allowed us to have the least impact possible to our operations. We continue to discuss and formulate administration priorities with City Hall and the Office of Management and Budget as part of the budget process.

Our projected Fiscal Year 2023 Other Than Personnel Services budget is \$26.3 million, which covers all agency operating and administrative costs. This budget includes a significant portion of nondiscretionary funding. These funds are designated to cover our warehouse lease, utilities, and telecommunications costs including the maintenance and operations of our Emergency Operations Center and backup facilities. This money also supports our fleet and all additional equipment, supplies, and materials needed to run the agency.

The agency receives grant funding to support many of our core programs. In the past year, we secured \$31.5 million in federal funding, primarily through the Urban Area Security Initiative grant. This funding is vital to our ability to run many of our initiatives, including the Ready New York public education program, Community Emergency Response Team program, Continuity of Operations Program, Geographic Information Systems, Training and Exercises, Watch Command and Response, and Citywide Incident Management System planning, and the Emergency Supply Stockpile. We work with City Hall, OMB, the City's congressional delegation, and our partner agencies to push for full homeland security funding in future years; this money supports critical operations within ours and several other agencies' budgets and is critical to the City.

As I wrap up my first month as Commissioner, I would like to express my admiration for our incredibly hardworking and dedicated emergency managers. The last two years have been exceptionally difficult on our municipal workforce, and our emergency managers were not immune to hardships in their own lives while never wavering in their support for the people of New York. I am proud to be their advocate and represent them as we begin a new chapter in recovering from the pandemic and responding to whatever challenges come our way. Thank you for the opportunity to testify today. I look forward to working with the Council and I am happy to take your questions.

TESTIMONY OF OREN BARZILAY, PRESIDENT
FDNY EMS, LOCAL 2507
March 9, 2022

Good afternoon, Speaker Adams, Committee Chairpersons and Honorable Councilmembers.

My name is Oren Barzilay. I'm a 25-year veteran of the FDNY EMS and I am President of EMS Local 2507. I am here today to speak on behalf of more than 4,000 Uniformed FDNY EMTs, Paramedics & Fire Inspectors.

WE ARE NEW YORK'S FRONT LINE MEDICAL FIRST RESPONDERS.

Yet for years, our union leadership and members have asked, begged, and pleaded for enhanced resources required to do our job more effectively:

#1 - as the Medical First Responders of the FDNY and.....

2 as the City's Fire Safety Inspectors, whose job it is to ensure building fire safety.

Instead of getting the resources we need, we have been receiving constant lip service instead!

My message today! New York City leaders must stop STARVING EMS OF RESOURCES.

If you grew up in a big family, you'll understand what it's like to having nothing but HAND ME DOWNS.

That is what it's like to be EMS inside the FDNY.

For example, the city long ago committed to building EMS Stations, in strategic neighborhoods across the city.

WELL TALK IS INDEED CHEAP.

MANY YEARS LATER, WE ARE STILL WAITING!

We have told the Council about the horrific low wages.

EMS MEMBERS ARE PAID ABOUT 40% TO 50% LESS THAN New York's OTHER GREAT FIRST RESPONDER AGENCIES.

I have a secret:

In Boston, EMS makes only 2% less than police and fire -- WHERE IS THE WAGE EQUITY or FAIRNESS FOR OUR MOSTLY WOMEN AND MINORITY EMS WORKFORCE?

Our FDNY EMT's and Paramedics answer about 80% of all FDNY 9/11 Emergencies, yet our operating budget is not commensurate.

Those POVERTY WAGES and truly difficult work conditioned result in:
EMS losing on-average 30% of new hires within 3 years; and 50% in 5 years!

Look at it another way: The City of New York spends a fortune training our EMS medical professionals and pays them so little, that they leave in droves for jobs in other cities or with private companies, easily making \$20k to \$30k per year more.

Without a doubt, FDNY EMS is the undernourished side of the FDNY.

Since the merger 26 years ago, there has been a systematic lack of re-investment in our people and the tools needed to do our job.

EMS members citywide often must idle in their vehicles on street corners in the dead cold of winter or hottest days of summer.

What EMS stations we do have are either so old and decrepit or they are overfilled with staff.

Translation: we completely lack for a safe workplace.

In The Bronx, Station 17, which is so decrepit that its floor is held up by dozens of floor jacks hidden in the basement. Without those the building would likely collapse!

Ex-Mayor DeBlasio even did a dog and pony show there 7-years ago to spotlight how bad and dangerous it was.

That Administration made a commitment to fixing this. After the photo-op was done, the will went away. Nothing has been fixed and nothing has changed. It's the same story, over and over again!

EMS Station overcrowding is another serious problem. Stations meant to serve 50-60 people, have 100 crowded in.

Several stations in the Bronx intended to have 10-11 EMS units working from them, have 20 crammed in.

Even before the pandemic, the Bronx was the busiest borough for 9/11 Emergency Medical Calls.

And we were told to expect to have six new EMS stations. Guess What?

While EMS' 9-11 call volumes soar, not a single new station house is in the pipeline. If you hear otherwise, its likely more lip service!

In fact, the Bronx is so starved of EMS resources that one entire station from Queens – the Queens Tactical Response Group -- is dispatched EACH and EVERY DAY over the bridge, just to keep up with the soaring level of medical emergencies in the Bronx.

But that trend is truly citywide.

Far Rockaways, Queens, we have just one EMS station and one hospital to serve the entire peninsula and those communities around it.

To compensate, EMS is always borrowing units from the mainland. And despite more and more people being desirous of moving to the Rockaways, the city is not investing what is needed to address growing populations.

In Long Island City, where the population is booming in recent decades, has likewise seen call volumes skyrocket. Try and get through traffic at RUSH HOUR.

The refusal to add more EMS stations means a lack of rapid response times citywide.

Because we are perceived as 2nd class workforce within a Firefighting Agency whenever a firehouse has become too old for the firefighters, we get the hand-me-downs.

The dedicated women and men of EMS – and the citizens we are sworn to protect - deserve better working conditions than we have been subject to.

It's time to make the FDNY EMS more central to the strategic planning and budgeting of the GREATEST Fire Department in the World. But perhaps it's time we evolved that thinking to also consider the truly GREAT work of our EMT's, Paramedic and Fire Inspectors.

Thank You for your consideration.

Written Testimony – Wednesday March 9, 2022, 2 PM, Committee on Fire and EM:

The Fire and EM Departments need to be aware that the Croton water plant in the Bronx has no backup power. Croton water is the City's backup water supply but most of this water needs to be pumped. Only low lying areas of Manhattan and the Bronx can receive Croton water via gravity. Higher elevations that need pumping include Riverdale, Marble Hill, Morris Heights, University Heights, Bedford Park, Fordham, Washington Heights, Morningside Heights, parts of Midtown, etc.

The City's water supply is vulnerable at Hillview Reservoir in Yonkers where the water tunnels meet the Catskill and Delaware Aqueducts. The Croton supply is entirely separate. In the event of a major attack on Hillview Reservoir the City would be dependent on Croton water. If Con Ed also failed the loss of life and property from unchecked fires could be substantial in the elevated areas since Croton water will not be available via pumping.

The Croton plant was completed in 2015 in a Bronx park in the face of strong community opposition. Just before the DEP discovered the current site all seven sites under consideration had backup power. The selected site was ideal for the DEP. It was the closest the DEP could get to the Jerome Park Reservoir where their underground plumbing comes together. The DEP has inadequate excuses on why they left out backup power (Croton water is "supplemental", the DEP wanted to "limit the footprint").

From 2010 to 2018 AECOM, the Consulting Engineer for the Municipal Water Finance Authority stated in their yearly report, "NYCDEP is reviewing the energy demand for standby power for the Croton water plant to increase dependability in case of a major power outage."

The attached maps show the distribution of Croton water via gravity without pumping (area 2 on the first map), and with pumping (second map). The pumping map shows the DEP's actual water distribution on March 1, 2022.

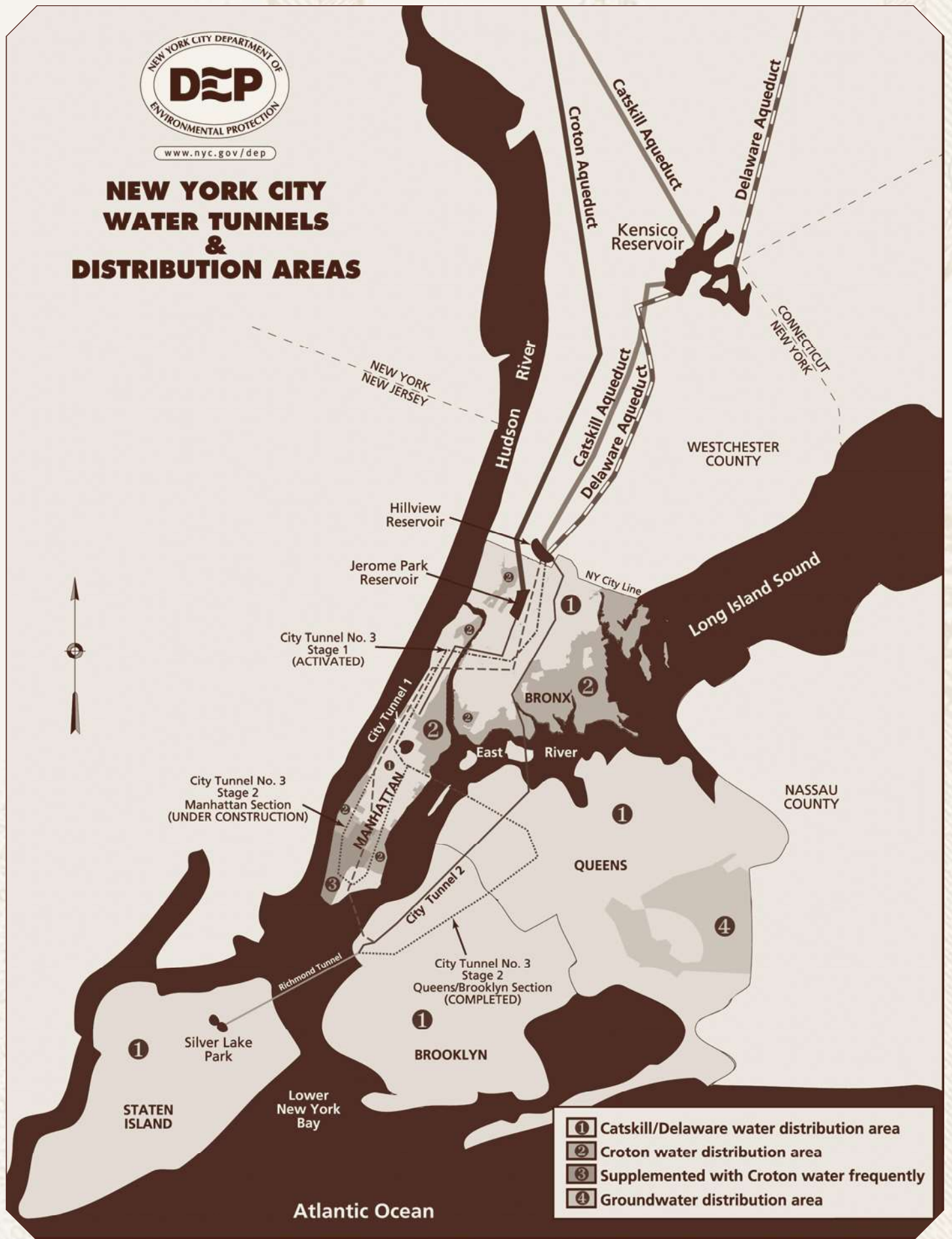
The Fire and EM Departments need to prepare for the worst case scenario, the loss of Hillview Reservoir during a power failure.

Robert Cooney, P.E. (retired)

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NEW YORK CITY WATER TUNNELS & DISTRIBUTION AREAS



This map of the City indicates the general areas where water can be supplied by the Catskill/Delaware, Croton and Groundwater Systems.

Water Source



REBNY Testimony | March 9, 2022

The Real Estate Board of New York to The Committee on Fire and Emergency Management of the New York City Council Regarding the FY 2023 Preliminary Budget

The Real Estate Board of New York (REBNY) is the City's leading real estate trade association representing commercial, residential, and institutional property owners, builders, managers, investors, brokers, salespeople, and other organizations and individuals active in New York City real estate. REBNY thanks the New York City Council Committee on Fire and Emergency Management for the opportunity to provide testimony regarding the FY2023 preliminary budget.

The New York City Fire Department (FDNY) is a critical partner to the real estate industry. REBNY and our members have long had a close working relationship with the men and women of the FDNY and look forward to our continued shared success. With this said, in recent years REBNY members have experienced some challenges regarding fire alarm plan reviews and inspections that we believe could be addressed, in part, by increased funding for the Bureau of Fire Prevention.

The current processing times for project plan review or a request for inspection ranges from 12 to 14 weeks. Should a project plan receive an objection from FDNY, which is common, the applicant will generally have to resubmit the plan, which can take an additional 12 to 14 weeks, and the plan will not necessarily be reviewed by the same staff who reviewed and made the initial objections.

These delays impede a developer or contractor's ability to construct buildings or receive Temporary Certificate of Occupancy, which have left completed buildings unoccupied for extended periods of time. This has often resulted in significant losses in resources and revenue for building owners and the city as well as delays in getting residents into their homes and commercial tenants into their offices. These issues impact private and public building owners alike as the School Construction Authority (SCA) currently has a significant number of projects on hold due to these challenges.

To improve the processing times, with REBNY's backing, the FDNY Bureau of Fire Prevention received additional funding for staffing needs to be dispersed over two fiscal years beginning in FY2022. It is our understanding, however, that these resources have not been fully used for additional staff for project plan review or inspections. As this committee continues budget deliberations this year, it would behoove committee members to understand the status of previously allocated funding so that the purposes that it was allocated for can be achieved.

Additionally, while REBNY believes that funding is only part of the solution to alleviating plan review and inspection turnaround times, we encourage this committee to have additional conversations with FDNY leadership to identify if additional funding for inspectors would be needed for FY 2023 and outyears. In addition, we hope the committee will work to identify meaningful policy and process changes that will

help reduce delays in plan review and inspection while balancing public safety. It is our hope that we can partner with this committee and the Council on this effort as well.

Thank you for your consideration on these points.

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