

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON TRANSPORTATION
AND INFRASTRUCTURE

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October 1, 2025
Start: 10:17 a.m.
Recess: 12:26 p.m.

HELD AT: 250 Broadway - 8th Floor - Hearing
Room 1

B E F O R E: Selvena N. Brooks-Powers,
Chairperson

COUNCIL MEMBERS:

Joann Ariola
Chris Banks
Carmen N. De La Rosa
Amanda Farias
Farah N. Louis
Mercedes Narcisse
Julie Won

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

Margaret Forgione
DOT

Paul Ochoa

Montgomery Dean
DOT

Ricardo Rodriguez
DOT

Benjamin Osborne
New York City Parks

Matt Drury
New York City Parks

Franny Civitano
New York City EDC

Aditi Desai
Voltpost

Peter Rescigno
New York Electrical Contractors Association

Samuel Eluto
Member Relations for the BTEA

John Cori
Self

Christopher Leon Johnson
Self

Nina Guidice
Transportation Alternatives

Saaif Alam
Jamaica Hill Community Association

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2 SERGEANT AT ARMS: Good morning this is a
3 microphone check, Committee on Transportation and
4 Infrastructure. Today's date is October 1,
5 2025. Located in the hearing room 1, recorded
6 by Taisha Sherman.

7 SERGEANT AT ARMS: Check, check, check, check.

8 CHAIRPERSON BROOKS-POWERS: Good morning and
9 thank you for joining today's hearing of the
10 Committee on Transportation and Infrastructure. My
11 name is Selvena Brooks-Powers and I am the Chair of
12 this Committee.

13 Today's oversight topic is maintaining greening
14 and enhancing the city's sidewalks, median and
15 streetscapes. In addition, the Committee will hear
16 the following legislation, Intro. Number 169
17 sponsored by Majority Leader Amanda Farias in
18 relation to the installation of electric vehicle
19 charging equipment on lampposts.

20 Intro. Number 221, sponsored by Council Member
21 Robert Holden, in relation to requiring the Parks
22 Department to repair damage caused by trees owned by
23 the City of New York.

24 Intro. Number 262 sponsored by Council Member
25 Rita Joseph in relation to requiring the installation

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2 of speed bumps on roadways adjacent to any park equal
3 or greater than one acre.

4 Intro. Number 270, also sponsored by Council
5 Member Rita Joseph in relation to special activation
6 of the Open Streets program on certain holidays and
7 time periods with significant pedestrian traffic.

8 Intro. Number 882, sponsored by Council Member
9 Robert Holden, in relations to the installation and
10 maintenance of tree guards.

11 Intro. Number 1104, sponsored by myself, in
12 relations to a study and report on the feasibility of
13 new ferry terminals.

14 Intro. Number 1147, also sponsored by myself, in
15 relation to requiring the cleaning of medians at
16 least once per quarter.

17 Intro. Number 1154, sponsored by Council Member
18 Julie Menin in relation to establishing a high
19 visibility pavement marking pilot program and the
20 repeal of this local law upon the expiration thereof.

21 And Intro. Number 1233, sponsored by Council
22 Member Eric Bottcher, in relation to the planting of
23 vegetation on new medians separating bicycle lanes
24 from motorized vehicle traffic.

25

The over 12,000 miles of sidewalks managed by DOT across the five boroughs are not just pathways but essential parts of our transportation system.

Although public sidewalks are owned by the city, property owners are responsible for their maintenance, including clearing snow, ice, and debris. Under the Administrative Code, property owners can be held liable if they fail to keep their sidewalks safe. The city replaces more than two million square feet of sidewalk every year, however, much of this work depends on local accountability and enforcement through DOT Sidewalk and Violation program. When sidewalks are in good repair, this means a better city for all New Yorkers. Medians are also critical parts of our infrastructure. With pedestrian fatalities accounted for nearly one fifth of all crash deaths, medians give people safe places to pause when crossing busy streets.

DOT and the US Department of Transportation both encourage the installation of medians for traffic calming. Stormwater management and neighborhood beautification but when medians are not properly cleaned or maintained, they can become eye sores, overgrown with weeds, filled with trash, or clogged

with stormwater runoff. That is why the legislation before us today seeks to establish clear requirements for regular cleaning and greening to ensure that medians are a benefit to neighborhood's, not a burden.

Our streets and roadways are the backbone of our transportation system. DOT manages thousands of miles of roads and oversees resurfacing and reconstruction projects to repair potholes, cracks and stormwater issues. These capital projects are costly and lengthy, often taking several years but are critical to building a safer, stronger and more resilient streets for the next generation.

Today's hearing is all about - is about all of these elements, sidewalks, medians and streets and how together they shape the quality of life in New York City. When sidewalks are well maintained, medians are clean and green and streets are safely designed. The result is a city that is more accessible, sustainable and safe for every resident.

Before we begin, I would like to thank Renee Taylor, my Chief of Staff, Julian Martin, my Legislative and Budget Director, as well as Mark Chen, Senior Legislative Counsel, Theodore Miller,

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2 Legislative Analyst, Kevin Kotowski, Senior Policy
3 Analyst, John Basile, Senior Policy Analyst, Saiyemul
4 Hamid, Financial Analyst, Elisabeth Childers-Garcia,
5 Financial Analyst, and Phariha Rahman, Financial
6 Analyst for their hard work in preparing for today's
7 hearing.

8 I now ask Committee Counsel to swear in the
9 Administration. Pause that, we'll have an opening
10 statement from Majority Leader Farias.

11 MAJORITY LEADER FARIAS: Thank you so much and
12 good morning Chair Brooks-Powers and colleagues that
13 are present. Thank you for convening today's
14 hearing. I'm proud to be here to present my bill
15 Intro. 169 which would direct to the Department of
16 Transportation to annually evaluate and install
17 electric vehicle charging infrastructure equipment in
18 our city's land posts where feasible.

19 I also want to thank my Council Member
20 colleagues, Hanif, Hudson, Brewer, Gennaro, Restler
21 and Riley for joining me and sponsoring this
22 important piece of legislation. We all know that New
23 York City has ambitious goals to reduce greenhouse
24 gas emissions and electrify our vehicle fleet but the
25 truth is, we will not get there without building out

the infrastructure that makes it possible. Lamppost charging offers a low cost, high impact solution. It takes advantage of our existing streetscape, reduces the need for expensive standalone charging stations and makes EV adoption more accessible for working class New Yorkers who may not have had a garage or private driveway.

This bill is about asking the Administration to think more innovatively about how we use our city's assets. We should not limit ourselves to the status quo but rather look for smart efficient ways to prepare New York City for a cleaner electric future. By embedding charging into our everyday infrastructure, we position ourselves as a leader in sustainable urban planning. I urge the Administration to strongly consider how embracing these kinds of innovative approaches to help meet our climate goals, reduce pollution in communities like mine in the Bronx and ensure that the transition to electric vehicles is equitable and accessible for all New Yorkers.

While we are looking to our pilots, adapting our infrastructure is the future and it will determine whether or not the city can achieve success in its

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2 transition. Thank you again to Chair Brooks-Powers
3 for the opportunity to speak on my bill today and for
4 your commitment to advancing forward thinking
5 transportation solutions. I look forward to your
6 testimony from the Administration and the discussion
7 ahead. Thank you.

8 COUNCIL MEMBER BROOKS-POWERS: Thank you Majority
9 Leader. Next, I will read into the record testimony
10 on behalf of Council Member Rita Joseph.

11 Good morning Chair Brooks-Powers and other
12 colleagues of the Committee on Transportation and
13 Infrastructure. Thank you for holding this hearing
14 and for giving me the opportunity to speak on my
15 bills Intro. 262 and Intro. 270.

16 Intro. 262 is a local law to amend the
17 Administrative Code of the City of New York.
18 Requiring the installation of speed humps on roadways
19 adjacent to parks that are one acre or larger. This
20 bill would require the Department of Transportation
21 to install speed humps along these roadways unless
22 the DOT Commissioner determines that doing so would
23 pose a risk to pedestrians or drivers or would go
24 against DOT's established guidelines.

25

Intro. 270 is a local law to amend the Administrative Code of the City of New York to allow special activations of the Open Streets program on specific holidays and during times of high pedestrian traffic.

This bill would require the DOT to provide open streets participants with the opportunity to expand their operating hours on certain holidays, including Memorial Day, Juneteenth, and the 4th of July, Labor Day, Halloween and other high traffic days and would also require the DOT to accept suggestions from community organizations to add other holidays for special activation. Application for these special activations would follow the same review process as regular Open Streets applications.

Since my first year in office in 2022, many residents have reached out with concerns about traffic safety. We have worked with the DOT to address these issues but the process is often slow and sometimes unresolved. These bills reflect our commitment to the people of Council District 40 and to all New Yorkers. We want DOT to support communities in celebrating cultural holidays safely by making it easier to request and receive Open

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2 Street approvals, speed up the installation of speed
3 humps in areas where residents have long requested
4 them. Residents are tired of speeding drivers
5 putting their loved ones at risk. They deserve safer
6 streets. Passing these pieces of legislation would
7 be our way of saying to our residents and New Yorkers
8 that we have listened to them and are doing
9 everything possible to assist them on their requests.

10 Thank you again to the Committee for holding this
11 hearing and allowing me to speak. I also want to
12 thank all the staff members who helped bring these
13 bills to this point, my staff members and central
14 staff.

15 I look forward to hearing testimony from both the
16 Administration and our community members. Thank you.

17 Also, we've been joined by Majority Leader
18 Farias, Council Member Louis and Council Member
19 Banks. And I believe online, we have Council Member
20 Narcisse. With that - strike from the record Council
21 Member Narcisse. With that, Committee Counsel, if
22 you could swear in the Administration.

23 COMMITTEE COUNSEL: Thank you. Our first panel
24 will be from the Department of Transportation
25 Margaret Forgione, First Deputy Commissioner, Paul

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2 Ochoa, Executive Deputy Commissioner, Montgomery
3 Dean, Director of Operations, and Ricardo Rodriguez,
4 Assistant Commissioner of Intergovernmental and
5 Community Affairs. And from the Department of Parks
6 and Recreation, Benjamin Osborne, Assistant
7 Commissioner and Matt Drury, Director of Government
8 Relations. And from the Economic Development
9 Corporation, Franny Civitano, Senior Vice President
10 of NYC Ferry.

11 And from the Department of Small Business
12 Services, Director of Intergovernmental Affairs. I
13 will now administer the oath. Please raise your
14 right hands. Do you affirm to tell the truth, the
15 whole truth and nothing but the truth before this
16 Committee and respond honestly to Council Member
17 questions?

18 PANEL: I do.

19 COMMITTEE COUNSEL: Thank you. You may begin
20 when ready.

21 MARGARET FORGIONE: Good afternoon, Chair Brooks-
22 Powers and members of the Committee on Transportation
23 and Infrastructure. I am First Deputy Commissioner
24 Margaret Forgione. I am joined by Paul Ochoa,
25 Executive Deputy Commissioner, Montgomery Dean,

2 Director of Operations, and Rick Rodriguez, Assistant
3 Commissioner for Intergovernmental and Community
4 Affairs. We are also joined by colleagues from the
5 Parks Department Matt Drury, Chief of Citywide
6 Legislative Affairs and Ben Osborne, Assistant
7 Commissioner of Forestry and Horticulture.

8 Thank you for the opportunity to testify on
9 behalf of Mayor Adams and Commissioner Rodriguez
10 about the Administration's work to enhance New York
11 City's sidewalks, medians, and streetscapes.

12 DOT is responsible for operating and maintaining
13 6,300 miles of streets and highways and over 12,000
14 miles of sidewalk. Everyone in New York interacts
15 with the roadways and sidewalks to get around and the
16 vast majority of our goods travel to their final
17 destinations on our streets. Our goal as always is
18 to make sure that can happen in a safe, efficient,
19 and environmentally responsible way by enhancing
20 safety conditions for all street users, increasing
21 accessibility, improving pedestrian and cyclist
22 connectivity and keeping the roadwork in a state of
23 good repair. To that end, DOT continues to work hard
24 and creatively to deliver high-quality, high-impact
25 projects that enhance streetscapes through safety and

maintenance improvements with our interventions proving successful.

The first six months of 2025 had the second-lowest traffic fatalities since 2018, with fatalities down 30 percent from last year. The declines follow the Administration installing a record amount of pedestrian space, a record number of protected bike lanes, and completing major street redesigns across the city-treatments shown to enhance the City's sidewalks, medians, and streetscapes.

Turning to the legislation before the Council today. First, Intro. 169 sponsored by Council Member Farias. This bill would require DOT to install electric vehicle charging equipment on lampposts based on an annual feasibility determination.

Shifting to more sustainable modes of transportation is an integral part of the Administration's efforts to achieve carbon neutrality by 2050. The most sustainable way to get around is by walking, biking or transit, but for those New Yorkers who choose or need to drive, we want them to drive electric.

To support EV adoption, the agency continues to develop a comprehensive EV charging network, with an emphasis on expanding charger access in areas where

private sector investment is limited and supporting the electrification of the yellow taxi and FHV fleets.

As part of this strategy, we have been expanding access to fast charging across the city, turning our parking lots and garages into EV charging hubs and installing Level 2 curbside chargers. In June 2021, DOT partnered with Con Edison to launch the city's first curbside EV charging pilot program, which includes 100 public on-street Level 2 chargers distributed across 35 locations in the five boroughs. These chargers, installed and operated by Con Edison, are consistent with the look of existing street furniture and have two chargeables and retractable cables to avoid obstructing the sidewalk.

The current system has an average utilization of 70 percent across all sites, the highest utilization rate of any such system, with some locations reaching over 90 percent. The program's performance exceeded expectations and demonstrated that curbside Level 2 charging can meet existing charging needs, is operationally feasible, and can increase charging across equity.

2 Based on the success of the pilot, the agency
3 plans to expand this program to over 600 plugs across
4 the five boroughs using federal funding. As part of
5 this expansion, we are seeking to deploy chargers
6 that are compact, are consistent with the look and
7 feel of our family of street furniture, and are easy
8 to install and remove, so as to maintain flexibility
9 in the use of the curb.

10 In 2022 and 2023, the agency tested a number of
11 different charger designs, including a streetlight-
12 mounted unit and a unit where the user supplies the
13 charging cord. This research, as well as on-going
14 monitoring of advances in the charger space, are
15 informing our design approach to expansion.

16 DOT supports the intent of this bill to expand
17 access to charging at the curb. Based on our
18 research and testing, however, streetlight-mounted
19 chargers do present certain engineering and utility-
20 related challenges as compared to free-standing
21 units.

22 We look forward to discussions with the Council
23 and appropriate stakeholders on this legislation and
24 the best strategies to expand access to curbside
25 charging.

Next, Intro. 221 sponsored by Council Member Holden, regards the repair of sidewalk damage caused by City-owned trees. The City utilizes various approaches to address damage caused by City-owned trees to sidewalks adjacent to 1-, 2-, and 3-family residential properties. As a matter of policy, since 2019, DOT no longer issues sidewalk violations to owners of these properties for defects caused exclusively by City trees. The City will repair tree-related damage to the sidewalk if non-tree-related defects exist but will not charge owners of these properties for the damage caused by City trees.

New York City Parks also offers the Trees & Sidewalks Program, which repairs sidewalks adjacent to 1-, 2-, and 3-family homes that have been damaged by the roots of City trees. Repairs are made based on a rating system that includes the severity of damage, amount of pedestrian traffic, and size and condition of the tree.

The Law Department has indicated concerns over the potential of the bill, as drafted, to create confusion in its effort to redefine the balance of liabilities and responsibilities between the City and homeowners. Agencies currently have mechanisms for

addressing the damage caused by tree roots at no cost to homeowners.

We look forward to further discussions with the agencies, Law Department, and Council to appropriately achieve the goals of this bill.

Next, Intro. 262 sponsored by Council Member Joseph. This bill would require the installation of speed humps on roadways adjacent to any park equal or greater than one acre, which equates to nearly 5,000 roadway segments. DOT works to enhance safety through a variety of "traffic calming" design interventions that make streets safer by encouraging slower speeds and raised speed reducers are just one example of a wide variety of treatments we use as part of our traffic calming design guidelines. Speed humps are one of two types of raised speed reducers, the other being speed cushions.

Speed humps span the width of the street and are typically raised to four inches above the level of the roadway and have a proven track record in the city. We are proud of our program to install and maintain these around the city having completed 323 new speed reducers in 2024, and 490 re-installations. That said, we strongly believe that mandating a

specific treatment in specific locations is inadvisable, as the agency utilizes a data-driven approach, as well as engineering judgement, to target locations most in need of safety interventions. Our data-driven approach and engineering judgement supports the installation of not only speed reducers but also road diets, bike lanes, curb extensions, pedestrian refuge islands, and signal timing changes. Limiting our toolkit to only speed reducers along all roadways adjacent to these parks leads to a treatment either unsuitable in some locations, and perhaps more importantly, to a less safe, less data driven approach in addressing the most dangerous locations citywide. We support the overall goal of providing safety around parks and other busy parts of the city and welcome any suggested locations to explore additional safety improvements.

Next, Intro. 270 sponsored by Council Member Joseph. This bill would modify the Open Streets program to offer special activations on certain holidays and time periods with significant pedestrian traffic. Our Open Streets program is a beloved activation transforming our streets into public space open to all.

In 2025, we will feature more than 200 locations citywide, which includes a record-high 72 Open Streets at schools across the city as part of the back-to-school season, and celebrated annual traditions through Car-Free Earth Day and an expanded version of Summer Streets reaching over 400 blocks. We support this bill, as we already extend the opportunity for programming on holidays like our annual Trick-or-Streets activations, and we look forward to supporting potential programming partners to activate our streets on even more days.

Next, Intro. 882 sponsored by Council Member Holden. This bill would grant DOT the authority to install and maintain tree guards on city property. The Department of Parks and Recreation has jurisdiction over street trees including a comprehensive tree guard installation process to get tree guards installed in front of residential buildings and businesses.

While we appreciate the Council's focus on the beautification of our sidewalks, considering the Parks Department already has both charter mandated jurisdiction over street tree maintenance and the expertise on tree maintenance and tree guards, we are

concerned with shifting the authority of tree guard installation from the Parks Department to DOT.

Next, Intro. 1104 sponsored by Chair Brooks-Powers. This bill would require DOT, in consultation with the Department of Small Business Service and the Economic Development Corporation, to study and report on the feasibility of citing additional ferry terminals in New York City.

Although DOT owns and operates the Staten Island Ferry, EDC oversees the city's private ferry operators and the promotion of the use of our waterways for transportation. As stated in the hearing before this Committee on September 10, 2024, we would recommend any ferry feasibility studies to reflect the current nature of how expansion is being done, that it's being led through the ferries team at EDC.

As we do not oversee or operate the NYC Ferry contract, we believe that EDC should be the lead on any such study, with DOT providing any needed help or expertise. Respectfully, we defer to their expertise.

Next, Intro. 1147 sponsored by Chair Brooks-Powers. This bill would require the cleaning of

medians at least once per quarter. Routine median maintenance is a multi-agency effort across paved and planted medians, DOT's efforts include a variety of services including regular horticulture care, litter removal, and ad-hoc services to address conditions that may arise at specific planted medians that we have capitally constructed.

Although we oppose the bill as written, if there are specific areas of concern, we are happy to inspect those locations with our sister agencies and work with you to address any problems.

Next, Intro. 1154 sponsored by Council Member Menin. This bill would establish a high visibility pavement marking program culminating in a report on whether to expand or make the program permanent. DOT already uses markings products that are the most visible, while also being proven to be reasonably durable in active traffic. These are primarily thermoplastic markings with embedded glass beads, which provide reflectivity for visibility at night. We install these markings not only when roads are repaved, but through an active refurbishment program so that our streets remain safe with visible markings.

Testing new materials in the active right of way is inadvisable and could directly lead to bad safety outcomes if the materials fail to adhere, are slippery, or prove not to be visible at night. When new products enter the market, we test them outside of the public right of way first and only bring them into public use if they are visible, durable, safe, cost effective, and available at the scale of our city.

Our recent testing of photoluminescent markings demonstrated that it does not meet this reasonable standard. We do not support the bill as written, but we are happy to have more discussions about our processes and are open to testing new materials in appropriate locations.

Next, Intro. 1233 sponsored by Council Member Bottcher. This bill would require new medians separating bicycle lanes from motorized vehicle traffic to accommodate street trees or vegetation planted by the Department of Parks and Recreation. Vegetation within the right-of way has been shown to provide significant benefits, enhancing pedestrian safety and beautifying the streetscape. As part of our capital and in-house Street Improvement Project

work, we already ensure that, as long as the newly constructed medians meet the requirements of the Parks Department and have a long-term maintenance plan, vegetation is planted.

We support this bill and look forward to continuing the ongoing work of enhancing our streetscapes with vegetation.

In conclusion, I would like to thank the Council for the opportunity to testify before you today. We would now be happy to answer any questions.

CHAIRPERSON BROOKS-POWERS: Thank you for that. Commissioner, also I'd like to acknowledge that we have now been joined by Council Member Narcisse online.

I am going to yield to my colleagues and then go into my questions today. We'll try something different. We'll start with Majority Leader Farias followed by Council Member Banks.

MAJORITY LEADER FARIAS: Amazing, thank you Chair. Just got some comments and that's on the testimony. I appreciate being open to the dialogue around the bill. I hear you on some of the maybe infrastructure challenges from the studies that were conducted or the research that was conducted what

came up for the assets we have on city property and why are they not usable?

MARGARET FORGIONE: Okay, Council Member, are you referring specifically to the pilot that we did with the street lights?

MAJORITY LEADER FARIAS: Yeah, I mean, you have here based on our testing and research, street light mounted chargers do present certain engineering and utility related challenges as compared to free standing units. I guess my initial thought was, is this the electrical grid? Is there - what's the capacity issue that's there?

MARGARET FORGIONE: Good, I'll just start and then I'll hand it over to Monte Dean to elaborate a little bit. So, we did a pilot several years ago, using several street lights to test the technology and it does present issues in terms of street lights not having enough power from the grid to be able to accommodate the EV charging without interventions by Con Ed. We also have some issues regarding how the amount of energy is captured and then paid back to Con Ed, as just well as some technical things about how the street lights can hold the structure. So, Monte will explain.

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2 MONTGOMERY DEAN: Yeah, thank you Council Member.

3 Yeah, so to add to that, uhm, so structurally, you
4 know some of our street light poles, we need to make
5 sure that they can actually hold the weight of the -
6 of whatever facilities will be putting on there for
7 the chargers. So, in many cases, we think it would
8 have to actually rebuild the foundation and the pole
9 itself in order to accommodate charging

10 infrastructure. And then, as Commissioner Forgione
11 said, there's not enough power in the street lights
12 because it's just enough to power the light itself,
13 so it would require additional service from Con Ed.

14 The way we currently pay Con Ed for our street
15 lighting is that we have what they call a tariff,
16 where it's a general rate for all of our street
17 lights. Whereas for something like this, we'd have
18 to set up a separate metered service to cover this
19 service.

20 MAJORITY LEADER FARIAS: Have you folks spoken to
21 other cities to see how they are doing this? Because
22 there's you know several other cities that use this
23 type of infrastructure.

24 MONTGOMERY DEAN: Yeah that's a great question
25 and actually that's in part one of the challenges, so

for example, where this is really successful is California and Los Angeles in particular, in that example, the city runs its own municipal electricity companies.

MAJORITY LEADER FARIAS: Interesting, maybe we have to have a municipally run electrical grid, I don't know. The other question I have here, in your testimony you stated that the pilot, the agency plans to expand the pilot program to over 600 plugs across the five boroughs using federal funding. What's the amount of federal funding we're expected to receive or that we've already received that's I guess a two part question.

PAUL OCHOA: I can take it Council Member. Good to see you. I believe it's \$13 million in CFI funding. We have obligated - we have - we won the award, yeah it's \$13 million of competitive grants. We have not done the final step of finalizing the grant agreement. As soon as that happens, we'll of course let you know. If for some reason the federal funding falls through, we'll be talking to our folks at City Hall and OMB to make sure that we have the appropriate funding to continues the pilot.

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2 MAJORITY LEADER FARIAS: Yeah I mean I worry
3 about that only because we have a president that was
4 literally at the UN saying climate change isn't real
5 and is really looking at so many different avenues of
6 not moving us towards electrification across the
7 nation, so please keep us posted on that grant
8 agreement and I would probably say sign it today if
9 you can.

10 PAUL OCHOA: We're ready to sign it.

11 MAJORITY LEADER FARIAS: Oh okay.

12 PAUL OCHOA: It needs two signatures, one of them
13 it's ready.

14 MAJORITY LEADER FARIAS: Okay great.

15 MARGARET FORGIONE: Council Member, just to
16 quickly summarize what we currently have for EV
17 charging might be helpful. So, we have the 600 that
18 will be installed over the next three years but
19 currently we have 100 ports already on street, those
20 are level two chargers. And then off street, mainly
21 in our parking garages, we have 71 level two but then
22 11 level three chargers. And then between DCAS and
23 DOT, we also have 300 additional charging ports
24 spread out throughout the city on city sites.
25

2 MAJORITY LEADER FARIAS: Okay and is there a
3 roadmap for expanding beyond the pilot projects into
4 a scalable citywide EV charging strategy?

5 MARGARET FORGIONE: Yes, we're continuing to look
6 at every funding opportunity as we just mentioned and
7 then continue to learn as we expand and keep going
8 with them, absolutely.

9 MAJORITY LEADER FARIAS: And in this plan, how is
10 the city or the agency looking at ensuring that
11 working class communities renters, even New Yorkers
12 without private driveways and garages have equitable
13 access to EV like myself? I have a car but I live in
14 a building that doesn't allow - you know doesn't have
15 a parking lot.

16 MARGARET FORGIONE: Sure, so as we are siting
17 them and as we are getting ready to start these new
18 installations, we're looking at neighborhoods that
19 have less private investment and vehicle charging.
20 We're also looking at lower income neighborhoods to
21 focus on.

22 MAJORITY LEADER FARIAS: Okay and just my last
23 question, I suppose. What's the timeline for DOT to
24 transition from feasibility assessments to actual
25 installations and where are we on that progress?

2 MARGARET FORGIONE: So, we are constantly uhm
3 installing, charging a lot of it, as I mentioned in
4 our parking lots, in parking garages. We have a
5 number of installations underway and we are gearing
6 up to begin the 600 next year. So, they're all
7 moving along.

8 MAJORITY LEADER FARIAS: I guess second to last
9 question, what happened with some of the agreements
10 that we had last like with Revel and others that were
11 announced a couple years ago from the Administration
12 on charging infrastructure, utilizing their garages?

13 MARGARET FORGIONE: Okay, so encouraging
14 partnerships with private entities, off street.

15 MAJORITY LEADER FARIAS: I mean, I - I guess I
16 can go backwards and say to you guys, I'm almost
17 positive the mayor had announced maybe two years ago
18 a partnership with Revel on EV.

19 MONTGOMERY DEAN: I do recall.

20 MAJORITY LEADER FARIAS: Okay.

21 MONTGOMERY DEAN: I would need to look.

22 MAJORITY LEADER FARIAS: Okay, I'm like did I
23 dream that? Okay.

24 MONTGOMERY DEAN: No and good memory. My
25 understanding is that the company mentioned is

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2 attempting to switch to focusing on the charging
3 infrastructure. As to the specifics of the
4 partnership between the city and the whole, I think
5 we need to come back to you on that but yes, I know
6 that there was a big push for that company to move
7 into the train space.

8 MAJORITY LEADER FARIAS: Thank you. Thank you so
9 much Chair.

10 CHAIRPERSON BROOKS-POWERS: Thank you. We're
11 going to next hear from Council Member Louis followed
12 by Council Member Banks.

13 COUNCIL MEMBER LOUIS: Thank you Chair and good
14 morning. Thank you for being here today. I just
15 have two quick questions. I wanted to know if you
16 could share with us the coordination mechanism
17 between the Parks Department and DOT regarding the
18 Tree Sidewalk program. Like what does that look
19 like? What's the tracking? How are you determining
20 what's defective? And what is DOT doing to improve
21 the Tree Sidewalk program? Thanks.

22 MARGARET FORGIONE: Thank you Council Member.
23 So, I'll begin and then I'll ask our colleagues at
24 Parks to chime in as well. So, sidewalk work that is
25 performed relating to trees can happen - relating to

tree damage can happen in two ways. So, when DOT inspects a sidewalk and sees tree damage, we do not issue a violation or a lean to the property owner for any flags, which are squares that are caused by tree damage. We would only issue a violation for any sidewalk damage that is unrelated to tree damage.

So, what can happen after we do issue a violation is that we can go in and make the repairs and back charge the owner or more often, the owner makes those sidewalk repairs themselves. When we go in and do those repairs, we do not charge for anything that is tree related. When a homeowner has questions about how to handle the trees, the tree aspect of it. We work very closely with the Parks Department to give them clear guidance on what they may or may not do as it relates to things like tree pruning's and whether an arborist is needed and Parks can explain that little bit more. But what's critical here is that we never charge a homeowner for the tree related expenses and we make that very clear. Do you want to add a little bit?

MONTGOMERY DEAN: Good morning Council Member and thank you for that question. As was mentioned, Parks and DOT both have programs that address sidewalk

damage caused by tree roots. With respect to the Trees and Sidewalks program at New York City Parks, this program repairs sidewalks adjacent to tax class 1 properties, which is yes, we need it. Sorry about that, thank you.

The Parks Trees and Sidewalks program repairs sidewalks adjacent to Tax Class 1 properties. Those are one to three family owner occupied residential only buildings. Where there has been damage caused by the roots of city trees. So, repairs are made based on a rating system that includes the severity of damage, the amount of pedestrian traffic and the size and condition of the tree or trees present.

As Parks and DOT's repair programs both address sidewalks damaged by city trees adjacent to these properties, Parks shares our contract site listings with DOT to avoid sending two contractors to repair the same location. The two agencies also do consult each other when it comes to complex repairs on either program.

I'll also mention, as was referenced, that when property owners choose to undertake those repairs, Parks does offer free consultation services to those

property owners and their contractors as part of our permitting process.

COUNCIL MEMBER BANKS: Thank you Madam Chair and thank you to the Administration for being here this morning. Let me just start first of all particularly, a street repairs is always a major concern and obviously sidewalk repairs in my district. And I believe that's shared with a lot of my other Council Members. In my district, I've seen and heard of several instances regarding broken sidewalks, particularly along Lindon Boulevard and Pennsylvania Avenue and I just want to know how many 311 complaints in my district remain unresolved and what is the average turnaround time for those repairs, sidewalk repairs?

MARGARET FORGIONE: Thank you for that question Council Member. I don't have the numbers for your district but we will get them back to you.

COUNCIL MEMBER BANKS: I appreciate it.

MARGARET FORGIONE: Okay, the way that sidewalk complaints generally work is that we do receive 311 and other forms of complaints that come in. When we receive a sidewalk complaint about an uneven trip hazard or dangerous sidewalk, whatever it may be, we

send an inspector out to the location. We don't only inspect one location on the block; we inspect the entire block on both sides of the street in order to capture everything that's happening right there on that block and to avoid any disputes between homeowners. That sort of thing. What we next do then as we discussed is we would issue a violation if necessary for any non-tree root related work. And then just to take it one step further, overtime we obviously track all of these sidewalk issues and if we - and we put them into contracts.

COUNCIL MEMBER BANKS: And in the interest of time.

MARGARET FORGIONE: Yes, of course.

COUNCIL MEMBER BANKS: Understood thank you and specifically on Pennsylvania Avenue, walking towards the three line around Hegeman and New Lots Avenue, the sidewalks are lopsided, we have cracks. It's in bad disrepair. When can these issues be addressed?

MARGARET FORGIONE: Okay, if we - we'll get back to you today and let you know if we have already inspected this area and if it is planned for an upcoming contract. And if it is not, we will inspect it immediately.

2 COUNCIL MEMBER HANKS: Okay and when sidewalks
3 are damaged, due to city tree roots, uhm why are
4 homeowners still being held financially responsible
5 for those repairs? I know that Holden's bill touches
6 on that issue but we're constantly dealing with that
7 situation. They are saying well we're being held
8 responsible and the damage is coming from the city.
9 The city should be responsible.

10 MARGARET FORGIONE: Yes, we do not want
11 homeowners to be responsible for tree root damage and
12 we do not hold them financially or legally
13 responsible in any way. If there's any confusion
14 over a specific site, we're happy to dig in.

15 COUNCIL MEMBER HANKS: Yeah, we have a couple of
16 sites that we can get to you as to that particular
17 issue that's been coming up and concern. When it
18 comes to sidewalks being maintained, when they are
19 not in front of a private residence or a business,
20 for example, they're next to an abandoned property or
21 could be a government building. What actions are
22 taken? Can the property owner reach out to the city
23 for assistance? Because we have a lot of situations
24 where we have a lot of elderly, seniors who can't
25 afford. Just because they own a piece of property,

they can't afford to cover the cost for removing their tree and then sometimes it's causing damage to their property and uhm, there's just no help or support for them.

So, I want to know what is the city doing to address that issue as well?

MARGARET FORGIONE: Okay, so regardless of - well actually let me back up, every sidewalk is the responsibility of the adjacent property owner. So, that's across the board. So, if there are any properties, government buildings, abandoned properties, you know seemingly abandoned properties, that is still the adjacent properties responsibility and we will go and sort of track people down and work with them. However, we're talking about homeowners here and not hurting homeowners who are having difficulty dealing with this process. So, again we will not charge them for tree work and we can help them with that. We can work with Parks and with DOT, with any of them. They would be responsible however, Council Member for any non-tree related sidewalk work if it is not in the state of good repair.

COUNCIL MEMBER BANKS: Okay and to wrap it up and I'll come back to the next round. Thank you Madam

Chair. When it comes to speed bumps and speed cameras, uh if a resident puts in a request for a speed bump; I know a study is then done, but we've seen situations - well, I'll say this - who makes that determination if the street is in need of a speed bump rather than a speed cam?

Because you have residents say well, you know - they'll put a request for a speedbump but then they say well, you know what? If they give us a speed cam, we'll prefer that over a speed bump. So, who makes that decision whether you know if it's - if you really want to reduce speeding down a particular street and the data supports the need for that type of regulation, who makes that determination as opposed to going with a speed bump or as opposed of going with a speed cam?

MARGARET FORGIONE: Okay, when it comes to safety devices, we have a lot of different tools. You named two very key tools. So, what we would do is we ideally have these people bring these safety issues to our attention and we look at a number of different tools, which might be best suited for a site. Just quickly, when it comes to speed humps, there needs to be really an incidence of speeding. We look for the

85th percentile, which is obviously the vast majority of vehicles to be going five miles or more over the speed limit. So, 30 miles an hour or more in order to want to place a speed hump at that spot. And then for speed cameras, we need to make sure that we're within a vicinity of a school and sometimes what we can do if a given place is within a school area, is we can send a mobile speed camera unit and see what's happening there. See how much speeding is occurring. So, we're happy to work with you.

COUNCIL MEMBER BANKS: Right so just clarity. So, if a street is deemed as having you know - there's a need to stop the speeding and who makes the determination whether it be a speed bump or a speed cam?

MARGARET FORGIONE: Ultimately the agency would make that determination. Obviously we want the feedback of whoever is requesting it and we might even come back and say hey we have a different idea for this street.

COUNCIL MEMBER BANKS: Okay, thank you.

CHAIRPERSON BROOKS-POWERS: Thank you for that. I'm going to pivot over to medians. How many medians are there in the city? And while you're looking for

that data, I would like to also know how many medians have pedestrian refuge islands.

MARGARET FORGIONE: Okay great, uhm thank you. So, we have about 5.8 million square yards of medians within the city. I don't have a figure for you of how many pedestrian refuge islands there are but often in areas with medians, we also do have the islands.

CHAIRPERSON BROOKS-POWERS: Thank you for that. What factors lead DOT to design or reconstruct a street to include a median and what characteristics of a street are taken into consideration by DOT when implementing medians?

MARGARET FORGIONE: Okay, so medians can be very helpful as a safety feature on large, wide, two way streets to separate the direction of traffic. Obviously we want people to be crossing at intersections but sometimes on long stretches. Medians are also useful if people are not crossing at the intersection. It's another safe refuge for pedestrians to be present.

CHAIRPERSON BROOKS-POWERS: The US Department of Transportation's Federal Highway Administration recommends that transportation agencies consider

medians in areas with a mix of pedestrian and vehicle traffic, traffic volumes over 9,000 vehicles per day and travel speeds of 35 miles per hour or greater. Mid-block crossings and approaches to multilane intersections. Does DOT follow these guidelines?

MARGARET FORGIONE: Absolutely. We follow those guidelines and then we usually take it a step further and wherever we can, we do like to have concrete medians.

CHAIRPERSON BROOKS-POWERS: So, how does DOT decide whether to one, install a regular or raise median or two, implement a pedestrian refuge island? And what specific advantages and disadvantage do these types of medians have?

MARGARET FORGIONE: Okay, the most critical location is within the crosswalk. So, pedestrian refuge islands would certainly be a priority. We also do love the medians but wherever we put in medians, like concrete and the time and effort involved is a costly endeavor, so we can't always put them everywhere. We look for the locations that have the most safety issues and really need to have additional safety measures like a median.

2 CHAIRPERSON BROOKS-POWERS: When a median is
3 implemented at a specific location, does the city try
4 to include trees or plantings along the median and if
5 so, what type of greenery are added? And when does
6 it make the most sense to add them?

7 MARGARET FORGIONE: Yes, we love to be able to
8 add greenery to medians. We work closely with Parks.
9 If a median is about seven feet wide or greater, that
10 would be appropriate for planting. We also have to
11 take into account whether there are utility
12 structures below. If the median - planting on the
13 median would block traffic signals or any other types
14 of issues like that.

15 So, as we complete our projects, what we do or as
16 we're designing them really, is we do an analysis of
17 whether or not vegetation is recommended and we send
18 that over to the Parks Department. They have their
19 lead forester for every borough. Look at that plan
20 and then work with us to confirm if they will be able
21 to support plants in that median.

22 Of course, a lot has to do with some of the
23 factors I mentioned and in addition, the maintenance
24 arrangements.

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2 MONTGOMERY DEAN: And Chair, just for the record,
3 thanks to Local Law 94 from last year, the city is
4 required plant over one linier mile of planted
5 median.

6 So, that's work that we've done in partnership
7 with you.

8 CHAIRPERSON BROOKS-POWERS: Well, you traded off
9 towards and that's work what?

10 MONTGOMERY DEAN: We've done in partnership with
11 the City Council.

12 CHAIRPERSON BROOKS-POWERS: Okay. Also, I'd like
13 to acknowledge that we're joined by Council Member
14 Ariola online. Does DOT and DPR work together when
15 implementing medians that have tree shrubs or other
16 greenery? And I ask this and I know that Council
17 Member Banks alluded to some of this but just to be
18 more pointed with the question, we find especially in
19 my district, where the medians may have greenery and
20 is not kept you know - is not well manicured and
21 there are times where DOT and there are other times
22 where it's a different agency and often times, it's
23 unclear whose responsible. It takes a long time and
24 even the rotation isn't as frequent as needed. Case
25 in point, Arverne East, which is a development coming

underway in Rockaway. We now have a major preserve there. We have a lot of greenery that uhm, part of the streetscape there now and I get a lot of complaints about how unkept it is and there's just not a routine focus on making sure that there are trends and making sure that the trash is gone from around there and so, I wanted to understand how you all - because I know you're going to say yes, we work together. So, I really want to be more pointed and say what does that look like? And how do you uhm be ahead of it instead of not being reactionary but be you know proactive in the maintenance of our streetscapes.

MARGARET FORGIONE: Okay, I'll start and then I'll ask Parks to jump in. So, DOT does maintain planted medians under certain circumstances. A lot of our great streets locations are now locations that we maintain the vegetation. Those include Grand Concourse, 4th Avenue, and that maintenance consists of horticultural care and we do this through a contractor. Like, watering, mulching, weeding, uhm, and then trash and litter removal, maybe some irrigation system repair and things like that. And

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2 those are a limited number of locations and if we can
3 find them here, we'll let you know what those are.

4 But it's two in the Bronx, one in Brooklyn and
5 one in Queens and we spend about three quarters of a
6 million dollars a year on those locations. Other -

7 CHAIRPERSON BROOKS-POWERS: I'm sorry, can you
8 give me that number again?

9 MARGARET FORGIONE: Sure, it's 745,000 that we
10 spent on landscape maintenance in four contracts but
11 then in general -

12 CHAIRPERSON BROOKS-POWERS: And that's just for
13 the landscape but does that include the cleaning as
14 well?

15 MARGARET FORGIONE: That include litter removal.

16 CHAIRPERSON BROOKS-POWERS: Litter removal hmm,
17 hmm.

18 MARGARET FORGIONE: For those locations and we
19 can get you more details if I can get them to you
20 right now.

21 CHAIRPERSON BROOKS-POWERS: It would be great to
22 see how it's broken down by borough.

23 MARGARET FORGIONE: Okay but that is like a
24 subset of what is out there. Hardscaped medians are
25 cleaned by Sanitation and planted medians with trees

are generally cleaned by the Parks Department. So, I don't know if you guys want to add a little bit to that.

MONTGOMERY DEAN: Thanks, and thanks Council Member, yeah, it's specific to the Arverne East stretch you're referring to. Personally, I'm not familiar with the details there jurisdictionally or otherwise but broadly speaking, as Margaret noted, that is correct. Although I will note that it is especially with let's say medians or other of those types of constructions that have been created in recent years, it's often the case where there's a maintenance partner that's involved. So, it does depend on location, which I understand can sometimes lead to some question or confusion but the agencies work closely together to resolve that whenever possible, as quickly as possible but yes, broadly speaking, the you know Parks with the universe of medians under its care, we definitely do our best to address those you know as often as is practicable.

CHAIRPERSON BROOKS-POWERS: Thank you for that. Uhm, also while we're on medians, can DOT provide an update regarding the median located off of the south conduit in Rosedale that we requested for repair?

When we did the walk through with the Commissioner, we were told that the agency was going to go and fix it. Uhm, that particular median is you know decade and broken up and everything like that and DOT had committed to repairing it. Where are we with that?

MARGARET FORGIONE: I do remember that. I will get you an update. We do want to repair you know I think if I'm not mistaking, it's for several blocks but there was one particular block that we were going to try to focus on first. I will get you an update about that.

CHAIRPERSON BROOKS-POWERS: This wasn't a part of a larger one.

MARGARET FORGIONE: It's not.

CHAIRPERSON BROOKS-POWERS: This was an individual one because we had done a few sites in that visit and one of the civic organizations had requested it and so it would be great if while we're in the hearing, if we get an update on that at some point. And while we're looking at updates, we also were told that we would be getting a traffic light on Farmers Boulevard nearby the Robert Couch Senior facility. The mayor had visited and saw first hand

how dangerous it is for the seniors to cross that street. That was now over a year ago and we haven't seen anything on that or heard any updates, so if we could while we're in the hearing, if we can get an update for that too?

MARGARET FORGIONE: Okay.

CHAIRPERSON BROOKS-POWERS: Pivoting to streets and roadways. How many street resurfacing projects were completed in fiscal year 2024?

MARGARET FORGIONE: So, we resurfaced about 1,150 lane miles in 2024.

CHAIRPERSON BROOKS-POWERS: You said 150?

MARGARET FORGIONE: No, I'm sorry, 1,150.

CHAIRPERSON BROOKS-POWERS: Thank you. What is DOT doing to improve resurfacing and make it more efficient?

MARGARET FORGIONE: So, we are always looking to get more resurfacing and to make it quicker and more efficient. We have really maximized a lot of efficiencies already. Just to touch on a few, you know we have central depot where we sent asphalt trucks out of continuously during paving operations so that there's a steady supply of asphalt coming in to keep the crew very productive. We've also

maximized our percent of milling in our mix. It's about 40 percent and we're actually looking to go potentially even as high as 50 percent out of our Brooklyn Asphalt plant, which is another efficiency because you're not throwing away recycled material. Instead, you're putting it back into a mix. You're saving money. You're recycling. You're making that more efficient.

So, those are several things. Anything Monte?

MONTGOMERY DEAN: I'll just also add uhm, part of what we're improving is the inspections process because you know historically we do that visually. We have people go to determine the condition of the street by driving all of them but we're investing in technology to be able to use camera and artificial intelligence technology to better evaluate the streets to make sure we're going to the right places.

CHAIRPERSON BROOKS-POWERS: Thank you for that. What is the average rating of streets in the city for 2024 and how does it differ from borough to borough?

MARGARET FORGIONE: Thanks, so it does differ from borough to borough. The ratings of streets rated good can vary from about in the 60's to about 80 percent, 84 percent rated good. Different

streets or different boroughs have historically different issues with them, so for example, in Queens, we've had issues with streets not being built to grade. We have a lot of old streets that may not be on a concrete base, which makes them kind of crumble very quickly. I know you're familiar with that. Those are streets that need to be reconstructed before they're going to be in the state of good repair.

Other locations are just in low laying areas that are constantly wet. And that wetness and the free cycle also take a toll on those roads. So, different boroughs depending on like the topography of them, and the historical investment in the streets can therefore lead to the different ratings between the boroughs.

CHAIRPERSON BROOKS-POWERS: To that point, you just reminded me also in terms of another commitment from this Administration. Along Edgeman Avenue in the 50's, because we recently had from I think it's 30- Beach 35th Streets, about Beach 40th Street reconstructed. It was raised reconstructed. We had gotten a commitment to finish out the other part of that roadway and then there's a small pocket of uhm,

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a lot I'll call it that is around I think Beach 56th Street maybe and I'll circle back on the exact location, where a lot of cars park but it's just on Rubel and we had also gotten a commitment that it would be cemented and made like an actual space where cars can truly park. And so that it wouldn't look as bad as it does right now. So, it would be great to have an update on that as well.

MARGARET FORGIONE: Okay, thank you.

CHAIRPERSON BROOKS-POWERS: I want to go back to sidewalks as well. Does the city track how many sidewalks had defects that required property owners to replace or repair sidewalks adjacent to their property?

MARGARET FORGIONE: Yes we do. We have a large database that tracks each property.

CHAIRPERSON BROOKS-POWERS: What's the most common defect?

MARGARET FORGIONE: So, we have flags which are the squares that get pushed up basically and create a trip hazard.

CHAIRPERSON BROOKS-POWERS: From what?

MARGARET FORGIONE: Like with a lip. You know what? Sidewalks can only last so many years. Again

in New York, we have freezing, we have thawing. Things shift; it's sort of the natural thing. Like, they don't last indefinitely.

CHAIRPERSON BROOKS-POWERS: What specifically - sorry Commissioner, more specifically because I just want to be direct just in the interest of time. How many of them are caused by trees?

MARGARET FORGIONE: 35 percent.

CHAIRPERSON BROOKS-POWERS: And what is the average cost of replacement or repair?

MARGARET FORGIONE: So, we put that work into a contract. The contracts go through DDC, their Bid, they can come in at different prices. I think currently our price overall is something in the range of \$35 a square foot.

CHAIRPERSON BROOKS-POWERS: I'm going to also ask a few questions on behalf of Council Member Narcisse, who as I mentioned was virtual and she writes, in my district along Kings Highway, I've noticed new medians with unusually high curbs. Can DOT explain the purpose of designing them this way and should we expect this higher curb design to become the standard for medians and streetscapes citywide moving forward? How does DOT hold contractors accountable for

sidewalk and median projects that run over budget or are poorly executed? How does DOT determine whether street repair work is scheduled for overnight hours versus during the day and what factors are considered in making the decision and let me know if you need me to repeat any of that.

MARGARET FORGIONE: Good, okay I'll start with some of that and then Paul Ochoa will jump in. So, the standard height of a median or a sidewalk should be seven inches and we would not install above that amount and if it is, it's something I would want to be aware of. We can inspect the location that you just mentioned. It should not be higher than that.

In terms of overnight hours, on very streets where we can not close lanes without large traffic impacts, we would require overnight hours. So, we issue about three quarters of a million street opening or street work permits a year and our staff looks at each one to understand what type of roadway it's on. If it's on a massive you know bus lane, highly trafficked roadway, we're probably not going to allow day time hours. We are going to require that to be night time hours.

But Paul will talk a little bit more about the last item.

PAUL OCHOA: Yeah, thanks Council Member. I think this is a perfect example of us working with Parks. Kings Highway, it's a capital project that the EDC is carrying out for us. I believe the project will be finished next year and the plantings will be installed next year. Obviously the EDC builds out the work and then the plantings are the last sort of cherry on the cake.

Uhm and there's coordination well in advance of that work to make sure that the plantings that were going in were something that was to Park standard and to DOT'S preference.

So, as Margaret mentioned right, if there are issues, the project is ongoing, so it hasn't been completed. If there are issues, we should know. As for the quality of the project, every capital project typically has guarantees after. Sometimes we have run into issues, rare but we do run into issues where the concrete, for example, that gets poured is defective or it doesn't last as long as it should. In that case, we do hold the contractors responsible

for fixing it, either us or DDC depending on who is managing the contract.

MONTGOMERY DEAN: And Chair, if I may add regarding the Kings Highway medians, as Paul mentioned, this is a very good example of Parks and DOT collaborating. We've been working for several years now on the plants for this project and the medians are raised there because of the historic difficulty in maintaining. Trees and vegetation on Kings Highway in particular, you know I've personally seen you know significant tree loss on that corridor. I've seen trucks kind of crossing the medians before they were reconstructed and you know the tree fatalities I would say as a result of that. So, you know collaboratively we've worked on this design to ensure that those medians could sustain trees in a way that the older medians could not.

So, I think this is the type of success we're talking about here.

CHAIRPERSON BROOKS-POWERS: Thank you for those responses folks. I'm just going to jump in really quickly on a second round of questions around the pilot program that I missed a little bit earlier to ask. I just want to clarify, when we're speaking of

the pilot, we were speaking of the Voltpost pilot that you folks conducted. Okay, great so thank you, we got some of those takeaways. I also understand that Voltpost was recently awarded a state grant to develop lamp posts, EV charging in certain parts of New York including the New York City area. Is DOT involved with them at all in this project?

PAUL OCHOA: They have mentioned the - I believe it's about \$2 million that they have in NYSERDA grant I believe. We have been in conversations but I think as Monte mentioned, we don't see at least right now a path forward for that type of technology usage in New York City but you know we're in constant communication with them. They have talked to us about that.

CHAIRPERSON BROOKS-POWERS: Okay so if they're - I mean I'm just asking from the types of conversations that you're having with them on their grant that they receive from NYSERDA. They have to do stuff in the New York City metro area and outside of our city. Do we know what percentage of their work and what it might include?

PAUL OCHOA: I don't want to - I don't know exactly what the terms of the contract is or the

terms of their grant is but I believe it's New York State related. I think - I'm sure they would prefer New York City but as we mentioned, we did pilot technology. We're not quite ready to pull the trigger on doing more with that technology but I don't want to speak - I don't know enough about the grant.

CHAIRPERSON BROOKS-POWERS: Okay, I'll definitely reach out to NYSERDA. I have a solid relationship with them. I'm working on several projects in my district as well and just a small question on some of the medians, I feel almost every season, whatever change of season it is in my district, we have several medians that were almost uhm and I consistently joke, like it's like the spiderman meme. I have every agency pointing at each other for responsibility. No one really knows who owns the median. How do I entering you know my next term, help navigate some of this with you folks at DOT, at the Parks Department. You know right now I have supplemental services that go out and try to clean these medians as often as possible. I've even asked at the time when we had a new DOT Bronx Commissioner, if we can look at one of these medians. There's a

particular one on Rosedale to revamp that, make it maybe more comprehensive, maybe with some seating and protect some of the trees that are there because folks do park in that area at times. Even maybe some angled parking to add some additional spots as we've had some new housing in that area.

So, just want to get a better idea of how we can approach this and maybe set a MOU between agencies or something to make sure the responsibility is standing in the right place and the community knows who to go to when we have some cleanliness issues or some infrastructure issues.

MARGARET FORGIONE: Yeah, so good question. Rosedale in particular has been something I know we have worked with the parks department on and there has been trimming and litter removal. I think Rosedale does need an overhaul as you mentioned and I think we have to decide with you and with the community, what does that mean? Is it partial parking? Is it partial green space? And then figure out with Parks how to implement that and if you want to help us with those conversations, I think we need to that or it's going to be a reoccurring thing

because right now, it's technically green space but as we know, it doesn't really function in that way.

CHAIRPERSON BROOKS-POWERS: Yeah, I would really appreciate and I'll have my teams reach out and maybe we can start off on some virtual meetings to kind of discuss this. Uhm, it's not just Rosedale, we also have the medians in Casa Hill by a Casa Hill NYCHA campus. Uhm, but I agree with the overhaul.

Obviously I'm always for maintaining and optimizing the green spaces where we can but if it's going to come down to no one having the responsibility and me having to send my supportive Sanitation services down there. I mean, realistically the Parks Department when you folks ask them go out, they call my office and ask me to send ACE out.

So, it comes back to me every single time and I don't necessarily believe that's the best use of my supportive services when one of the agencies has to hold some of the responsibility.

PAUL OCHOA: Yeah and Council Member, you point to a very real issue. I don't think as we mentioned, we have a 700 and - uh three quarters of a million dollar contract just to cover a handful of medians. The reality is, we wish we could do more. It is

ultimately a resource issue. I'm glad that you're using ACE. I encourage other Council Members who have this issue to use ACE but it ultimately comes down to a resource question.

CHAIRPERSON BROOKS-POWERS: Thank you. I appreciate that folks.

I'd like to acknowledge that we've been joined by Council Member Won. We'll have questions from Council Member Banks. Please adhere to the time.

COUNCIL MEMBER BANKS: Thank you so much Madam Chair. Particularly, uhm, and also to - just to share the same remarks given by Council Member Farias, the medians in my district are in need of attention too along Lindon Boulevard, Flatlands Avenue. We definitely need some help and assistance on maintaining them and bringing them up to some type of understanding that I think is a long beautification or whatever but something needs to be done to assist those medians.

Particularly when it comes to back to some forestry questions or tree pruning questions, on Avenue A between 92nd and 93rd Street, a homeowner has repeatedly contacted parks and forestry about a tree on their property. She submitted multiple tickets

and while someone did come out to trim a few branches, a crew stated to her that she could not - they could not finish the job unless she stated that the tree was directly threatening her house.

So, they came out, they trimmed a few and they basically told her they couldn't finish the job. So, how can this homeowner get proper assistance to have the issue fully addressed? And then the next question is related to the - around tree pruning as well.

A homeowner on Glenmore Avenue is facing a similar situation. The roots of a nearby tree are elevating and damaging the sidewalk and she reported it and that the tree is also causing damage to the roof of her home. Despite submitting multiple tickets, she has not received adequate help from Parks. This location is next to a green thumb, a garden that is directly beside the property and we want to know when can she expect the support needed to resolve this before the situation becomes more serious?

MONTGOMERY DEAN: Okay, thank you for those questions Council Member. Just one clarifying

question, the tree referenced on Glenville Avenue, is that tree growing from the Green Thumb garden or is -

COUNCIL MEMBER BANKS: Yes, I believe the footprint of the trees, it's leaning over into her property and it's causing damage.

MONTGOMERY DEAN: Okay, so you know I'm not personally familiar with either of these cases and would be happy to follow up on the specifics later but just to -

COUNCIL MEMBER BANKS: The complaints are in you know - they've reached out. They have multiple complaints put in.

MONTGOMERY DEAN: I'm happy to address that from a general perspective, if that's helpful.

COUNCIL MEMBER BANKS: Okay, yeah if we can get these residents some assistance, I will greatly appreciate it. And the last question is pertaining to uhm, when there is a street repair, when street repairs are done, who - if there's damage that's done to the sidewalk because of the street repair, how long does it take to come and fix those, those sidewalks that have been damaged? Because we have situations where the street repair has been done and they have not come back to fix the sidewalk.

2 MONTGOMERY DEAN: Yeah, thank you Council Member,
3 so as soon as we become aware of if there's a
4 complaint, somebody sees that somebody was working in
5 the street, like a utility and we will send out an
6 inspector and if they have not restored correctly as
7 you described, then we will immediately issue a
8 notice to them to have to correct it right away.
9 Depending on what the issue is, we might issue a
10 summons as well that comes with a fine but they are -
11 if they had taken a permit out with us, they're
12 responsible for restoring to the condition that was
13 there before.

14 COUNCIL MEMBER BANKS: Right and I just want to -
15 is there a backlog or something? Is there something
16 that's preventative? Because this should be
17 automatic if there's damage that's done to the
18 sidewalk, you know that creates a liability on every
19 level. So, if there's damage that's done to the
20 sidewalk, there should be an automatic fix, when they
21 come back and fix that. They should maybe come to a
22 committee meeting to bring that up to DOT.

23 MONTGOMERY DEAN: Yeah, we're happy to - if you
24 have a specific location, we can certainly -
25

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2 COUNCIL MEMBER BANKS: Yeah, it's a certain
3 location. We can definitely get you that information
4 and hopefully we can that issue resolved quickly.

5 MARGARET FORGIONE: And then Council Member, if I
6 can just add to that. We issue 750,000 street
7 permits a year.

8 COUNCIL MEMBER BANKS: Okay.

9 MARGARET FORGIONE: We do not have the ability to
10 inspect each and every one of them after whoever it
11 was, the plumber, the utility, whoever has come and
12 gone, so that's why we do rely on individual property
13 owners, what have you, constituents, yourself, you
14 know your office to inform us at times if there's a
15 problem.

16 COUNCIL MEMBER BANKS: Alright, well we'll
17 definitely get you that information. Thank you.
18 Thank you Madam Chair.

19 CHAIRPERSON BROOKS-POWERS: Thank you. I want to
20 ask a couple questions on a few of the legislation
21 being heard in today's hearing. The first is on my
22 bill Intro. 1104 and the question is for DOT, EDC,
23 and SBS generally speaking in terms of. What studies
24 have been conducted to assess the feasibility of
25 expanding the city's network of ferry terminals? And

are there any new locations that the city is considering for expansion?

FRANNY CIVITANO: Hello Council Member, thank you. Uhm, uh so this summer we launched the NYC Ferry Optimization Plan, which is our effort to make the existing service more efficient. We got a lot of feedback from that and we are reviewing that. That we expect to be wrapped up this fall and then we are going to be able to pivot and think about expansion. So, we will have more to say about how we will look at expansion later this year.

CHAIRPERSON BROOKS-POWERS: Thank you. I'm glad to hear that and hopefully Rockaway will be in the running. The one thing I will say is pointing back to the article about two or three years ago, I think from the city talking about the type of neighborhood that the ferry exist in, in terms of not really focusing on - it has not been successful in focusing on communities that are transit deserts. And so, wanting to be able leverage another mode of transportation for transit deserts is something that I think should be high on the priority list, when EDC is determining where to expand as well but thank you for that.

Next, I want to ask some questions around Intro. Number 221 from Council Member Holden and this is for Parks. How many sidewalks are there and roughly how many are situated in front of one, two and three family homes?

MATT DRURY: As of our 2015 Tree Census, which is the last time we've done that count.

CHAIRPERSON BROOKS-POWERS: That's a long time. When are you going to do another one?

MATT DRURY: The 2025 Census has just started.

CHAIRPERSON BROOKS-POWERS: Okay.

MATT DRURY: Uhm, so as of 2015, we had over 666,000 street trees but we do not classify those in terms of whether they're in front of one, two, or three family homes or other tax classes.

CHAIRPERSON BROOKS-POWERS: Uhm, as you are beginning the new census, is there a way to begin to identify that? And it's important, especially because of the type of liability that comes to homeowners, particularly small homeowners and how the tree impacts their property.

MATT DRURY: That's not something that we have yet explored but it's something we certainly could look into.

CHAIRPERSON BROOKS-POWERS: What is parks doing to improve and maintain trees and other greenery in the city?

MATT DRURY: So, uhm you know of course we're actively planting trees and we plant over 130 different species of trees in an effort to ensure that you know our urban forest population is resilient to you urban conditions and pests and diseases. In terms of maintaining our trees, you know we you know follow a tree risk management program where our trained inspectors assess every tree that we receive a request about based on the likelihood of a tree or tree bark falling. The potential for impacting people or property and the consequences should that type of thing happen.

CHAIRPERSON BROOKS-POWERS: Within the Parks Department, the division that focuses on the trees, uhm what is their budget compared to like in terms of like the Tree Stump Removal program versus those who are doing the planting. Uhm, I'm curious in terms of how equitable that is. I'm thinking even right now a tree that I've been passing for the past week on Farmers Boulevard between 112 Road and 113th Avenue there is a massive tree that is falling down and has

been there for at least a few weeks now. In Rosedale in my district, there was another tree that fell down on someone's property on someone's car and when they called 311, they were told it was going to take eight weeks for that tree to be removed. My office reached out and of course it got removed sooner but just wanting to understand what the resources look like and how the agency is prioritizing which part of that division gets what.

MATT DRURY: Sure, I think it's important to note that there's different funding resources. Our Tree Planting is a capital program, while our maintenance work is expense funded. So, our maintenance work is done partly under contracts through our block pruning program and we also have contracts for tree and stump removal and pest and disease treatment, things like that but it's our in house crews are on staff who respond to the more urgent complaints, the things that cannot await that kind of routine maintenance.

CHAIRPERSON BROOKS-POWERS: And what's the cycle again for the pruning, the tree pruning?

MATT DRURY: That routine block pruning is a seven year cycle.

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2 CHAIRPERSON BROOKS-POWERS: And in order to make
3 it a much more frequent cycle, what would it require
4 in terms of funding?

5 MATT DRURY: Well, the industry is standard. It
6 is roughly a seven year cycle, so we are following
7 best practices but the key is being able to respond
8 in between that seven year cycle to conditions that
9 are more urgent. So, our truest management system
10 allows us to identify the conditions that are the
11 most urgent and address those first. You know of
12 course, if you know it goes without saying that if we
13 did have more resources, we could shorten the
14 turnaround time for any of those you know more urgent
15 conditions.

16 CHAIRPERSON BROOKS-POWERS: Under your tree and
17 sidewalk program, Department of Parks and Recreation,
18 helps their in home owners repair severe cases of
19 sidewalk damage caused by sidewalk trees. How many
20 sidewalks do you repair as a part of this program
21 each year and is there a need for the program to be
22 expanded?

23 MATT DRURY: So, with our current budget, uhm, we
24 are able to repair approximately 1,350 sites a year.

25 CHAIRPERSON BROOKS-POWERS: 1,300-

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2 MATT DRURY: 1,350, yes.

3 CHAIRPERSON BROOKS-POWERS: Hmm, hmm. So, you go
4 up to that amount each year, I imagine?

5 PAUL OCHOA: Yes.

6 CHAIRPERSON BROOKS-POWERS: And do you feel like
7 there is a need to expand that program?

8 MATT DRURY: The demand for this program far
9 exceeds our resources.

10 CHAIRPERSON BROOKS-POWERS: And how would DPR be
11 able to expand the program?

12 MATT DRURY: Uhm, well, certainly if there were
13 more funding allocated to this program, we would be
14 able to make more repairs to treat damaged sidewalks.
15 You know there were maybe you know limitations in
16 terms of you know procuring contracts and contractor
17 availability that we might run into but yeah, I'll
18 leave it there.

19 CHAIRPERSON BROOKS-POWERS: In terms of expanding
20 the program, like would you say that based on the
21 requests that come in, the program would be justified
22 to double the number that it does, triple the number?

23 MATT DRURY: Uhm, it's hard to frame it that way
24 exactly. I will say that we receive you know roughly
25 10,000 requests for this program every year. Many of

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2 which are duplicates but you know that does far
3 exceed the you know the 1,350 or so that we can
4 repair annually.

5 CHAIRPERSON BROOKS-POWERS: Are request for
6 repair under this program ever denied by Parks due to
7 the lack of availability of funding?

8 MATT DRURY: I wouldn't say they're denied. We
9 use this priority system that I described earlier to
10 -

11 CHAIRPERSON BROOKS-POWERS: Grading system?

12 MATT DRURY: It is a grading system.

13 CHAIRPERSON BROOKS-POWERS: When was the last
14 time that grading system was updated?

15 MATT DRURY: Uhm, approximately five years ago.

16 CHAIRPERSON BROOKS-POWERS: Really?

17 MATT DRURY: Hmm, hmm.

18 CHAIRPERSON BROOKS-POWERS: Okay because I think
19 that it's pretty flawed with some of the over-
20 outgrown trees that my constituents have experienced
21 and uhm the hazards. Like I sent videos with people
22 tripping in front of peoples property because of the
23 way it has broken up the cement on the sidewalk to
24 create a peak. And especially in the winter time
25 there's even more of risk and some of them are just

blatant. We had to bring the Parks Commissioner out into part of my district to see how this massive tree was impacting this house with the root coming into the basement of the house. But the grading system until we visually went there and I was there with the Commissioner, it wasn't until that time that the grading system said okay, this tree needs to come out. But we shouldn't have to - I think as the Majority Leader said earlier, like we are supplementing and supporting the agencies but this is the agencies work to do this. And so, that grading system I have found has as a result rejected requests for tree removals or uhm you know just ways to mitigate whatever is happening in front of some of these small property owners homes. And so, that is something that the Parks Department should absolutely look into.

How much funding would Parks need in order to repair all damage caused by sidewalk trees?

MATT DRURY: Well, in our uhm system right now, uhm, we have excuse me, I just want to get the numbers correct here. Uhm, in the neighborhood of 11,000 sites in our system now that are rated 75 or above, and so those are you know not just the most

extreme situations of damaged sidewalks but you know the much more kind of moderate types of damage and we estimate it would cost approximately \$117.5 million to make all of those repairs.

CHAIRPERSON BROOKS-POWERS: What can the city and homeowners do to prevent the damage from reoccurring on repaired sidewalks?

MATT DRURY: Sure, that's a really good question and that's something we do try to address when homeowners and contractors come to us for permits for repair and we can provide those design consultation services. Generally speaking, a tree will outlive you know multiple sidewalks if it's cared for and you know there are a couple of standard approaches to ensuring that a sidewalk is safe and long lasting when making a repair around a growing tree. The first step is usually enlarging the tree bed, just simply creating a larger opening in the sidewalk.

The second can be you know adjusting the grade of the sidewalk, a gentle ramping, which of course has to fit within ADA standards but those are the two kind of most common approaches that do resolve those problems.

2 CHAIRPERSON BROOKS-POWERS: Thank you for uhm
3 raising that point. So, in front of my office on
4 Mott Avenue, there was a streetscape redesign with
5 the downtown revitalization and the tree pit was
6 created larger. It has as a result, done a couple of
7 things. It has restricted the accessibility on that
8 sidewalk because now, while a part of even on Beach
9 20th from Mott Avenue towards Cornaga, the ability to
10 walk through that street is less even though the
11 sidewalk has been expanded because the tree pits have
12 been made bigger.

13 But going back in front of my office on Mott
14 Avenue, the tree pit was made very large but there's
15 no mulch or anything in there. And so, as a result,
16 people have fallen in there including my staff member
17 and been hurt. And so, we've reached out to the
18 Parks Department to try and figure out what to do.
19 Whether it's to strength that pit or to put some
20 mulch in there, just so that it's not a deep you know
21 dive into that pit. And so, I would really
22 appreciate if the Parks Department could look at
23 that. I'm not sure what can be done on Beach 20th
24 Street because there's been a lot of hard
25

infrastructure. I don't know if there's an update on that bike lane on that street Commissioner.

MARGARET FORGIONE: I don't have an update on that for you today.

CHAIRPERSON BROOKS-POWERS: It would be good to get one soon because again, there's a lot of hard infrastructure that was put on Beach 20th Street that man has great intentions but in terms of in actuality it has not resulted in the outcomes that I think the agency has sought it for and so again, when you walk down the street, if two people are trying to walk down that sidewalk, it's really tight to walk down because of how wide the pits are. And just needing something to help to alleviate that deep dip into the pit that exists.

MATT DRURY: And along those lines in terms of the depth issue there, that's you know that it's in proximity to your DO. What tree was that? Just to kind of sorry -

CHAIRPERSON BROOKS-POWERS: That one is on - it's right in front of 1931 Mott Avenue.

MATT DRURY: Great and then I'll just point out the obvious that you know there's at times you know given that sidewalks are finite with you know the

efforts that you heard about expanding tree beds, which end up being very helpful in terms of eventually reducing lift and other signs of damage, there's a tradeoff there where it does take up more of that width. Although everything is you know I'm sure at least in accordance with ADA requirements and other -

CHAIRPERSON BROOKS-POWERS: Yeah, if someone is riding down Beach 20th in a wheelchair and then you and walking down, like we can't clear each other to get there.

MATT DRURY: Yeah, I mean it's out there in the streetscape and is not uncommon.

CHAIRPERSON BROOKS-POWERS: The purpose of expanding the sidewalk because you want to have more pedestrian space and so, by expanding that sidewalk, we've also done a road diet and that is a major corridor for our fire trucks to go down to get to the other parts of the peninsula, so it has created a lot of safety concerns.

MATT DRURY: I think it just speaks to the complexity of the streetscape right? That there are these competing interests and values and needs that

you know need to be held in balance. So, you know we hear you loud and clear.

CHAIRPERSON BROOKS-POWERS: Which is why you know I always said and we had talked about legislation in the past around this in terms of not just looking to downtown making decisions for communities. Talk to the local fire houses and see what they need. What the egress is for them to be able to navigate safely and keep the times down to respond to emergencies. Talk to the Community Boards in terms of what type of usage we want for the streets. Because again, we did a tour with Gershman Streets Blog actually and brought him over to see the bike lane and you know we saw one deliverista that went by about two or three times and don't get me wrong, he deserves to have a safe ride of passage as well but it's not a utilized corridor. It's not connected to anything. That's not the community that exists on that particular roadway. And so, again, it requires more engagement with community to understand how we want to use our sidewalks and our streets and be able to get around but again, I understand and recognize and acknowledge that there is an intent that is put in place when you are designing these projects that are well meaning,

like well intentioned but in actuality, I'm just communicating in terms of what some of the challenges have been. But I'd love to see some mulch in that pit.

Uhm, okay so moving on. RFP for furnishing and installing accessible pedestrian signals. DOT is currently doing an RFP for a contract for furnishing and installing accessible pedestrian signals which are critical for enabling visually impaired New Yorkers to navigate our streets safely. Are these installations in compliance with all applicable standards?

MONTGOMERY DEAN: Yes Council Member and in fact our APS team in traffic operations has been installing more APS's and where we're required as part of the court settlement, essentially we get credit for any extra APS as we do in a given year because the number, the goal each year keeps going up, so we're actually ahead of the APS installations. The traffic operations teams has done a fantastic job at streamlining a lot of the processes internally to make sure that we give the contractors enough work for the APS numbers to keep reaching the APS numbers and in fact exceeding them.

2 CHAIRPERSON BROOKS-POWERS: My understanding is
3 that DOT is in the process of renewing the current
4 contract without any adjustment to unit prices. Has
5 DOT examined whether the unit price remains fair and
6 reasonable given the current market?

7 MONTGOMERY DEAN: Yeah, so I can give you some
8 context. So typically, our contracts have a current,
9 like a set period and then a renewal period. That
10 renewal period is standard for any construction
11 contract. The vendors or the contracting, the
12 companies bidding on those contracts know about the
13 renewal terms and the renewal terms are set at the
14 exact same rate as the original contract. This is
15 standard for every type of construction contract.
16 So, I believe in this case, I think we just have some
17 whiny contractors who don't understand the terms that
18 the renewal contract has, have the exact same terms
19 of the original contract.

20 CHAIRPERSON BROOKS-POWERS: So, are you saying
21 that it gives room for adjustment?

22 MONTGOMERY DEAN: It does not. The renewal term
23 does not give room for adjustments on prices.

24 CHAIRPERSON BROOKS-POWERS: So, with the cost of
25 inflation right -

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2 MONTGOMERY DEAN: They should take that into
3 account when they bid for contracts.

4 CHAIRPERSON BROOKS-POWERS: Hmm, is DOT -

5 MARGARET FORGIONE: I just want to add one quick
6 thing; we are putting that contract out again and we
7 may not need the full year starting in January of the
8 renewal one year period. We may have new set of
9 contracts that they can then bid on.

10 CHAIRPERSON BROOKS-POWERS: Is DOT aware of
11 complaints raised by contractors regarding DOT -
12 excuse me. Is DOT aware of complaints raised by
13 contractors regarding DOT's administration of this
14 contract?

15 MONTGOMERY DEAN: We do do that from time to time
16 Council Member and we want to make sure that the
17 specs in the contract that we put out are very clear
18 so that the contractors don't run into these issues,
19 where they are underestimating costs for example, but
20 we - you know we do tweak the contracts from time to
21 time to make sure that we are putting out the correct
22 specs. I would say that you know given the amount of
23 installations that we're doing in APS's, we do learn
24 of new things from time to time and then those will
25 be incorporated into the future contract.

2 CHAIRPERSON BROOKS-POWERS: Okay, because many
3 employed electricians that come from my district and
4 they're claiming that they're being asked to absorb
5 escalating costs instead of being fairly compensated.
6 So, that is a concern if that is the case, that DOT
7 is putting out something that is suppressing what the
8 true cost and value should be.

9 So, I would like DOT to look at that. And does
10 the contract contain mechanisms to provide for the -
11 and I guess you answered that in terms of equitable
12 adjustments, you're saying it does not - they just
13 put in what they think the cost is.

14 MONTGOMERY DEAN: That's right, usually these
15 contracts, depending on the contract, it could be -
16 it's usually, if it's a bid, we go with the lowest
17 price qualified vendor and we are using the prices
18 that they are bidding on.

19 CHAIRPERSON BROOKS-POWERS: Okay uhm moving to
20 resurfacing and milling. In the recent solicitation
21 for contract milling under DOT's Resurfacing program,
22 what was the rationale for removing the separate line
23 item for crossing guards and treating it as
24 incidental to roadway grinding, given that specific
25 locations may be unknown at the time of bidding?

2 MARGARET FORGIONE: Okay Chair, we're going to
3 need to research that a little bit further and get
4 back to you.

5 CHAIRPERSON BROOKS-POWERS: Okay. So let me give
6 you my other questions on it.

7 MARGARET FORGIONE: Sure.

8 CHAIRPERSON BROOKS-POWERS: And let me know what
9 you can answer and what you have to get back to me
10 on. So, for a program that spans hundreds of miles
11 of city streets, how has DOT assessed the
12 implications of applying a uniform approach to work
13 zone safety across locations with varying conditions
14 and complexity?

15 MARGARET FORGIONE: Yes, safety is the top
16 priority both of our workforce and when we have
17 contractors performing milling in the streets. Their
18 workforces, we're very clear on internal guidelines
19 of which roadways you require a backup truck with an
20 impact attenuator. On highways, if you're say, if
21 you're paving lanes on a highway, how many lanes you
22 close. How you slow down the traffic approaching the
23 work site and we also have in every division; we have
24 a group of sort of like safety monitors. A team of
25 people that go from worksite to worksite to make sure

that the safety is set up properly. Both for our workforce as well as members of the public who might be traveling or walking near our worksites.

CHAIRPERSON BROOKS-POWERS: How does DOT anticipate the revised bid structure where work zone and public safety is no longer a separate bid item? Will this impact on site coordination and discussions about safety during the project execution?

MARGARET FORGIONE: So, are you - which contracts are you referring to?

CHAIRPERSON BROOKS-POWERS: Still at the resurfacing and milling.

MARGARET FORGIONE: Okay so it's just with milling uhm and it kind of relates I think to your first question about crossing guards. So, we can research that more fully and get back to you.

CHAIRPERSON BROOKS-POWERS: Okay, can I -

MONTGOMERY DEAN: Council Member, if I may too, whenever we put out these contracts, we have a pre-bid conference and any contractor interested in asking these questions usually submits questions and we respond in writing. So, I'm not sure if this an act of procurement or not but we do have a mechanism

to answer all these questions ahead of contractor bidding.

CHAIRPERSON BROOKS-POWERS: Is this the first time you're hearing this though?

MONTGOMERY DEAN: This one in particular, I'm not sure if it's been raised before but just in general, any bid that we put out, we do have an ability for contractors to ask these questions.

CHAIRPERSON BROOKS-POWERS: Yeah, my understanding is DOT has been contacted about these concerns.

MARGARET FORGIONE: Uhm, we got a letter like yesterday regarding this, so I don't have all the information right now.

CHAIRPERSON BROOKS-POWERS: Okay and that was the first time you heard about it?

MARGARET FORGIONE: Yes.

CHAIRPERSON BROOKS-POWERS: Okay. So, if - can we say in a week I could expect a letter?

MARGARET FORGIONE: Absolutely.

CHAIRPERSON BROOKS-POWERS: Okay, thank you.

Uhm, now I'm going to the 31st Council District. Uhm Cornaga Avenue and Beach 19th Street. The current closure appeared to begin around 7:00 a.m. to 8:00

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a.m., coinciding with school drop offs and commuter travel. This timing has contributed to significant congestion effecting the local community as well as the school operations. Could the permit be amended so that the closures begin after 9:00 a.m. to reduce the peak hour impact?

MARGARET FORGIONE: Yes, we'll look at that. Most likely we can do that.

CHAIRPERSON BROOKS-POWERS: Okay. Eastbound lane on the freeway. The closure of the eastbound lane beneath the freeway is creating substantial delays in the surrounding area as well. Would it be feasible to schedule this work during overnight to minimize daytime congestion?

MARGARET FORGIONE: Okay, we'll also look at that.

CHAIRPERSON BROOKS-POWERS: Okay, thank you for that. And then my last question, there's a DDC project happening in Rosedale, a massive uhm infrastructure work that's being done there and there are some homeowners that had indicated to me in a meeting about a month or so ago, that they received letters about uhm violations with the sidewalk.

MARGARET FORGIONE: Hmm, hmm.

2 CHAIRPERSON BROOKS-POWERS: But a part of this
3 uhm - a part of this construction is happening is
4 taking up the sidewalk, reconstructing it anyway.
5 So, considering that and because these homeowners are
6 enduring a lot to deal with this construction, is
7 there a way that they are not like in violation,
8 considering that the city is repairing them anyway?

9 MARGARET FORGIONE: Yeah, so the tricky thing
10 here is that because sidewalk repair is the
11 responsibility of the homeowner, before any capital
12 work is done on the sidewalk, DDC - we go in and
13 document which flags are not -

14 CHAIRPERSON BROOKS-POWERS: But all these years,
15 they hadn't done that until like now.

16 MARGARET FORGIONE: Until prior to the project,
17 right? It's a tricky thing with capital
18 reconstruction and the bind that we're in is that for
19 public money to pay for sidewalk work that is
20 technically the responsibility of the homeowner,
21 that's the issue but maybe we can sit with you, with
22 also DDC and look at the sidewalks in question. Like
23 what we saw prior to the project beginning, how many
24 flags are we saying is the responsibility of the
25 homeowner and we recognize it's a large pill to

swallow when you are undergoing all that disruption of the capital reconstruction and on top of it to get a bill for portions of the sidewalk. So, maybe we can sit down and get into the details of that together.

CHAIRPERSON BROOKS-POWERS: And then also there was a homeowner that, no two homeowners, one - like they both didn't have sidewalks. When they bought the property, it didn't have a sidewalk. One person actually installed a sidewalk but then got fined. I'm not sure if it just didn't meet the criteria or whatever but the other homeowner did not do it because they were told by the city agency; I'm waiting for them to give me more details but they said that an agency told them not to put a sidewalk or they would be fined. And so that person didn't but now is being given a violation for not having a sidewalk that has been constructed.

MARGARET FORGIONE: Okay, we can sort through that and there maybe something in there we can correct.

CHAIRPERSON BROOKS-POWERS: Okay. So, that's great. DOT has approved a speed reducer on 136 Avenue between 244 Street and Hook Creek Boulevard

but has not provided any timeline on installation. When can we expect this installation to take place? It is obviously a priority in my district and we've heard multiple complaints about this corridor in terms of the safety and lack thereof.

MARGARET FORGIONE: Okay, the good thing is everybody loves speed humps and speed reducers. We actually install and then reinstall about 800 per year and we've been doing a lot of work on overtime to make up the backlog but we do have some in the queue, so I will find out where 136 Avenue is and we can try to pull that up.

CHAIRPERSON BROOKS-POWERS: Thank you. I think we are good on questions now.

MARGARET FORGIONE: Thank you Chair.

MONTGOMERY DEAN: Thanks Chair.

CHAIRPERSON BROOKS-POWERS: Thank you.

I now open the hearing for public testimony. I remind members of the public that this is a government proceeding and that decorum shall be observed at all times. As such, members of the public shall remain silent at all times. The witness table is reserved for people who wish to testify. No

video recording or photography is allowed from the witness table.

Further, members of the public may not present audio or video recordings as testimony but may submit transcripts of such recordings to the Sergeant at Arms for inclusion in the hearing record. If you wish to speak at today's hearing, please fill out an appearance card with the Sergeant at Arms and wait to be recognized. When recognized, you will have two minutes to speak on today's hearing topics.

Oversight, Maintaining, Greening and Enhancing the City's Sidewalks, Medians and Streetscapes.

Intro. Number 169, a Local Law to amend the Administrative Code of the City of New York in relation to the installation of electric vehicle charging equipment on lampposts. Intro. Number 221, a Local Law to amend the Administrative Code of the City of New York in relation to requiring the Parks Department to repair damaged caused by trees owned by the City of New York.

Intro. Number 262, a Local Law to amend the Administrative Code of the City of New York in relation to requiring the installation of speed humps

on roadways adjacent to any park equal or greater than one acre.

Intro. Number 270, a Local Law to amend the Administrative Code of the City of New York in relation to special activation of the open streets program on certain holidays and time periods with significant pedestrian traffic.

Intro. Number 882, a Local Law to amend the Administrative Code of the City of New York in relation to the installation and maintenance of tree guards.

Intro. Number 1104, a Local Law in relation to a study and report on the feasibility of new ferry terminals.

Intro. Number 1147, a Local Law to amend the Administrative Code of the City of New York in relation to requiring the cleaning of medians at least once per quarter.

Intro. Number 1154, a Local Law in relation to establishing a high visibility pavement, marking pilot program and the repeal of this local law upon the expiration thereof.

Intro. Number 1233, a Local Law to amend the Administrative Code of the City of New York in

relation to the planting of vegetation on new medians separating bicycle lanes from motorized vehicle traffic.

If you have a written statement or additional written testimony you wish to submit for the record, please provide a copy of that testimony to the Sergeant at Arms. You may also email written testimony to testimony@council.nyc.gov within 72 hours of this hearing. Audio and video recordings will not be accepted.

We will now call the first panel. Aditi Desai, Peter Resaquau. Just reading your writing Peter, it's not great. Samuel Eluto, John Cori, representing the Rockaway Peninsula, and Christopher Leon Johnson. You can start when you're ready, just come off of mute. Please adhere to the two minute rule.

ADITI DESAI: To the honorable members of the Committee on Transportation and Infrastructure. My name is Aditi Desai and I'm here today to support Bill Intro. 169, a Local Law to amend the Administrative Code of the City of New York in relation to the installation of electric vehicle charging equipment on lampposts. I represent Voltpost, a New York based EV charging company that

is a leader in lamppost charging solutions in the US. Voltpost was founded in 2021 to decarbonize mobility by democratizing electric vehicle charging access. We do this by deploying modular level two EV chargers on existing lampposts. By retrofitting existing poles, Voltpost eliminates the need for extensive trenching, new utility service upgrades or costly site reconstruction.

This not only reduces construction and permitting complexity but also enables chargers to be deployed and operational in a fraction of the time required for traditional charging stations. It also blends in with the fabric of the built environment and does not disrupt shared community spaces like sidewalks, unlike other level two charging solutions.

In 2021, New York City DOT announced plans to build a public charging network with 40,000 level two chargers. This included installing 10,000 curbside charges by 2030 and 200 lamppost chargers by 2023.

In 2023, we completed a project with New York City DOT where Voltpost piloted the first lamppost chargers in New York City. The charger was used on a regular basis by NYC DOT staff to charge their fleet vehicle and had the highest utilization in the

program Cohort. Voltpost received feedback from over 200 New York City drivers and leaders, ranging from New Yorkers expressing that this is by far the best solution that they've seen for curbside charging. Just stating that they want Voltpost on their street.

We've also received funding from NYSERDA to deploy Voltpost lamppost chargers across New York State. We are actively working with Con Ed, cities across the state and agency partners including EDC and MTA to execute lamppost charging projects to further demonstrate Voltpost solution as a cost effective and scalable measure to expand EV charging. We also have active projects in Michigan, Illinois, Massachusetts, Connecticut, and California.

Some of the challenges that were raised by DOT earlier are valid, however, they can be worked through in New York City in a similar way that we've worked through with other states. This bill is a step in the right direction and Voltpost has faced significant barriers to deploy New York City due the current regulatory environment. Without clear guidelines and streamlined authority for curbside charging, innovative solutions like ours, which are

already successful in cities like London and Seattle cannot scale here.

I urge you to vote yes on this bill to increase, to enable increased access to this critical infrastructure in New York City. Thank you.

CHAIRPERSON BROOKS-POWERS: Thank you.

SAMUEL ELUTO: Good afternoon. My name is Samuel Eluto, I'm the Director of Member Relations for the BTEA. Thank you Chair Brooks-Powers and the Committee Members for holding this important hearing. I'm delivering testimony on behalf of members executing the NYC, the DOT APS contract. The Building Trade Employers Association represents more than 1,200 union construction managers, general contractors and specialty trade subcontractors across New York City. We're the largest organization of union contractors in the country. Our members developed critical, civil infrastructure projects for New York City and State as well as the federal government. Additionally, many of our members are small and NWBE firms that hire union workers under collective bargaining agreements. And so, we think APS devices are necessary to preserve the health and safety of New Yorkers living with disabilities and

our members are eager to support a more accessible city. However, our members are troubled by the independent monitors recent report finding that New York City is not in compliance with the MUTCD and while they're being required to bear the cost - and our members are required to bear the cost of compliance. The BTEA has heard from members who must perform work under a contract that we know requires revision, while also being forced to absorb the increasing cost associated with the contract.

Additionally, poor communication and coordination from the DOT has made our contractors have to pay for more out of pocket cost because uninformed inspectors delays in the building process and an inaccurate pricing system. This has placed members in an unattainable burden on contractors and our members really need relief.

Otherwise, our members may no longer be able to bid on the work. We respectfully urge that the DOT move away from simply extending the current flawed contract. Rather than exercising unilateral renewal rights, the agency should issue new solicitation that reflects today's compliance framework and real costs. Doing so would give installation contractors the

clarity they need to decide whether to remain in the program and not what unit prices. Additionally, there needs to be timely inspections and permit approval through dedicated resident engineers and mechanisms providing fair compensation for work outside the scope of the APS program.

And so, this will allow the deficiency in the current contract to be remedied and ensure the city is fully accessible to all New Yorkers. Thank you.

CHAIRPERSON BROOKS-POWERS: Thank you.

PETER RESCIGNO: Good afternoon Chair Brooks-Powers. My name is Peter Rescigno and I serve as the Executive Secretary of the New York Electrical Contractors Association, which represents the union electrical contractors signatory to Local 3, currently performing work under the Department of Transportations APS program.

Our contractors support the mission of this program and recognize the importance of ensuring accessibility for all New Yorkers. Unfortunately, the city's execution of this contract has been deeply flawed and unless changes are made, local contractors will continue to face devastating financial losses that threaten their ability to complete the work.

2 The current contract issued hastily in 2023 to
3 comply with a federal court order, an important fact,
4 which the DOT does not mention, was based on
5 inaccurate estimates and an ill-defined scope of
6 work. Contractors were asked to design APS
7 intersections without clear standards or consistent
8 guidance, forcing them to make assumptions that have
9 proven costly and unworkable.

10 Compounding this New York City DOT has failed to
11 provide timely inspections and oversight as required
12 by the contract. Instead of assigning resident
13 engineers, DOT relies on a handful of roving
14 inspectors who often review work long after it has
15 been performed. This has created constant disputes
16 over measurement, payment, responsibility for
17 maintenance, cost that contractors must absorb.

18 In addition, contractors are routinely forced to
19 perform extensive non-APS work and redesign projects
20 at last minute to accommodate the unrelated work at
21 intersections.

22 The contractors are being required to perform
23 this extra work outside the scope of the contract,
24 without fair compensation under the unit price
25 contract. This lack of coordination within DOT

itself has led to delays in permits, inspections and payments, while contractors are even ticketed for unavoidable conditions created by the APS installations.

Finally, this contracts pricing terms are fundamentally unfair. The city has adopted a heads up, a heads I win, tails you lose system where contractors must absorb the losses from grossly inaccurate quantity estimates but are preventative from recovering costs even when work far exceeds the original projections. The bottom line is this, our contractors have been asked to deliver on critically accessible program under the terms that are inequitable and unsustainable. Without relief, the program itself is jeopardized. We ask the DOT to - we ask the Council to press the DOT not to renew the contract and to put it out for a fair rebid.

CHAIRPERSON BROOKS-POWERS: Thank you.

JOHN CORI: I'm John Cori, local community Rockaway activist or one might say, a pain in the butt here to give my support to Intro. 1147. This issue is without a doubt a common denominator when it comes to the blight in every New York City neighborhood. Council Members should not have to

supply city agencies with portions of their budgets to get their constituents in the immediate communities what they already deserve as tax payers. Proper maintenance of our community should be automatic, timely, hopefully mandatory after 1147 is passed.

My personal experience with this type of blight of overgrown and dirty medians and unkept tree pits is a direct reflection of our immediate city government and city agencies and New Yorkers as a whole.

Overgrown medians and sidewalks of city and state properties and poorly maintained tree pits are a glaring example of the broken windows theory. Young students, folks walking to schools or work should not have their immediate environment poorly maintained. It gives them a mess to nobody cares, so why should they?

No New Yorker should be embarrassed to have a visitor to their neighborhood. Please pass these bills. I support all the bills as well.

CHAIRPERSON BROOKS-POWERS: Thank you.

CHRISTOPHER LEON JOHNSON: Hello Chair, my name is Christopher Leon Johnson. I'm showing support for

Intro. 169. I believe that the City Council needs to start condemning the state and the City Council Joann Ariola because she used to lead in the charge in preventing stuff like this from going through. She's the Council Member that is trying to find a way to say that she don't want EV's no where in the city.

I believe that we need more EV stations in the city, even stuff like this because of the fact that there's a lot of electrical cars in the city and God forbid that if you drive around the city and your battery about to die, how are we going to charge our cars?

So, we need - like I said, we could put it on a lamppost then that would be great. Uhm, there's a video I think it was on Instagram, a Jewish guy that was charging his car and he got shamed for it and that shouldn't be right. If you got to charge a car, you should charge your car just like you got to charge your phone, you should charge your phone.

I hope that this goes through. This bill needs more sponsors and I'm going to show support for another bill that was introduced by Eric Bottcher.

I'm showing a little opposition to the bill for 1233 and the reason I'm showing opposition is because

I saw that Julie Won was here today. I know she's trying to push in Intro. 1138 but this type of bill Intro. 1233 will really do the same amount of problems, give the same amount of problems for like Intro. 1138. And as I told Julie Won before, I said look, I get it. I understand we need daylighting in the city but just like Eric Bottcher, like yeah we have to have separations for the bike lanes and uhm, and vehicles, proper separation. Not just put in like uhm paint all the time but if you don't really want to mend the numbers from 20 feet to 10 feet, the bill is going to die and like I said, I believe this bill right here uhm, 1233 that uhm this bill does not make sense and there's a reason why that the federal government, they completely gave the finger to the 10th Avenue Streetway because it didn't make no sense. 10th Avenue is a real popular area, Hudson Yards right there. Another billionaires role and so, that's what I got to say. So, I support two of those bills and I do support your bill 1147 because the fact that uhm Rockaway, this really - it gets really congested with debris and stuff like that and it needs to be cleaned.

CHAIRPERSON BROOKS-POWERS: Thank you.

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2 CHRISTOPHER LEON JOHNSON: So, thank you much.

3 CHAIRPERSON BROOKS-POWERS: Thank you. Next
4 we're going to go online and the panel is dismissed.
5 Thank you.

6 PANEL: Thank you.

7 CHAIRPERSON BROOKS-POWERS: We'll be hearing from
8 Nina Guidice followed by Saaif Alam.

9 NINA GUIDICE: Hi, good afternoon and thank you
10 to the Chair and members of the Committee for holding
11 today's hearing. I'm Nina, I'm the Policy Manager of
12 Transportation Alternatives, which offers the
13 following testimony on today's bills.

14 TA supports Intro. 1233 protecting bike lanes
15 from traffic. It offers protection for riders and
16 doing so at trees, greenery and other vegetation
17 supports the tree canopy and conserve as green
18 stormwater infrastructure. Greenways are a critical
19 tool in this effort and the city should accelerate
20 the build out. In implementing this bill, the city
21 must fully fund the Parks Departments maintenance of
22 the vegetation as well as the care and cleaning of
23 medians as outlined in Intro. 1147.

24 We also support Intro. 1104, which calls for the
25 study of the feasibility of potential of new ferry

terminal locations. The city should identify options for expanding ferry service for New Yorkers and prioritize locations and places that would provide increased transportation options for communities with limited transit options.

Intro. 1293, which would establish ferry service at Canarsie Pier where residents have been advocating for a ferry dock for years should be advanced as well.

And lastly, TA supports Intro. 270, which requires DOT to offer special open trees activation opportunities during holidays and other days with significant pedestrian traffic. Open streets have helped local businesses, reduce crash rates and injuries, and provide a new way for neighbors to connect. The program should be expanded to include more celebration days such as, Pride so that Open Street community partners can more easily navigate the process to activate their streets.

We'll submit additional comments in written testimony. Thank you for your time.

CHAIRPERSON BROOKS-POWERS: Thank you. Next Saaif Alam.

2 SAAIF ALAM: Yes hi, good afternoon members of
3 the Transportation and Infrastructure Committee.
4 Thank you for allowing me to testify today. My name
5 is Saaif Alam and I'm the President of the Jamaica
6 Hill Community Association. Uproots of trees that
7 cause damage to sidewalks is a top issue in our
8 neighborhood. I spoke to several residents in my
9 neighborhood and they have reported the 311 -
10 complaints of 311.

11 Their complaints did not receive a timely
12 response by New York City Parks. Although the New
13 York City Parks did inspections in front of their
14 property, the New York City Parks do not prioritize
15 the matter for the need of repair because it is below
16 priority number 90.

17 So, the requests are estimated again but
18 residents have to wait till the next cycle. Based on
19 the delay of requests, I urge the New York City to do
20 the following things: Allocate more investment on
21 tree and sidewalk programs to expedite the process to
22 repair sidewalks. Allocate more investment to hire
23 more staff for New York City Parks so they will have
24 increased capacity to repair damage of sidewalks
25 caused by trees. Ensure that investment allows for a

walkthrough requested by a Civic Association

President to check for damages for a sidewalk.

Our homeowners deserve to repair their sidewalks caused by New York City owned trees without relying on expensive alternatives to repair the sidewalk on their homes.

More investments towards the tree and sidewalk program and ease financial burden of homeowners residing in Jamaica Hills Queens. So, thank you for allowing me to testify today and I'll follow up more with the members of the Committee in the future meetings. Thank you.

CHAIRPERSON BROOKS-POWERS: Thank you. If we have inadvertently missed anyone that has registered to testify today and has yet to have been called, please use the Zoom hand function if you are testifying remotely and you will be called in that order.

If you are testifying in person, please come to the dais.

With that, this hearing is now adjourned. Thank you to all who have come out to testify, whether virtually or in person or in writing. [GAVEL]

C E R T I F I C A T E

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



Date October 27, 2025