

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON PARKS AND RECREATION

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

B E F O R E:
BARRY GRODENCHIK
Chairperson

COUNCIL MEMBERS:
ANDREW COHEN
ANDY KING
MARK GJONAJ
PETER KOO
FRANCISCO MOYA
COSTA CONSTANTINIDES
JIMMY VAN BRAMER
ERIC A. ULRICH
JUSTIN BRANNAN
JOSEPH C. BORELLI

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

Matt Drury
Director of Government Relations
New York City Department of Parks and Recreation

Diane Jackier
Chief of Capital Strategic Initiatives
New York City Department of Parks and Recreation

Robin Vitale
Vice President of Health Strategies
American Heart Association of New York City

Melinda Murray
Activist
New York City

Steven Tannenbaum
Activist
New York City

Ismael Galvez
Representative
American Heart Association

David Hiltz
Emergency Care & Resuscitation Advocate-
Consultant

Andrew Zelter
Board Member
Downtown Little League

Dan Huber
Budget and Policy Analyst
Independent Budget Office

2 [gavel]

3 CHAIRPERSON CONSTANTINIDES: Good

4 morning everybody and welcome to this hearing of
5 the Committee of Parks and Recreation. I am
6 Councilman Barry Grodenchik. I have the honor of
7 chairing this committee for this term of the city
8 council. We are joined today by Councilman Steve
9 Mateo of Staten Island, my colleague in from
10 Queens, Peter Koo. We're going to be hearing
11 several bills today. I'm going to read an opening
12 statement and then we're going to turn it over to
13 Mr. Mateo for his opening statement. And hopefully
14 by that time that we'll have one more opening
15 statement. But right now, let me read mine. We're
16 going to be hearing Intro 161 this morning in
17 relation to reporting on Parks capital expenditures
18 and Intros 1,009 in relation to requiring AED
19 devices at, and training personnel at all city pool
20 facilities, and Intro 1042 in relation to
21 distributing excess AEDs from youth baseball and
22 softball to other sports. We will consider, as I
23 said, three bills this morning. I will let the
24 sponsors address those bills in detail hopefully
25 briefly. Intro 161's prime sponsor is Council Mark

1
2 Levine. It focuses on improving transparency as it
3 relates to the parks department's capital budget
4 process. It seeks to improve the online capital
5 tracker by requiring that more up to date
6 information be included on the web portal including
7 the location of the project specified by borough
8 council district and community district. The date
9 when a project was fully funded along with any
10 adjustments to original cost estimates. The date a
11 project was assigned by the Department of Parks and
12 Recreation staffer and accounting and description
13 of any delays to any phase of a project, a
14 description of any cost overrun, an up to date
15 listing of a total number of projects currently
16 assigned to DPR and the total number of projects
17 completed during the most recent fiscal year and
18 the average amount of time taken to complete such
19 projects. It's no surprise to anyone here today
20 that this information relating to the status of
21 capital projects is sometimes hard to come by. So,
22 this bill has the potential increase transparency
23 and knowledge about how funded capital projects are
24 proceeding. Intro 1,009 sponsored by Council Member
25 Mateo would require the Parks Department to provide

1 an AED at every pool facility under its
2 jurisdiction and to have at least one employee
3 trained to use the AED present during all hours of
4 pool supervision. The last bill that we'll hear
5 today is 1042, also sponsored by Council Member
6 Mateo would permit the Department of Citywide
7 Administrative Services and the Department of Parks
8 and Recreation to distribute any extra AEDs they
9 have after they fulfill their obligation provide
10 AEDs to youth baseball and softball leagues the
11 council has had a longstanding view that AEDs play
12 a crucial roll in saving lives and that we as a
13 city need to ensure that they are readily available
14 at various public places where it is reasonable to
15 make them accessible. We have passed multiple bills
16 in recent years that require the placement of AEDs
17 in various public buildings and facilities, require
18 youth baseball leagues that play on DPR property to
19 make available at least one AED in every game and
20 practice and require the city to provide
21 defibrillators to all youth softball leagues
22 playing on city owned land and the league in turn
23 would be required to bring an AED to every game and
24 practice. The bills we're hearing today have the
25

1 possibility to ensure that more lives are saved at
2 park facilities. And I'm eager to engage in a
3 discussion about the best way forward. I welcome
4 the administration and the advocates who have come
5 today to testify. And, at this time, we will hear
6 from Council Member Mateo. Also want to welcome
7 another colleague from Queens, member of the
8 Committee Councilman Jimmy Van Bramer.

10 COUNCIL MEMBER MATEO: Thank you Chair
11 Grodenchik. I'm going to just quickly summarize
12 since you did a good job of pointing out the bills.
13 Obviously when I took office I wanted to, a bill,
14 my predecessor in the Council, now Borough
15 President Jimmy Otto when he passed a local law in
16 2005, local law 20 and we've been successful in
17 expanding AEDs with, with Parks' cooperation and
18 assistance. And this is what we want to do here. We
19 have two successful bills and, and expanding it to
20 baseball and softball. We're looking to give you
21 discretion to be able to expand it further. And the
22 other bill as Council Member Chair Grodenchik
23 talked about would provide AEDs at, at our pool
24 facilities near the life, near the lifeguard stand.
25 So, I'm happy to, to discuss and go through the

2 issues with you. And I thank you Chair for your
3 support and for holding this hearing and I'll send
4 it back to you.

5 CHAIRPERSON CONSTANTINIDES: Thank you
6 very much Council Member Mateo. We've also been
7 joined by Councilman Joe Borelli, also a member of
8 this committee Joseph, now I have to call him James
9 instead of Jimmy, what's going on? You never get
10 called James right? I've, I've read about that
11 recently. Councilman Borelli who I visited recently
12 with at the conference house. He schleps me around..
13 was great stuff, great stuff. And he disproved the
14 myth of deer on Staten Island. It is in fact true.
15 I did see my first deer on Staten Island. At this
16 time, we welcome, from New York City Department of
17 Parks and Recreation, Matt Drury and Diane Jackier.
18 Did I get that right?

19 [background comments]

20 CHAIRPERSON CONSTANTINIDES: Alright,
21 close enough for government work. Okay, we welcome
22 your testimony at this time. Oh, first you got to
23 be sworn in.

24

25

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2 COUNSEL: Do you affirm to tell the
3 truth, the whole truth, and nothing but the truth
4 in your testimony before this committee today?

5 MATT DRURY: I do.

6 DIANE JACKIER: I do.

7 CHAIRPERSON CONSTANTINIDES: Thank you.
8 Please proceed. Good morning Chair Grodenchik,
9 members of the Parks Committee, and other members
10 of the city council. My name is Matt Drury,
11 Director of Government Relations at NYC Parks. And
12 I'm joined today by Diane Jackier, our agency's
13 Chief of Capital Strategic Initiatives. Thank you
14 for inviting us today to discuss three bills;
15 Introduction 161 regarding the NYC Parks' online
16 capital project tracker, along with Introduction
17 1009, and Introduction 1042 which concern the use
18 and distribution of automated external
19 defibrillators, also known as AEDs. I'll adjust
20 these bills in numerical order beginning with
21 Introduction 161. The capital division at NYC Parks
22 is primarily responsible for the management of over
23 630 active park improvement projects currently
24 underway throughout the city ranging in scale from
25 targeted asphalt and pathway paving to the complete

1 reimagining and reconstruction of entire park
2 properties. As we have testified before this
3 committee in recent years this administration has
4 made great strides in demonstrating our commitment
5 to delivering projects on time and on budget. In a
6 manner that can, incorporates a tremendous degree
7 of transparency and public engagement. The spirit
8 of openness is best embodied by the development of
9 the NYC Parks capital project tracker launched in
10 the fall of 2014. The tracker, an online searchable
11 tool, which can be accessed publicly via the NYC
12 Parks' website, is one of the most robust project
13 trackers of its kind that has been publicly made
14 available by a city agency. The capital project
15 tracker is updated daily and allows anyone, be it
16 an elected official, supporter of a specific park,
17 or just your average curious New Yorker to look up
18 a specific park and learn more about any capital
19 project status including helpful project
20 information, compiled and posted by our capital
21 staff. I'm proud to update the council that to date
22 the tracker has visited, excuse me, has received
23 over 618,000 website visits. And last year the
24 tracker saw an average of 556-page views per day
25

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3 giving citizens the information they need and
4 deserve about park improvements for their community
5 updated in real time. The information on the
6 tracker for each project includes a description of
7 the project and its location, the actual or
8 estimated timelines for each project phase, a
9 description of the project's budget including
10 sources of funding, and even often includes
11 conceptual design documents to give the public a
12 glimpse of the improvements being made so that they
13 know what to expect when the project is complete.
14 This information made available to the public
15 anytime is above and beyond the regular project
16 updates routinely provided to council members,
17 community boards, and other constituencies and
18 advocates for specific projects. The existence of
19 the capital project tracker is codified via local
20 law 98 of 2015. And introduction 161 as drafted
21 would amend the administrative code to compel that
22 the tracker display several additional data points
23 for each individual project. We appreciate the
24 intent behind this legislation as we believe the
25 tracker in its current form clearly demonstrates an
unprecedented commitment to public transparency.

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3 However, we feel strongly that the agency's primary
4 responsibility regarding our park improvement
5 projects is to deliver them faster and within
6 budget. Every moment that our capital staff spends
7 on satisfying additional reporting requirements or
8 managing other administrative burdens is a moment
9 we're not focusing on getting these projects done
10 on time and on budget. As Commissioner Silver and
11 other senior staff has testified before this
12 committee that's the top priority for our capital
13 division and we've heard loud and clear that
14 council members feel the same. As you're aware
15 there's been significant positive change in regards
16 to our agency's capital project delivery. And
17 Commissioner Silver's time as leader of the agency
18 NYC Parks has been able to shave several months off
19 the capital process namely during design while
20 minimizing construction delays. We've streamlined
21 internal design reviews, we've worked closely with
22 the public design commission to develop new
23 approaches for project review and we've instituted
24 regularly scheduled coordination meetings to note
25 potential projects that might be problematic and do
our best to emerge, to address emerging con,

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2 concerns swiftly. Regarding the construction phase
3 for projects we've altered our approach to change
4 orders which are last minute alterations that can
5 add months to a project's timeline. We've reduced
6 those change orders by nearly 80 percent as we now
7 insist that a construction change order be directly
8 related to life safety or other emergency needs if
9 it is to be approved. The agency's always looking
10 for more ways to improve on its work will continue
11 these efforts. But if we're to be successful it's
12 important that the council join us in partnership
13 and support this endeavor, help us avoid the
14 inadvertent distraction and misallocation of
15 resources made necessary by additional
16 administrative and reporting requirements. Further
17 there are specific elements of the current
18 legislation that would prove technically
19 challenging to fulfill and, in some cases,
20 potentially problematic from a legal perspective.
21 NYC Parks fully embraces the spirit of transparency
22 that this bill seeks to achieve. And we welcome
23 further discussion on the citywide capital process
24 including the similarly themed legislation such as
25 introduction 113 which would compel the creation of

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2 a website to track all city capital projects for
3 which a council hearing I believe has been
4 scheduled for later this month. We'll be happy to
5 continue to work with the council and discuss
6 improvements to the capital process... large as well
7 as targeted ways in which we augment our public
8 communication efforts without negatively impacting
9 the project management workflow that we strive to
10 improve in recent years to great positive effect.
11 I'd like to now shift focus to discuss the
12 legislation concerning automated external
13 defibrillators or AEDs and provide a little context
14 about the agency's use of these devices. At NYC
15 Parks the safety of our park patrons is always
16 first and foremost on our minds and we want to
17 ensure that trained individuals can have the
18 necessary equipment to intervene in emergency
19 situations which can help save lives. In accordance
20 with New York City local law 20 of 2005 NYC Parks
21 currently has a total of 85 AEDs located in 69
22 facilities across our park system as well as 36 of
23 our golf course and athletic facility concessions.
24 We also retain additional AEDs at select seasonable
25 locations including approximately 25 units at

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2 lifeguard stations along our recreational beaches.
3 Generally speaking, the units are stored in mounted
4 cabinets located in builds that are supervised by
5 staff. At each location we have staff that are
6 trained in the use of AEDs present at the facility
7 at all times during the operating hours. Parks has
8 over 850 employees that are currently trained as
9 AED responders including our Parks Enforcement
10 Patrol Officers, recreation center staff and
11 administrative staff. To maintain their training
12 credentials, they are required to attend training
13 every two years at the Parks Academy which is the
14 training arm of our budget and human resources
15 division. Introduction 1009 would add pool
16 facilities under the jurisdiction of NYC Parks to
17 the definition of publicly accessible areas where
18 AEDs must be present. And appropriately trained
19 personnel must be available. I'm pleased to report
20 that the availability of AEDs and trained personnel
21 is already standard operating procedure at our 34
22 Olympic and intermediate outdoor pools. Adding this
23 requirement would compel the agency to expand AED
24 installation and staff training for an additional
25 19 outdoor mini pools and 12 indoor pools. We're

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3 supportive of the intent of this legislation.

4 Though, of course we will need to work with the

5 Mayor's Office of Management and Budget through the

6 normal budget process to assess specific cost

7 implications. Moving on to the last bill NYC Parks

8 works closely with our youth baseball and youth

9 softball leagues that play and practice on ball

10 fields under our jurisdiction as we distribute AED

11 units and provide training courses for adults

12 involved in the leagues pursuant to local law 57 of

13 2016 and local law 119 of 2018. Building and

14 executing this program has required a very

15 substantial administrative and organizational

16 effort on part of the agency in coordination with

17 various stakeholders. And I'm pleased to note that

18 it's been a success. Since the local law took

19 effect in spring 2017, we have engaged over 250

20 youth baseball leagues and 100 youth softball

21 leagues, distributed over 1800 AED units, and

22 facilitated training for over 4000 adults. We've

23 also engaged in a thorough educational effort to

24 ensure that the youth leagues are aware of their

25 responsibility to keep the AED units on hand during

games and practices with appropriately trained

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3 adult supervision on hand at all times. We're
4 pleased to report that we're not aware of any
5 instances in which an AED unit needed to be
6 deployed by the youth leagues in an emergency
7 medical situation, knock on wood. As currently
8 drafted introduction 1042 would amend current law
9 to grant the agency the authority to distribute
10 unused AED units to youth leagues for sports other
11 than softball and baseball. Given current agency
12 budgeting and purchasing practices our current
13 portfolio of AED units reflects the, the need to
14 ensure consistent compliance with existing law. And
15 given that it's, it's difficult to envision a
16 practical scenario in which the agency would have a
17 substantial number of AED units available for
18 redistribution scheme to additional youth leagues.
19 Also, as the proposed legislation is currently
20 drafted, it doesn't seem to compel those said youth
21 leagues to have the devices on hand nor to have
22 properly trained adults present. So, that could
23 lead to some confusion, you know potentially some
24 difficult circumstances. Regardless we, we
25 definitely appreciate the spirit of legislation and
the creativity of the approach. And we're very much

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2 open to further discussion with the sponsor and
3 other council members to discuss access to safety
4 equipment. To conclude, we appreciate the council's
5 interest in advocacy regarding these topics. We
6 look forward to continuing to work with you and
7 your colleagues to make New York City parks and
8 playgrounds better than ever. New York City parks
9 is committed to our shared goals of transparency
10 and public safety. And we're always happy to
11 participate in dialogue about how, how to best be
12 able to achieve those goals. So, thanks for having
13 us here today to testify and we'll be happy to
14 answer any questions you might have.

15 CHAIRPERSON CONSTANTINIDES: Thank you
16 Mr. Drury. We've been joined by the sponsor of the
17 capital tracker bill, Councilman Mark Levine of
18 Manhattan at this time. I think he would like to
19 issue an opening statement.

20 COUNCIL MEMBER LEVINE: Well thank you
21 Mr. Chairman. It's good to see the administration.
22 I've actually lost track of how many hearings we've
23 talked about the capital process. We don't need to
24 relitigate the tremendous frustration that, that
25 our constituents feel with the time it takes to do

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3 even modest capital renovations. I know you know
4 that, I know you've heard that. I, I do look
5 forward to asking you in more detail about your
6 progress in solving that problem. But there's just
7 no question that sunlight is the best disinfectant
8 that giving our constituents the most transparent
9 view of where capital projects they care about are
10 is extremely helpful. It's a little like subway
11 platforms where if there's a delay it's hard to
12 make it good but at least knowing exactly where the
13 train is and how long it's going to be does help
14 people grapple with problems of service in the
15 subway. And I think it's the same for delays in
16 capital projects. I also do think it forces the
17 conversation with the administration so that we as
18 policy makers and advocates can start to look
19 across capital projects and really track our
20 progress towards reducing these delays. We have
21 talked repeatedly about my disagreement with the
22 way you measure on time status which traditionally
23 is focused on the construction stage which is
24 really one of four stages. I think you would
25 probably call one of, of three stages, but in my
mind there's, there's predesign, design

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3 procurement, and construction. And in previous
4 hearings you've talked about an 88 percent on time
5 rate which does sound impressive until one realizes
6 it doesn't, that doesn't count delays in the
7 procurement design or predesign stage. I, I, I do
8 want to acknowledge what an important step forward
9 the Parks' capital tracker has been. I think it's
10 the best of any agency doing capital work. And it's
11 been a great help to people in my district who want
12 to track the status of projects they care about. It
13 doesn't cover everything that, that I think it
14 should cover. And so, this bill, Intro 161,
15 addresses other piece of information which I think
16 would make it an even stronger tool such as the day
17 those projects were fully funded, the names of the
18 council members and elected officials who funded
19 the project, names of the contractors, reasons for
20 delays, and other specific information identified
21 in the bill. I don't know, Mr. Chairman, whether
22 you're moving right into Q&A. I think that's it for
23 me on the opening statement front. I'll pass it
24 back to you and when appropriate I have some
25 questions as well.

CHAIRPERSON CONSTANTINIDES: Stay ready.

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2 COUNCIL MEMBER LEVINE: Okay, thank you.

3 CHAIRPERSON CONSTANTINIDES: Just want
4 to emphasize you know we love our parks and I think
5 that as Councilman Levine said people look at that
6 tracker more than anything else. They are of course
7 concerned about many different issues. I was at
8 Councilman Van Bramer chair of the Cultural Affairs
9 Committee, be happy to know that I was at a Costa
10 celebration last night. Oh, and I mentioned
11 progress on Redwood Playground in, which is right
12 next door to the school that I was at, PSIS 178,
13 that got the loudest applause. So, we love our
14 parks and I think we missed them when they were
15 under reconstruction. Just a couple of questions
16 and then I'm going to first turn it over to
17 Councilman Mateo and then back to Councilman
18 Levine. Can you tell me, in your first, first page
19 of testimony, Parks you stated your concern about
20 you know this might divert resources from other
21 work that you do? Do you, do you have any figure
22 what it might cost Parks to comply with the, the
23 bill as drafted on capital tracking?

24 MATT DRURY: I think it's hard to codify
25 an actual amount of time specifically because it,

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3 you know it will depend project to project but
4 there are some you know highly technical and
5 specific datapoints that this new bill seeks to
6 add. So, in a broader sense I think it's more about
7 the fact that we believe the, the tracker in its
8 current incarnation represents a really, a balance
9 between getting the information out there that we
10 know New Yorkers need and deserve while keeping the
11 disruption and, and impact administratively you
12 know to, to a minimal degree. So, I, I don't think
13 I have an exact number that I could quote you in
14 terms of person hours except that it would, it
15 would be considerable.

16 CHAIRPERSON CONSTANTINIDES: Is the
17 current way that, that you track projects now
18 report them to the public, is that the job of one
19 person, five people, is it, is it, does everybody
20 at capital kind of involved? Do they have, all have
21 access to updating the system? If you could
22 explain... you take us through that a little I would
23 appreciate that.

24 MATT DRURY: Sure. I'm, I'm happy to
25 defer to Diane here except to say that it is
certainly a team effort, that's in terms of data

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2 entry into our project management software unifier
3 that's then you know transferred automatically to,
4 to, to the, to the tracker. But I'll let Diane
5 expand on that a little bit.

6 CHAIRPERSON CONSTANTINIDES: Thank you.

7 DIANE JACKIER: Hi, good morning. Almost
8 all staff in the capital division have access to a
9 project management system. Excuse me. And each one
10 of them plays a specific roll, enters dates,
11 milestone information related to the specific
12 projects that they're working on. So, there really
13 is almost no one in the building who doesn't have a
14 touchpoint into the system.

15 CHAIRPERSON CONSTANTINIDES: This is at
16 the Olmsted Center.

17 DIANE JACKIER: Correct.

18 CHAIRPERSON CONSTANTINIDES: Okay.

19 That's a lot of people.

20 DIANE JACKIER: It's a lot of people.

21 CHAIRPERSON CONSTANTINIDES: The many...

22 [cross-talk]

23 MATT DRURY: But if I may just, sorry
24 really quickly.. [cross-talk]

25 CHAIRPERSON CONSTANTINIDES: Yes, yes.

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3 MATT DRURY: But it's also the staff
4 that are most closely involved with that
5 particular, you know technical aspect. So, it makes
6 sense you know that they'd be entering that data
7 just you know to, just to clarify that, you know
8 the people who are most you know familiar with the
9 progress on that aspect of the project you know
10 are, are chiefly tasked with that.

11 CHAIRPERSON CONSTANTINIDES: You know
12 as, as a member of the council I like to visit
13 ongoing projects and I'm sure my colleagues all
14 visit theirs from time to time when we have the
15 time. Do you rely upon the contractor at all for
16 some of this? I assume that you know you're not out
17 the, you're not out at each project every day, I?

18 MATT DRURY: Well Parks has a series of
19 resident engineers that are agency staff and they
20 are the chief liaison with the construction
21 contractor that's on site. And in many cases, they
22 actually are on, on site every day or close to it.
23 So, there is very much a, a, you know close
24 coordination between our, our resident engineers,
25 our agency staff, and, and the contractor on site.

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3 CHAIRPERSON CONSTANTINIDES: The Mayor's
4 management report only reports statistics for the
5 construction phase of the process. And I know that
6 you're not responsible for that report, but do we
7 have any idea why it doesn't report on the
8 timeliness of the other phases of the process?

9 MATT DRURY: No, I think that's a
10 question I'd have to defer to the Mayor's Office of
11 Operations on in terms of how or why you know the
12 report is conceived the way it is. I mean I guess
13 I'll go a little further to say, you know, I
14 believe in terms of the general public to the
15 degree that construction is disruptive to a site
16 you know I think that's a very public facing you
17 know sort of aspect. So, I think there's value
18 specifically related to construction that I think
19 people are keenly aware of. So, it's not that the
20 other phases aren't also important, but I think
21 there's a degree to which I think the common New
22 Yorker interacts with parks improvement projects
23 you know most directly during the construction
24 phase.

25 CHAIRPERSON CONSTANTINIDES: Okay.
Alright I, I'm going to pause in my questions now

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2 and I'm going to turn it over to Councilman Mateo
3 for questions.

4 COUNCIL MEMBER MATEO: Thank you Mr.
5 Chair. So, I want to first thank you for working
6 with us to pass local law 57 and 119. Obviously, we
7 had to come up with a creative solution to make
8 this work and we here at the council appreciate
9 your partnership to making that work. So, before I
10 just get into a few, some questions on the, I just
11 want to just backtrack real quick on 57 and 119, on
12 the baseball softball bills. Just, just generally
13 speaking how is the process going, has there been
14 any issues, and just comments on just how that
15 process has been... [cross-talk]

16 MATT DRURY: Sure. I think we'd
17 characterized it overall. It's, it's the you know
18 operational elements of the distribution and
19 educating the teams, providing the training has all
20 gone very very well. The most important thing that
21 we're happy to note is that you know there haven't,
22 thankfully, been any negative incidents in which
23 the units have needed to be deployed which is,
24 which is really wonderful. But still you know I
25 think many of the leagues are appreciative and, and

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2 the actual operation it's, I do have to give credit
3 to our, to our staff. It's a, it's a really
4 considerable undertaking so it's, it's, you know
5 it's no small feat. So, we want to give them proper
6 credit. It takes the coordination of you know many
7 employees and, and all the various leagues and a
8 lot of pieces that have to come together. But we
9 feel so far compliance has gone very very well.

10 COUNCIL MEMBER MATEO: Good. And so, for
11 the, any of the baseball softball leagues has
12 there, there's been an issue where any of the
13 leagues have not complied and we had to issue a
14 penalty or... [cross-talk]

15 MATT DRURY: We haven't had issue..
16 [cross-talk]

17 COUNCIL MEMBER MATEO: ...followed up or..
18 [cross-talk]

19 MATT DRURY: Yeah. So, our, our policy
20 and our approach generally speaking for, for all
21 business true of all park rules generally we have
22 been doing our parks enforcement patrol and other
23 operational staff have been doing spot checks
24 during the seasons. And I think they're have been a
25 handful of warnings assigned at, usually at the

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3 beginning, near the end, beginning of the season
4 just to remind everyone, you know perhaps the
5 device is you know in the coach's car or something
6 like that, and they go get it, like that sort of...
7 so that's, it's largely, compliance has generally
8 been very very positive.

9 COUNCIL MEMBER MATEO: Okay and offhand
10 do you, do you know the cost of each AED that
11 you're aware of... [cross-talk]

12 MATT DRURY: Yeah it, it... [cross-talk]

13 COUNCIL MEMBER MATEO: ...in the program?

14 MATT DRURY: ...ranges depending on the
15 model, but it varies somewhere between 1600 to
16 2,000.

17 COUNCIL MEMBER MATEO: Just for the
18 model or is that for the training too?

19 MATT DRURY: Oh sorry, no training is,
20 person's a little difficult to, to, one second.
21 Provided a full class which is 30 or so people
22 right? 20, sorry, 20 or so people, it works out to
23 about 50 dollars a person, give or take.

24 COUNCIL MEMBER MATEO: Per person?

25 MATT DRURY: Yeah.

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2 COUNCIL MEMBER MATEO: Okay. How many
3 have you handed out and how many have you
4 purchased?

5 MATT DRURY: I know we have distributed
6 to the leagues roughly 1800, 1,800 at this point. I
7 don't know how many have been purchased in total
8 but I, you know I, I believe it's generally in the
9 ballpark of that, that amount.

10 COUNCIL MEMBER MATEO: Okay. So, just
11 jumping to the first bill, the lifeguard bill, one,
12 109, 1009, so the, in your testimony, said you have
13 them at 34 pools?

14 MATT DRURY: Yeah, our outdoor... [cross-
15 talk]

16 COUNCIL MEMBER MATEO: And then 19 and
17 12, mini pools, and 12 indoor pools would have to
18 be covered.

19 MATT DRURY: Correct.

20 COUNCIL MEMBER MATEO: So, that's the,
21 the 65, that's the total that you got, Parks is
22 covering the entire city with pools?

23 MATT DRURY: Sorry, 65, sorry.

24 COUNCIL MEMBER MATEO: You have 34,
25 right? That you already have the... [cross-talk]

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3 MATT DRURY: Oh right, sorry... [cross-
4 talk]

5 COUNCIL MEMBER MATEO: Plus 19 and 12.

6 MATT DRURY: So, the total universal
7 pools would be yeah, roughly 65, that's correct.

8 COUNCIL MEMBER MATEO: 65, okay.

9 MATT DRURY: Yep.

10 COUNCIL MEMBER MATEO: So, where in the
11 34 pools, where are the AEDs stored, where are they
12 brought, if they're inside are they brought outside
13 during pool hours?

14 MATT DRURY: Right.

15 COUNCIL MEMBER MATEO: Are they always
16 next to a lifeguard? Just where, where are they?

17 MATT DRURY: They're, they're generally
18 in cabinets located in or near like the lifeguard
19 changing rooms which are, which are directly
20 adjacent to the pool deck.

21 COUNCIL MEMBER MATEO: So, it's easy
22 access when they're there?

23 MATT DRURY: Very much so.

24 COUNCIL MEMBER MATEO: So, during well
25 when the pool's closed, because we had this whole

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2 talk about theft and everything you're, you're,
3 they're away, they're locked away?

4 MATT DRURY: Correct. They, offseason,
5 so when, outside of pool season for the outdoor
6 pools they get transferred to our store house. I
7 think our five-borough storehouse on... [cross-talk]

8 COUNCIL MEMBER MATEO: What about even
9 after the hours of operation? Are they still in the
10 same spot?

11 MATT DRURY: Those, I think during the
12 season... I'll have to double check this but I
13 believe, I believe those facilities are lockable.
14 You know, so overnight I believe they remain on, I
15 believe they remain onsite, but I can double check
16 that for you.

17 COUNCIL MEMBER MATEO: And the, the,
18 you're paying for this obviously different than
19 you've used our, our program for baseball and
20 softball. Because this was existing.

21 MATT DRURY: Correct. I mean you know I
22 guess from the agency's perspective we purchased,
23 you know I, I presume we, you know we purchase in
24 bulk and then I, we have contracts and that sort of
25 thing. So, it may be drawn off a similar purchase

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2 order but, but we do view it in, you know the, you
3 know in terms of compliance viewed in two different
4 ways.

5 COUNCIL MEMBER MATEO: Okay if we were
6 to pass this bill, I'd assume that we'd cover the
7 same costs that we're, we're doing with the
8 baseball and softball right?

9 MATT DRURY: Yeah, that would, I mean I,
10 clearly that would.. [cross-talk]

11 COUNCIL MEMBER MATEO: 1600 to the 2,000
12 per unit, per?

13 MATT DRURY: Right, I mean this would,
14 this would compel, you know the, the pool bill
15 would compel a new need so that's a, you know
16 discussion we'd have to have with Mayor's Office of
17 Management and Budget. There would technically be
18 a, a cost associated. So, that's, that's something
19 we need to.. [cross-talk]

20 COUNCIL MEMBER MATEO: I mean I, just
21 doing numbers in my head I would assume around
22 60,000 dollars right?

23 MATT DRURY: That's about right.

24 COUNCIL MEMBER MATEO: Okay. And you
25 haven't talked to them about that yet?

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3 MATT DRURY: Correct. That's correct.

4 COUNCIL MEMBER MATEO: Okay. Okay.

5 Listen obviously we, we think it's important to
6 expand to, to cover all the pools so this is a very
7 important priority for us. We look forward to
8 working with you on that. I'm going to shoot to
9 1042 now. And, and, and this is, you know this is a
10 bill and I appreciate your comment and your
11 testimony. But we are, we're trying to figure out
12 how we give parks the discretion and authority to
13 expand AEDs to others if you have them available,
14 if in the future you decide hey we have extra
15 money, we want to, where we're getting a lot of
16 calls, we have teams that, that certainly can use
17 this, other teams, lacrosse, anything, any teams
18 that are playing on, on our, our city parks. So, I,
19 and I, I appreciate that you're talking about, we'd
20 have to basically put in the same type of program.
21 But I just want to be clear. We're, we're not
22 looking to mandate you to start doing, we're trying
23 to give you the option, so we don't have to keep
24 coming back for legislation for new, for new teams.
25 Because we, we obviously want to expand AEDs to
every, every team in, in my opinion, every team's

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3 using a city field. So, just on your thoughts on
4 that and understanding that the intent of the bill
5 is more of trying to, for the future give it to you
6 since you're running such a, a, a very good program
7 right now. And even the leagues that I talk to in
8 my district and throughout the city it's been going
9 great. And thank god, knock on wood that no one has
10 had to use it, and, and what, if we, if and when we
11 do I'm, I'm ecstatic that everyone's trained and
12 everyone has them and especially at practices and
13 not only at the facility. So, that's the intent of
14 the bill. So, just your thoughts on [cross-talk]

15 MATT DRURY: I, I think... [cross-talk]

16 COUNCIL MEMBER MATEO: ...how you can
17 handle it and you know where we can go from, from
18 here.

19 MATT DRURY: Sure. I guess. You know, so
20 the central question I suppose is the notion of
21 expansion to, to other sports and other leagues and
22 so I think that's a conversation that would, you
23 know needs to be taken seriously and we're happy to
24 engage with you know Department of Health and, and
25 the various leagues themselves. Anecdotally I can,
I can report, we, we haven't really noted or heard

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2 of a huge clamoring for expansion from, from other
3 non-baseball, non-softball leagues but that doesn't
4 mean it's not an important consideration. So, I
5 think we appreciate that the bill you know is, is
6 flexible in its approach. And I guess we just
7 wanted to be clear that at least in terms of our
8 current practices you know we sort of budget
9 appropriately right, and so we sort of purchase the
10 devices that are in place. So, at this point we
11 don't really envision having sort of an overage or
12 a surplus so to speak. And so, I think it would
13 take a lot of careful consideration even if we were
14 to end up with a surplus you know what would be a
15 fair and appropriate and logical way to distribute
16 that. I think, I think that's something that would
17 take a lot of thought and consideration, but you
18 know it's something I think we're open to.

19 COUNCIL MEMBER MATEO: Right.

20 Understood. And, and listen, because of the
21 complexity of the bill, the prior bills you
22 understand that this isn't as easy as just putting
23 them out, leaving them in a, in the Parks facility
24 and you know we're done with it. Because you have
25 that training, we have to, you have to make sure

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3 that they're working, how is that working, are you,
4 have you had to go check the AEDs yet. Has anybody
5 brought AEDs and said they don't think they're
6 working?

7 MATT DRURY: So, far, I don't believe
8 there's been any incidents of a malfunctioning, but
9 we are currently, now that it's been two years
10 some, some of the devices have been out there for
11 two years. So, we actually just started our sort of
12 checking in and the reapplication for the new
13 season. So, I think we'll see in the next couple
14 months out of those conversations you know we're,
15 we're keeping careful track to see if you know the,
16 the coaches and the, the leagues that you know keep
17 the devices during the seasons are responsible to
18 make sure that they're being checked daily and
19 monthly. You know battery still alive, that sort of
20 thing. So, and knock on wood, so far no incidents
21 thus far, but we are going through a range of
22 check-ins if you will and, and so we'll see what
23 comes out of that.

24 COUNCIL MEMBER MATEO: Okay. So, listen.
25 I mean obviously we want to expand. We want to make
sure everyone's safe. That's, that's the goal.

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3 Everyone who, every kid is playing sports whether
4 its baseball, softball, lacrosse, soccer, we, we
5 want them all to be safe. We want them all to have
6 available AEDs and, and coaches trained and, so
7 that's, that's the goal. So, we're just, we're
8 trying to be creative once again to get to that
9 goal because going sport by sport is difficult,
10 there's budgetary training. Every time we do a
11 sport, obviously another sports team want it and
12 they deserve it just as much as the ones that we
13 have passed already. So, when, when, when a mother,
14 father, or coach comes to me and says you know
15 we're playing lacrosse, we need it too. Of course
16 they need it too. So, we're, we're trying to find
17 that, that balance of giving you discretion so we
18 don't have to do legislation every, every time for
19 every sport. So, that's the goal. It's a priority
20 for us. We'd like to get there so I want to
21 continue to have that discussion and move these two
22 bills along so that every kid is safe and hopefully
23 we never have to use them. But the ultimate goal
24 here is to have the AEDs there to save lives.

25 MATT DRURY: We appreciate that and, and
yeah we're happy to happy to continue... [cross-talk]

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2 COUNCIL MEMBER MATEO: Yeah and, and
3 listen, and I'll, and I'll say this, my final
4 statement on this to you is that you know we, we
5 have this beating hearts initiative in the council
6 that, that I spearhead where each member gets four
7 AEDs. We're, we're trying to expand AEDs
8 everywhere. And, and discussion, and when more and
9 more people understand these life saving devices
10 are available it just, it's safer for everyone and
11 that's where we want to go. So, I appreciate your,
12 your work with us in the past. I appreciate your
13 comments and I look forward to working with you to
14 pass these bills. Thank you Chair Grodenchik.

15 CHAIRPERSON CONSTANTINIDES: Thank you
16 Council Member Mateo, thank you for your passion on
17 this issue. At this time, I'm going to turn it over
18 to Council Member Levine for his questions.

19 COUNCIL MEMBER LEVINE: Thank you very
20 much Mr. Chair. I'm going to be focusing on the
21 capital tracker, but I do want to acknowledge the
22 incredible work that Minority Leader Mateo's done
23 on the AED issue is saving lives. Something I was
24 pleased to work with him on in the last term and
25 that I'm glad he's continuing to focus on. So, can

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2 you tell us what, what the average time for a Parks
3 capital project is now?

4 MATT DRURY: So, I can discuss a
5 specific, so for example we recently completed some
6 analysis of a specific class of capital project,
7 what you might call your, your sort of typical,
8 which we consider to be a single site landscape
9 project. And what we did was we assessed the
10 universe of that. And I think we're seeing that
11 arranged generally for those, for those, for that
12 universe between, it ranges between 30 and 45
13 months on average. But we have noticed a really
14 sharp, we have sharp improvement, sharp decline in
15 the design time for projects completed during this
16 new administration under the recent reforms that
17 we've instituted, seven months saved compared to
18 projects completed before these were instituted.

19 COUNCIL MEMBER LEVINE: Alright, okay.
20 30 to 45 months. Now I know because we've talked
21 about it a lot you measure the start time at the
22 first public scoping meeting. That's right. And we,
23 we've argued about this in other hearings. And I've
24 explained that from the public's perspective as
25 soon as they hear our project is fully funded in

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2 their mind the clock is ticking. They, we, we all
3 understand that everything's funded mostly on June
4 30th and that you can't start 150 projects on July
5 1st. And you have articulated a commitment to start
6 all the projects within the fiscal year and, and I
7 think everyone understands that you need some time
8 to stagger the starts. But I'm just explaining
9 again for the record the way the public views
10 these, by the time there's a public scoping meeting
11 in the public's mind that's like the end of the
12 first quarter already. Right there. You know we, we
13 feel calls for months. When's this scoping meeting
14 going to be? When's the scoping meeting going to
15 be? So, I understand from your tracking purposes is
16 that's day one but from the public's purposes
17 that's 6 months, 9 months, or, or god forbid 12
18 months into it. As for the 30 to 45-month metric.
19 It's great to hear about a seven-month improvement
20 in the design stage that, that's a big
21 accomplishment. That's seven months out of an
22 average of what for the design stage.

23 MATT DRURY: So, we had seen, I'd say
24 the average now ranges between 9 and 12 months give
25 or take.

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2 DIANE JACKIER: Sorry, it's about 12 to
3 14 months.

4 MATT DRURY: I'm sorry.

5 COUNCIL MEMBER LEVINE: So, you've cut
6 about a third or so off of design or maybe 40
7 percent. So, I want to acknowledge that's a big
8 deal. How about the procurement stage? What's the
9 average length and where, what are the, what's our
10 improvement in that stage at this point?

11 MATT DRURY: It averages about a year
12 give or take. And in our analysis they, this is one
13 phase. You know because many of the reforms we've
14 instituted cannot really impact the procurement
15 phase because so much of it is already dictated by
16 existing law policy, you know procurement policy
17 board rules, you know comptrollers, directives,
18 etcetera, etcetera. So, there's less flexibility if
19 you will in terms of internal reforms that we can
20 make? So, actually, in an analysis we did, we saw
21 an increase procurement phase of about a month
22 which again is sort of something that can vary
23 widely by project. You know if, if a project needs
24 to be rebid, it, because you know initial
25 contractor bids came back you know... [cross-talk]

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3 COUNCIL MEMBER LEVINE: But why is that
4 getting worse? We've had those problems for years.

5 MATT DRURY: Sure. I think it's, it's,
6 it can be difficult to say. I think a lot of it is
7 a index of the increasing explosion in the, in the
8 construction market. And just the fact that you
9 know bids are coming back even higher, even with
10 our aggressive efforts to kind of modulate our
11 estimates in advance, you know the pace of
12 construction is even you know outpacing that.

13 COUNCIL MEMBER LEVINE: Procurement is a
14 bureaucratic sounding word. I don't think the
15 public even knows what it means.

16 MATT DRURY: Sure.

17 COUNCIL MEMBER LEVINE: But I think it's
18 very hard for the public to understand how after
19 design is done the plans are all set. We know what
20 we're going to do. We know exactly down to the
21 location of every bench and water fountain. But
22 before any actual work is done on the site, we're
23 not putting any shovels in the ground, that that's
24 12 months. Can you, can you explain in plain
25 English why it takes 12 months?

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2 MATT DRURY: Sure. So, first and
3 foremost, you're, I think you're right. Like
4 procurement is a, a fairly technical, jargon-y type
5 word. So, it, but essentially what's important for
6 people to understand is that, that city agencies
7 generally speaking do not actually perform
8 construction work, you know writ large operating
9 you know bulldozers. That, that work is generally
10 handled by private contractors. And so, to retain
11 those services, the city has a, a very regimented
12 process through which we notified the construction
13 community that bids are available, that projects
14 you know were open for bids for, for people to come
15 and tell them, tell us about their services. They
16 submit a price. They you know outline their
17 qualifications. And there's a very rigorous review
18 process. So, in terms of the various contractors
19 they have to meet very fairly aggressive, you know
20 ethical and background standards and checks.
21 There's a lot of legal review with the law
22 department, comptroller's office. There are various
23 processes put in place where if you know bids come
24 back in a certain manner that you know additional
25 review is required to make sure. And, and the goal

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2 here, and you know I, I can't speak to exactly why
3 these various reforms or measures were put in
4 place. But, generally speaking, the process is to
5 ensure that you know we're, the city is allocating
6 public funds in the, in the most appropriately
7 manner possible and that you know the, the
8 contractors that we're requiring are responsible
9 and responsive and that they're going to you know
10 provide a good product... [cross-talk]

11 COUNCIL MEMBER LEVINE: Look probably
12 every single one of the safeguards, extra process,
13 extra transparency put in place, had a great
14 justification and it partly emerged out of an era
15 when there was corruption. But you add it all up
16 and it is, it's just leading to an unacceptable
17 amount of time on a part of the capital process
18 which is neither designed which obviously takes
19 some time nor construction which obviously takes
20 some time. And, and what I'm hearing from you is
21 that even in this era of pressure, external
22 pressure, and I think even an internal desire that
23 that, that period is expanding, procurement is
24 expanding in time. Is that right? You, you were
25 going to say?

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2 DIANE JACKIER: I was actually just
3 going to chime in. We've done a lot of analysis on
4 the entire capital process, particularly in
5 procurement. We looked at, it seems about 80
6 percent of the steps in procurement are outside of
7 the parks department's hands. And this is for all
8 agencies that do capital projects. So, we have sort
9 of a regimented process that we have to follow.
10 First, it's legal review. Then we have to bid out
11 our contracts legal review. We have at least 30
12 days with the law department for bidding out our
13 contracts depending on what type of contract it is.
14 It's either 22 days or 28 days that it has to be on
15 the market. We have to do a responsibility
16 determination. In that timeframe we have to go to
17 DOI. We have to go to the Department of Labor
18 Services. There's a lot of different checks along
19 the way. I think the environmental control board
20 that can take several months to do that
21 responsibility determination. And all those checks
22 were sort of outside of the parks department and
23 the agencies who do that review have a certain
24 regimented time. We, we agree with your
25 frustration, that it does take a long time.

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2 COUNCIL MEMBER LEVINE: Well we're, and,
3 and the one area where we have understood and
4 attacked a problem with an external agency is the
5 public design commission. And my understanding we
6 have reduced significantly the amount of time lost
7 at the PDC for Parks project. So, tell, but tell us
8 what else we need to do, either pushing another
9 agency, changing the laws, what do we need to do to
10 reduce constraints on you that are beyond your
11 control.

12 DIANE JACKIER: I, I... [cross-talk]

13 MATT DRURY: I think there's a robust
14 conversation that's been underway for some time
15 now. And I think we're starting to see the fruits
16 of that you know last week DDC unveiled sort of a
17 blueprint for, you know for some, and this is all
18 part of sort of a citywide conversation that's
19 happening about you know some pilot approaches and,
20 and reforms that can be made. I think there is
21 further discussion to be had about potential
22 legislative changes that can be made. I think we
23 want to have those conversations in coordination
24 with, with Mayor's Office of, of Operations and

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2 other, other key entities to make sure that we're
3 having one wholistic conversation.

4 COUNCIL MEMBER LEVINE: Right so this,
5 this question of the on-time percentage which still
6 on the MMR is being quoted at 88 percent. And as I
7 explained a short while ago. It's not consistent
8 with the way I think any member of the public would
9 evaluate the on-time nature of a parks project
10 right? So, you're, you're not, you're not
11 accounting for any delays in procurement which you
12 identified as an area where we're having expanding
13 delays or any of the other stages. Why not just,
14 if, if you're not going to start this, the, the
15 game clock at the time the project's fully funded
16 you are at least starting it at the time of design.
17 Why not measure your on-time ratio based on that
18 start time?

19 MATT DRURY: Yeah I, you know I think, I
20 think that's a conversation you know we're open to
21 having with Mayor's Office of Operations. I can't
22 speak to how the metrics were developed and, and
23 what the rationale was at the time. I did mention
24 earlier. I think it's, there is some, to some
25 degree you know an average citizen you know, a, a

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3 project's construction period is probably the most
4 visible. You know it's, it's the period during time
5 they might actually not be able to get into the
6 park for example. So, I think there is value in
7 sort of in terms of construction being the primary
8 phase that's the most shall we say you know
9 impactful or potentially disruptive. And so as, as
10 a metric I think that's, you know that makes a lot
11 of sense. But I think we're open to, to other
12 discussions as well.

13 COUNCIL MEMBER LEVINE: Understood. And

14 so on, on, and I'll try and wrap up Mr. Chair but
15 on the, on, the question of the Parks tracker
16 itself there, there's so much more information that
17 could be there that I think would be useful to the
18 public. So, why not list for example the names of
19 the contractors?

20 MATT DRURY: You know that's an

21 interesting element. It's actually not included in
22 the bill. So, that's something I, I don't know that
23 we've taken a look at. So, I think we'd have to,
24 you know, I don't, maybe legal implications. That's
25 something I think we'd have to take a look out of
it.

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2 COUNCIL MEMBER LEVINE: But as soon as
3 the city signs a contract with somebody that's
4 public information, no?

5 MATT DRURY: I'd have to double check.
6 I'm not, I'm not as familiar with you know freedom
7 of information law and that sort of thing. So, I,
8 I'd have to double check if that's the case. But
9 it, it may be and that's the case. But it, it may
10 be, and that's, it's something I think we can look
11 into.

12 COUNCIL MEMBER LEVINE: I understand
13 that because we have talked prior that sometimes
14 the explanation for delay is not clear cut but
15 sometimes it is. Sometimes it's because you got no
16 bids in and, and you have to restart the process.
17 Sometimes it's because there was a change in scope
18 on the project. Sometimes it's because there was
19 unexpected site conditions. And I'm sure you have
20 very discreet record keeping on that in your
21 internal databases. So, in, when, when you have a
22 very clear cause of a delay why not tell the public
23 that?

24 MATT DRURY: Well a couple different
25 things. The tracker does provide some narrative

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3 characterization of where the project currently is.
4 So, if it's in procurement and it's you know being
5 reviewed by, by law department and other entities
6 that is actually characterized. You know I don't
7 think that's necessarily the instance of a delay
8 per say but that's just sort of as a, as a broader
9 perspective. And, and the, and we do, on the
10 tracker, if there is a timeline change, we do
11 provide a range of instances or circumstances that
12 can lead to you know changes in each... [cross-talk]

13 COUNCIL MEMBER LEVINE: But that's just
14 generic general language.

15 MATT DRURY: Yeah. For, for, for general
16 awareness. I think we'd be concerned about a rubric
17 or a scheme in which certain projects would benefit
18 from clear-cut explanations whereas others
19 couldn't. I think for legal and operational
20 reasons, you know the current, it's not as if the
21 current database has you know a, you know two or
22 three-word explanation. The reasons that can
23 sometimes lead to changes in those timelines can be
24 very very complex. And so, I think it doesn't
25 really easily lend itself to sort of succinct
summarization.

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2 COUNCIL MEMBER LEVINE: Having lived
3 through many capital projects in my district I know
4 that the question of whether and when a project is
5 fully funded is something that, that you all are
6 understandably extremely focused on. And all of us
7 as council members are used to hearing; 'sorry we
8 can't start work because it's not fully funded', or
9 we might hear that; 'well it was fully funded but
10 the project scope changed or cost inflated, it's no
11 longer fully funded'. I'd, you are keenly aware of
12 this question of funding as, as you have to be. So,
13 I'm sure that you are recording the moment at which
14 a project is fully funded. I'm sure it's in one of
15 your databases. So, what, what would be wrong with
16 letting the public know that date?

17 MATT DRURY: You're correct that is, it
18 is whether a project is fully funded is, is a, is a
19 matter that we are very keenly aware of. It is
20 something that we do track internally, not in the
21 same manner that we track the data that, that is
22 tied to the, to the capital project tracker. But I
23 think on a broader sense I think we really feel
24 strongly that in terms of the public's real
25 interaction, although I fully acknowledge that

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3 there are often you know advocates for a specific
4 park who are keenly advocating for a project. And
5 they, and you know they may be you know very aware
6 of when a project has been funded or partially
7 funded or as that happens over time. But I think in
8 terms of our approach to making sure you know the
9 entire community knows about a project and opening
10 the door for a public scoping session and making
11 sure everybody, as many people are at that table as
12 possible so that we can hear what they really want
13 out of the project. That, to us, feels like the
14 most inclusive, most logical point at which the
15 general public at large is aware of the project and
16 you know our teams and/or the design consultant is
17 putting pen to paper. Like that, to us, is the
18 touchpoint at which a project truly starts. I think
19 there are other internal you know machinations that
20 do happen in terms of funding and/or you know
21 determining whether a project's fully funded,
22 something kind of as you, as you've referred to it
23 can be deem, fully funded and then circumstances
24 can change. Turns out public sentiment actually
25 wanted something else, so the scope changes, or you
know an unforeseen site conditions, you know a

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2 variety, you know the bid, the bid process. Things
3 can kind of fall in and out of that, that. So, I
4 think we're concerned about a rubric tied to
5 reporting that in which you know things can be so
6 fluid. And I think that you know could easily just
7 lead to greater confusion.

8 COUNCIL MEMBER LEVINE: Okay. Well the
9 Chair's been very generous in, in allowing time on
10 this. And so I'm going to pass it back. I just want
11 to close by stating emphatically that transparency
12 is good for accountability and it's good for the
13 public. It's key to us ultimately solving this
14 unacceptable situation. And we need to push the
15 envelope on getting us much information in a clear
16 and transparent way to the public as possible. And
17 it's, it's the basis for this legislation. And
18 something we're, we're going to continue to push
19 on. And I thank you and pass it back to the chair.

20 CHAIRPERSON CONSTANTINIDES: Thank you
21 Councilman Levine. Thank you for your efforts. I do
22 want to add my voice to his. I think that just
23 about every single member of this council and I
24 would daresay many members of the parks department
25 are frustrated, people that work for parks in our

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2 inability to move projects along more quickly. I do
3 want to commend Commissioner Silver for his efforts
4 there. And I'm hopeful that soon we will hold a
5 hearing on procurement citywide. The city spends
6 billions, over 10 billion dollars a year on capital
7 construction. And certainly, we could be doing
8 better on that, by, by streamlining the process we
9 would certainly be saving taxpayers hundreds of
10 millions if not a billion dollars or more a year.
11 And I do agree also with Councilman Levine that the
12 construction phase is critical. I was recently on
13 the phone for about 20 minutes with a constituent.
14 They put up a fence at Melrose Playground which is
15 actually being overseen by the school construction
16 authority. And so the kids were no longer able to
17 use it although there was no, no work going on for
18 at least a couple weeks and I explained to the
19 constituent that once the contractor has control he
20 or she is responsible and they have to ensure that
21 nobody gets hurt there. So, that's what people see
22 though. They don't really see everything else.
23 Everything else is procurement. What kind of word
24 could we use Councilman Levine? Maybe, maybe we
25 could put Amazon in charge and the procurement it

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2 would happen faster. I don't, there's another can
3 of worms. Okay. At this time I, I do want to ask
4 you... I have one other question for you. And if I
5 could find it, I will ask it. I assume there's a
6 formal process on the AEDs that with the training
7 if, if one is needed, they know exactly what
8 they're doing.

9 MATT DRURY: That's right. There is a,
10 it actually, it's folded into our field permit
11 process. So, when the league approaches us there's
12 a very clear sort of process whereby they, you know
13 they, it's compulsory that before they can receive
14 their field permits they must you know receive the
15 devices, attest that they have them, and then
16 provide adults, an adequate number of adults to be
17 trained in the, in the deployment of those devices.
18 So, yeah, there's a fairly rigid process that's set
19 in place that's working fairly well.

20 CHAIRPERSON CONSTANTINIDES: Alright, at
21 this time, I don't have anymore questions. I don't
22 think my colleagues do. I want to welcome
23 Councilman Moya, my colleague also from Queens and
24 I want to thank you for your testimony this
25 morning. I would ask of course as you always do to

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2 listen to some of the other people that are
3 testifying today. And with that I'm going to call
4 up the next panel. The next panel is Robin Vitale,
5 Melinda Murray, and Steve Tannenbaum all with the,
6 well two of them are with the American Heart
7 Association. We welcome Ms. Murray from East
8 Elmhurst.

9 [background comments]

10 CHAIRPERSON CONSTANTINIDES: [off mic]

11 Ms. Murray when you're ready.

12 MELINDA MURRAY: Yes. Good morning and
13 thank you for the opportunity on today to share my
14 son Dominick's story and address the council and
15 Parks Committee on the importance of lifesaving
16 AEDs in public settings especially where youth
17 congregate. My son Dominick suffered sudden cardiac
18 arrest, sudden cardiac death during a pickup
19 basketball game. When his heart abruptly stopped
20 Dominick did not have access immediately to an AED.
21 Those who were there didn't know where to find out,
22 or how to use it. I'm here to speak up for Dominick
23 and the many young hearts silenced by sudden
24 cardiac arrest. His tragedy, my reality is another
25 example of how we should try to protect victims

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2 when they're playing organized sports, or
3 unorganized sports. In the last nine years since
4 Dominick's sudden death thousands upon thousands of
5 children have died and many of them could have been
6 saved. AEDs and public places make a difference
7 between lives saved and lives lost. As a mother who
8 lost her only child I believe that no child should
9 be at risk playing sports due to lack of lifesaving
10 equipment. Don't our children deserve to be
11 protected? On October 5th it will be 10 years that
12 Dominick has been gone. But it feels more like 10
13 seconds ago. There has to come a day when there are
14 no more children dying playing in parks, schools,
15 or anywhere. Accessible AEDs and parks is a
16 positive start. That is my testimony and my appeal
17 to you. Thank you.

18 CHAIRPERSON CONSTANTINIDES: Thank you
19 Ms. Murray and very sorry for what you suffered
20 through. Someone who grew up playing sports all
21 over the borough of Queens it certainly hits home
22 to me. And I know it to all the members of this
23 panel. So, thank you for being here with us today
24 and sharing your personal story.

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STEVEN TANNENBAUM: Mr. Chairman,
Council Members, good morning. My name is Steven
Tannenbaum. I was born and educated in Brooklyn New
York and I attended New York law school just a few
blocks away from here. I am here to testify as a
living example as to why AEDs should be made
readily available and accessible to all New Yorkers
by placing them at pools, athletic fields, all
other possible locations, and accessible at all
hours of the day. In three weeks, I will turn 66
years old. But my real birthday is actually May
6th, 2009. So, I'm just about to be 10 years old.
On that day in May just about 10 years ago I died
from a sudden cardiac arrest on a softball field
while playing at a park in Oceanside New York.
Statistically about 1,000 other Americans suffered
from a cardiac arrest that same day and only about
six or seven percent survived to tell their story
as I'm telling mine now. Sadly, there was no AED
readily available on that softball field because
there was no law requiring its presence. My life
would have ended that day at that time, but I had
the good fortune to have a police car in the
immediate vicinity of where I suffered my cardiac

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3 arrest. Once the 9-1-1 call went out following my
4 arrest a police car responded which contained an
5 AED and I was shocked three times by an automated
6 external defibrillators within three minutes. That
7 is the only reason I am alive today and why I'm
8 here to experience this with you, and with my
9 lovely wife who is the beneficiary I think of all
10 this good fortune, at least I think it is. In,
11 instead of referring to May 6th, 2009 as the day I
12 died I can now refer to it as my rebirth day. I'm
13 here today in the hope that thousands of other New
14 Yorkers will have a second chance at life that I
15 have had. It is critical that we have AEDs together
16 with cardiac emergency response plans immediately
17 available to as many New Yorkers as possible,
18 particularly those engaged in athletic activities.
19 As good as our ambulance and police crews are with
20 the congestion in New York City sudden cardiac
21 arrest victims do not have the luxury of waiting
22 for a first responder to arrive with an AED. CPR
23 and AED usage by the lay population have proven to
24 be critical in saving the lives of sudden cardiac
25 arrest victims. My goal here is to create many more
happy rebirthdays and to end preventable loss of

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3 life from sudden cardiac arrest. Today we have an
4 opportunity to continue to make New York City the
5 safest big city in America and I urge you to take
6 this critical step to support this mission. Thank
7 you for your time and your consideration.

8 CHAIRPERSON CONSTANTINIDES: Thank you
9 Mr. Tannenbaum for sharing your story. It's great.
10 Great to hear that the efforts that we do bear
11 fruit, so thank you. Before Ms. Vitale testifies,
12 we've been joined by Councilman Mark Gjonaj and
13 Councilman Andy Cohen, both of the Bronx. And Ms.
14 Vitale, Vice President of Health Strategies of the
15 American Heart Association of New York City.

16 ROBIN VITALE: Thank you Sir. And thank
17 you Chair and members of the committee for this
18 opportunity. I think you see now why I defer to
19 Melinda and Steve to, to lead this panel. Their
20 stories I think really help to demonstrate exactly
21 what it is that council and this committee should
22 be striving to achieve. And that is to make sure
23 that AEDs are readily available and in as many
24 locations as possible. And ideally as often and
25 without any kind of restrictions to the public as
possible. And we certainly do support the, the two

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2 proposals on the agenda today as part of that
3 strategy. My testimony provides a little bit more
4 technical information relative to cardiac arrest
5 and heart disease in a broader sense. But I do want
6 to just draw your attention to two specific areas.
7 One, noting that the heart association and, along
8 with many of our other partners in this space have
9 been working diligently over the last several years
10 to broaden community-based training. This training
11 does not result in certification. It's just a very
12 simple hands only CPR initiative. I have joined
13 both Steve and Melinda on many occasions doing that
14 type of community outreach. Our goal was to make
15 sure that more and more New Yorkers are aware of
16 what to do when someone collapses from cardiac
17 arrest. They know to initiate CPR, call 9-1-1, and
18 go get an AED. That is the last piece that I want
19 to make sure you're all aware of is that as we are
20 training more New Yorkers to be aware of an AED
21 they need to know that there's an AED available to
22 them. And so the more we're talking about, locking
23 them away, keeping them invisible so to speak from
24 the public we run into a concern that we won't be
25 able to, to get the AED, and we might be wasting

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3 valuable minutes in that search to find it. So, as
4 you're thinking about these initiatives, and
5 thinking about how we can make them more accessible
6 we encourage you to think creatively and, and
7 really do your due diligence to make sure that
8 those AEDs are readily available to everyone at all
9 times. Connected to that we know that there's
10 ongoing initiatives around CPR training. Again, we
11 are newly addressing this in high school curriculum
12 so every high school student that graduates from a,
13 the high school in this city, and, across the state
14 is now trained in CPR and AED use. So, we're
15 creating a, a literal army of responders to cardiac
16 arrest victims. But again, we need to make sure
17 that they are ready to respond with that AED as
18 quickly as possible. So, again, encourage you to
19 read my testimony in its entirety but I applaud the
20 council for this intention, and we look forward to
21 working with you to really develop a comprehensive
22 strategy regarding AED access.

23 CHAIRPERSON CONSTANTINIDES: I thank you
24 for being here today. I thank you for your work.
25 It's critical. You know we, we all know people,
we've all lost people to heart disease and sudden

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2 heart attacks and you know I've witnessed it with
3 my own eyes as a young person several times and you
4 know both those people didn't make it. So, it's
5 kind of very tragic. At this time, I know that
6 Councilman Moya followed by Councilman Mateo would
7 like to comment on, on your testimony.

8 COUNCIL MEMBER MOYA: Thank you Mr.
9 Chair for the opportunity. It's just more of a
10 comment because I just want to really take this
11 opportunity to acknowledge Melinda for all the
12 great work that you've done, even going back to the
13 days in Albany. And, and going up there to champion
14 this issue you have taken a tragedy and turned this
15 into a great educational tool for a lot of elected
16 officials who are not familiar with what is going
17 on. I know that once we met there was a great
18 connection on what we need to do and what I need to
19 do and I have to also take this opportunity to
20 applaud Councilmember Mateo for his great work and
21 advocacy in introducing some much needed
22 legislation in being a real advocate in the budget
23 process to making sure that we have the right
24 equipment going out there. But I just wanted to
25 thank you for the wonderful work that you do time

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2 and time again, not just for the people of East
3 Elmhurst and Corona, but for all of the people here
4 in the city of New York. Thank you so much.

5 MELINDA MURRAY: Thank you.

6 CHAIRPERSON CONSTANTINIDES: Thank you,
7 Thank you Councilman Moya. Mr. Mateo.

8 COUNCIL MEMBER MATEO: Thank you Mr.
9 Chair. Melinda, you know as Council Member Moya
10 said, you turned tragedy into advocacy and that
11 certainly is, is not easy. I am a parent of four
12 children. I, I can't imagine the pain that you went
13 through, as a coach to two of them, you see first
14 hand why we need AEDs regardless of the sport that
15 we're playing. And it's to the credit of the Parks
16 Department that, to Robin's point that we did get
17 creative in the last bill. Because we did, in our
18 last hearing last year, and on the, on the two
19 bills that I sponsored and this council passed,
20 that we didn't want AEDs to be locked away and just
21 to say that they're there, because that's not the
22 point. The point was to have them at practices, at
23 games, in the coaches' hands, and training. So,
24 this council and the administration, the Parks
25 Department specifically, I think they have worked

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2 with us to, to pass legislation that I don't think
3 we would have passed unless we got creative. So,
4 that's, with your advocacy, we appreciate that.
5 It's with your story and your heartfelt you know
6 I'm, I'm, I, I feel when, I feel your pain when
7 you, when you talk about it and I, and I admire
8 your, your advocacy to, to turn it into strength.
9 Steve happy rebirthday. Thank you. [cross-talk]
10 It's, you know it's great that you'd come here and,
11 and you can share that, and share a moment with
12 your, your wonderful wife. And, and we understand
13 that this is why we're doing this. This is why
14 we're doing this. And this is why you know this
15 council, the agencies, the, we're working together
16 to make sure that we expand this. Because you're
17 right. We, when we did baseball, we wanted to do
18 softball. When we did softball, we wanted to do
19 other sports. We want everyone covered. And as you
20 can see the intricacies it's not always as easy as
21 just putting them there because they have to be
22 trained right. And listen, through my beating
23 hearts initiative I was personally trained, I have
24 an AED in my office and in my car because of the
25 beating hearts initiative that I sponsor in the

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2 budget and I, I, I employ all, implore all my
3 colleagues to, to be trained as well. But like I
4 said everybody needs to be trained, everybody needs
5 to know how to operate an AED. And when you
6 actually get trained you could realize how simple
7 it is to save a life as the, the technology and it
8 is now, it, it walks you through it and you can
9 save a life. And to hear your story is just, we're
10 thankful you're here. And we, we wish you the best
11 in, in living a long and healthy and prosperous
12 life. So, thank you. You have our commitment that
13 we will keep pushing to expand because that's the
14 goal. The goal is to save lives and sometimes
15 government does not help in, in certain instances,
16 that's just, that's just the truth. I think here we
17 all want to help, we all want to make sure that we
18 get this right, we all want to make sure we expand.
19 So, you have my commitment that I will keep working
20 to expand to work with my colleagues and the
21 speaker and, and administration to pass these two
22 bills and, and to move forward to make everyone
23 safe. So, thank you. Robin thank you for your
24 advocacy. Thank you for showing up at every hearing
25 and providing your, your technical expertise. It's

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2 always helpful. You know a lot of, a lot of the
3 negotiations happen you know be, now behind the
4 scenes and we're, we're all, we're going to sit and
5 we're going to talk, and staffs are going to talk
6 and we're, we're going to make sure. So, everything
7 that you bring to the table is helpful for us. We
8 thank you for that and thank you all for being
9 here.

10 CHAIRPERSON CONSTANTINIDES: Thank you
11 Council Members. I want to thank the panel again
12 for bringing such personal testimony. It's very
13 very important. And I often tell people that come
14 to my district office to complain about something.
15 You know one person can change the world. It does
16 happen. Believe me, I've seen it many many times.
17 And so, we're happy you're here today. And, and as
18 Council Member Mateo has so eloquently stated today
19 it does take longer sometimes to do things that we
20 want but that doesn't mean that they're not worth
21 doing. And every life is valuable, every single
22 life, we know that. So, I want to thank you for
23 being here with us. And I'm going to dismiss this
24 panel. But we have another one right behind it.
25 It's Ismael Galvez, David Hiltz, and Andrew Zelter

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3 who are also going to testify on this bill. And
4 then Dan Huber we haven't forgotten about, where's
5 Dan? Okay, you're next. You get to close. Thank
6 you. Whoever would like to start I guess we could
7 start with Mr. Galvez.

8 ISMAEL GALVEZ: Thank you Mr. Chair and
9 Council. My background is in EMS. I used to work as
10 a medic many years ago and I also work in Trauma.
11 And I have seen firsthand what it does take and,
12 and the lives that it has taken as well, you know.
13 And, and I'm just here to provide just proof of
14 those experiences that I've had. One instance, I
15 was asked to train a group of people here in the
16 city actually where a, a gentleman went unconscious
17 in one of the bathrooms. He actually suffered a
18 heart attack. And he went unconscious, so happens
19 that a, an intern happened to be a lifeguard and he
20 began doing compressions. Now a heart attack for
21 many people think it's, has no correlation with
22 cardiac arrest but it actually does. It puts so
23 much stress in this man's heart that it caused a
24 cardiac arrest. So, his heart, not only did he
25 suffer a heart attack but on top of that it was a
cardiac arrest. Now as you may know a cardiac

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3 arrest person only has about 10 minutes of life
4 left before they go into a sicely [sp?] which is
5 there's no electrical activity. And at that point
6 you cannot depolarize the heart anymore. So, what
7 happened was that he was able to request for an
8 AED. An AED came in, it was placed on the man, it
9 analyzed the rhythm and it determined to be
10 shocked. This defibrillator was an automatic
11 defibrillator. So, it was not even a need for him
12 to push a button. The machine automatically
13 detected the rhythm. It said to stay clear and the
14 machine automatically delivered that shock without
15 the person ever needing to even push a button, you
16 know? So, machines have changed a lot over the past
17 years. They have become a lot smaller, more compact
18 as well, and even more affordable I think over the
19 years. So, later on I met the man, met his whole
20 you know employees, he had, actually happened to be
21 a partner at a financial institution here in New
22 York you know. And I've been teaching many places;
23 schools, parks, you know churches, daycares, and
24 people tell me, you know, just knowing this gives
25 them, empowers them to be able to do something if
we just had it out there you know. So, I, I want

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2 New York to be a model city, not only for the US
3 but for the world, that we can have this out there.
4 So, many people are dying every day of cardiac
5 arrest, a person a minute dies of cardiac arrest
6 you know. So, I thank you.

7 CHAIRPERSON CONSTANTINIDES: Thank you
8 Mr. Galvez for your testimony. Thank you very much.
9 Mr. Hiltz. If you see the little button that lights
10 up a little.

11 DAVID HILTZ: Try it now. Alright.

12 CHAIRPERSON CONSTANTINIDES: Perfect.

13 DAVID HILTZ: There we go. I apologize.

14 CHAIRPERSON CONSTANTINIDES: No worries.

15 DAVID HILTZ: So, interesting listening
16 to the comments from the, the council and your
17 staff from Parks and Recreation. I am a career
18 emergency care advocate and consultant and I've
19 received exposure from not only work domestically
20 here in the United States, abroad as well. I've
21 listened carefully to the challenges that are in
22 front of you regarding reliable access to timely
23 defibrillation in public spaces. And despite the
24 widespread and proliferation of AEDs ironically
25 despite that they are still not often available

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2 particularly after business hours, weekends,
3 holidays, when people are still enjoying our open
4 public spaces. What I'd like to do is share with
5 you my own personal story in looking to solve this.
6 And yes, perhaps I'm biased, I have a lacrosse
7 shirt on today. So, we want to be certain that our
8 youth, our coaches, their parents, and spectators
9 all have reliable access to lifesaving equipment
10 whether that be AEDs, nasal Narcan, bleeding
11 control, etcetera. So, I became involved in a youth
12 lacrosse organization start up in Rhode Island
13 where I currently live, I hail from Long Island so
14 I brought my love for lacrosse with me to Rhode
15 Island. And here I had 12 youth lacrosse times
16 using a semi-rural open space for practice and
17 games. It's also used by cross country runners and
18 others. And I'm of course very aware of the need
19 for access to defibrillators. So, how am I going to
20 do this? And yes, I did think of providing a
21 defibrillator to each coach. However, when I looked
22 at the financials on that that's not going to
23 happen. So, can I hide a defibrillator in a tree, I
24 mean really. I had to think this through. And
25 interestingly enough I became aware of what they

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2 were doing in the UK where they were taking
3 decommissioned red phone boxes, the old phone
4 booths, and converting them into tourist
5 information kiosks, and lifesaving defibrillator
6 kiosks. And so long story sort I imported that
7 strategy from the UK to my own community of
8 Westerly. And now, in all of our parks and high
9 school fields you will find these yellow, secure
10 access, and heated enclosures. So, what I'm trying
11 to say here is more is not always better. Better is
12 better. And I think if we are creative as a group,
13 and I'm happy to lend my expertise and experience,
14 if we are creative, we can make better use of what
15 we already have, and also serve not only the
16 softball and baseball communities but the entire
17 community of New York that enjoys the open spaces
18 in our parks and other facilities.

19 CHAIRPERSON CONSTANTINIDES: Mr., Mr.
20 Hiltz, are these kiosks locked? When... [cross-talk]

21 DAVID HILTZ: So, so interesting and,
22 and you know I swear to tell the truth, the whole
23 truth, and nothing but the truth... [cross-talk]

24 CHAIRPERSON CONSTANTINIDES: We didn't
25 swear you in so we... [cross-talk] But... [cross-talk]

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2 DAVID HILTZ: So... [cross-talk]

3 CHAIRPERSON CONSTANTINIDES: ...I assume...

4 (Cross-talk)

5 DAVID HILTZ: ...I opted for secure access
6 in Westerly. So, there is a mechanical punch code
7 that gets put in. A witness bystander to an
8 emergency calls 9-1-1. That information is
9 integrated into their CAD system, their computer-
10 ated dispatch system, call comes up, the location,
11 they provide the code to access the lifesaving
12 equipment. That is the standard throughout the UK
13 with the exception of London. London has decided to
14 use the same enclosures with a heating element and
15 so forth, but they prefer to have them unlocked and
16 they accept they're losing one or two
17 defibrillators a month. But you know thus far you
18 know I'm always looking at how can we remove or
19 limit points of potential failure. And the whole
20 notion of empowering the coaches is great. But when
21 I started thinking about the maintenance of those,
22 and are they rescue ready because you're relying on
23 all those people that, in my personal opinion, is
24 an increased exposure to risk whereby, you know
25 rather than you know several hundred AEDs to cover

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2 a hundred parks you got a hundred AEDs to cover a
3 hundred parks and we know where they are and
4 they're very easy to check. You know it takes about
5 less than 60 seconds to check a device in an
6 enclosure. Because on the viewing window, on the
7 cabinet you place a label that indicates the expiry
8 date for the battery and/or pads. You can easily
9 visualize the status indicator light and whether
10 there's power to the unit. This information is
11 logged. It's kept, again, keeps the devices rescue
12 ready. I appreciate the question. It was an
13 excellent point.

14 CHAIRPERSON CONSTANTINIDES: Thank you
15 very much. Mr. Zelter.

16 ANDREW ZELTER: Good morning.

17 CHAIRPERSON CONSTANTINIDES: Good
18 morning.

19 ANDREW ZELTER: Committee Chair and
20 Council Members I'd like to thank you for the
21 opportunity to speak today. My name's Andrew
22 Zelter. I'm here representing Downtown Little
23 League. We are in our 27th year of providing
24 organized baseball and softball to children ranges
25 in ages from five to 17. We also are very proud to

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2 operate a challengers program for children with
3 special needs that give kids the opportunity to
4 come out and enjoy the athletic experience. And I
5 would invite you to come witness this. It's perhaps
6 one of the most heartwarming experiences you'll see
7 on a field. I'm here today, we are a participant in
8 the AED program. And I'd first like to begin by
9 acknowledging the tremendous effort of the Parks
10 Department. So, Mr. Drury, if you'd take that back
11 on behalf of our community. I think your staff has
12 done truly a remarkable job with, with an
13 administrative task that just seems overwhelming.
14 Our program just to give you some parameters. We
15 are approximately 11,000 children which according
16 to Little League International makes us the largest
17 single chapter program in the United States.
18 Interesting that that's in lower Manhattan. Our
19 constituency is lower Manhattan which is defined as
20 South of Canal Street.

21 CHAIRPERSON CONSTANTINIDES: You got a
22 lot of density though.

23 ANDREW ZELTER: We do. And not enough
24 fields but that's a different subject.

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CHAIRPERSON CONSTANTINIDES: That was the last hearing.

ANDREW ZELTER: Yes, sorry. We have a busy weekend upcoming and that, through the Parks and Recreation support we are training a number of our coaches. Personally, I am also renting a van to bring up the AEDs to be inspected and, and checked. So, again I, I think it's a fantastic process and, and I think it's certainly a cause that deserves all of our time and attention. Having lived with this program for two years and perhaps focusing a bit on the comments from the gentleman to my right I, I think there is an opportunity to take a step back two years into the program and assess if there are ways to tweak it perhaps moving forward. And I don't know what's feasible and what's not feasible, but I can tell you that we as a program, we're, we're in the midst of our permitting process now. I, I don't know if there's a possibility to give organizations seeking permits an option to either arrange to comply with this through their own channels or resources or to have this, have this service made available, meaning someone from Parks or maybe a partnership with the American Heart

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2 Association that there's a representative there
3 with a device that is trained and the tradeoff
4 being that if I check that box that I want the
5 support provided I understand it comes at a
6 financial cost to the organization. And I'm not
7 advocating that this become a pay for play as it
8 relates to permits, not at all. The permitting
9 process is what it is. But I understand as an
10 organization I have an obligation to ensure that
11 we're compliant with the AED codes and, and
12 regulations governing use of that park. And so, the
13 comment that was made, more is not always
14 necessarily better. Is there a way to consider how
15 to enhance compliance and ensure that to the
16 questions that I, I think have been asked how are
17 we tracking that this is working as we need it to
18 work? And in short having someone from a park staff
19 or again, if it can be done, the city, in
20 partnership with an outside organization, we would
21 certainly be willing to take a look at as a means
22 of making it more effective for our own
23 organization understanding there may be a cost to,
24 to sign up for that service. So, I throw that out
25 there.

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CHAIRPERSON CONSTANTINIDES: I thank you for your testimony. Mr. Mateo, Councilman Mateo has a comment.

COUNCIL MEMBER MATEO: Thank you all for your, for your testimony. I appreciate you being here. And listen when we had the hearing, the first hearing a few years ago and all these issues came up and Sir your, your issue was a crux, what we were talking about for, for hours about how do we get them. You know can we leave them in Central Park all over the place? Can we leave them in Clove Lakes, parks in my district, all over the place? Theft was, was, was the big issue. If we're going to buy all these AEDs, certainly theft, we, we can't have them locked. So, I just want to just clarify what you were saying about, because it's an interesting, how you're doing it. So, it's a code that is given to you once someone dials 9-1-1 and you give a location? So, like, my point, I'm just trying, I heard what you, I think I heard that the access is given to you, so anyone can call and..

[cross-talk]

DAVID HILTZ: Correct.

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2 COUNCIL MEMBER MATEO: ...and get the
3 code, right?

4 DAVID HILTZ: Correct.

5 COUNCIL MEMBER MATEO: So, I'm passing
6 by, I see someone who needs an AED. I see the
7 booth, I call 9-1-1, I tell them where we are, and
8 they give me the access code?

9 DAVID HILTZ: Right. And in fact it may
10 not even be that you see the bright yellow box, but
11 when you give the, the dispatcher, emergency
12 telecommunicator your location he's going to bring
13 that location up on his or her CAD screen and if
14 you're within proximity of a 24/7 accessible device
15 they will say you know look to the right of the
16 building, can you see a yellow cabinet. Is there
17 somebody there who can go get it? And, and they are
18 provided with the alphanumeric code to access the
19 device. And again, now, given the environment and
20 the world that we live in, you know it's also a
21 recommendation that you consider you know placing
22 the lock zoned epinephrine and bleeding control
23 equipment in there as well.

24 COUNCIL MEMBER MATEO: Has it ever been
25 used?

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DAVID HILTZ: So, we've only got about a dozen of these in North America. However, in the UK they are used extensively. People are not in the practice of placing defibrillators inside building unless it's a multi-floor type of setting. They're, rather they're putting them outside to make them 24/7 accessible. There's, there's little justification for not having a 24/7 available defibrillator. To that end there is new and emerging technology that will provide multiple checks throughout the day of a fixed location AED and will notify the owner of any issue via SMS text message, email, etcetera, etcetera within you know, I mean it takes a photo and does a status check like every two hours. So, you start rolling that in and you start putting all the stuff together and you've got a much more robust system with fewer points of failure that ironically becomes more affordable.

COUNCIL MEMBER MATEO: Fair enough. I, I appreciate the information. We'll look into these things.

DAVID HILTZ: My absolute pleasure.

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3 COUNCIL MEMBER MATEO: Coach, let me
4 just ask you something. Yeah. So, just to be clear
5 what you're asking, you're just looking that maybe
6 an option for, for leagues to get the training on
7 their own? Is...

8 ANDREW ZELTER: No, what I was referring
9 to, so when, when we file for our permits, we
10 understand that we have an obligation to provide a
11 trained adult with an AED device.

12 COUNCIL MEMBER MATEO: Okay.

13 ANDREW ZELTER: We're a very large
14 program. We have quite a few coaches. It's also an
15 administrative task on us which we understand we
16 have to do.

17 COUNCIL MEMBER MATEO: Okay.

18 ANDREW ZELTER: I was inquiring if
19 there's an option when we submit our permit to ask
20 that a trained resource with an AED be provided...

21 COUNCIL MEMBER MATEO: Okay.

22 ANDREW ZELTER: ...during the times that
23 we had permits. And I would understand or would
24 expect that there would be a cost associated to us
25 if we asked for that service to be outsourced.

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3 COUNCIL MEMBER MATEO: Okay. I just
4 wanted to be clear. Okay. Thank you.

5 CHAIRPERSON CONSTANTINIDES: Thank you
6 Council Member Mateo. I believe Council Member
7 Gjonaj has a question.

8 COUNCIL MEMBER GJONAJ: Thank you
9 Chairman. What is the cost factor of this very
10 common sense and intriguing notion of using
11 something that's already available without having
12 to reinvent the wheel?

13 ANDREW ZELTER: Yeah, given the
14 purchasing power of the city let's say it would be
15 pretty safe to assume that you could get these
16 enclosures the, you know the deluxe two-millimeter
17 stainless steel IP rating of 66, 10,000-hour salt
18 tested because you are near the ocean for less than
19 1,000 dollars apiece.

20 COUNCIL MEMBER GJONAJ: And the..

21 ANDREW ZELTER: 10-year warranty.

22 COUNCIL MEMBER GJONAJ: The particular
23 devices that you're referring to do they also allow
24 for Narcan to be stored there as well?

25 ANDREW ZELTER: Yes, there is ample,
there is ample real estate inside these particular

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2 enclosures that would easily accommodate
3 epinephrine auto injectors, nasal Narcan, and
4 bleeding control equipment.

5 COUNCIL MEMBER GJONAJ: The, sorry in
6 your particular town they have Narcan as well as
7 AEDs?

8 ANDREW ZELTER: Our intent is to add
9 nasal Narcan, epinephrine auto injectors, and
10 bleeding control. Right now, that is a cost
11 concern. But I see it being reality in the near
12 future. And I do know of certain local initiatives
13 in Rhode Island who have written for grants where
14 that is their intent. So, it's only a matter of
15 time.

16 COUNCIL MEMBER GJONAJ: When I ask you a
17 question on the model that you described that is
18 self-powering, no button, no training really
19 required except for placing the machine on a chest.

20 ANDREW ZELTER: That is correct, yes
21 that is correct.

22 COUNCIL MEMBER GJONAJ: What is the cost
23 for that particular defibrillator?

24 ISMAEL GALVEZ: There are around 1,000
25 dollars, around there, and there are going even

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2 less. There's machines that I've already seen that
3 are out there which are very small, probably
4 bigger, a little bit bigger than the size of a cell
5 phone. And technology has changed so much. I, I
6 tell you. Because I've used these out there. And
7 these machines you just put them on, it analyzes a
8 rhythm, determines if it needs to shock and the
9 machine does it automatically. Everybody stay
10 clear, once they hear that voice people stay clear
11 out of it, you know. And the machine delivers the
12 right amount that it needs for that particular
13 person. You know? So, the technology is already
14 there. Also, within regards to... [cross-talk]

15 COUNCIL MEMBER GJONAJ: Where do we find
16 these particular units?

17 ISMAEL GALVEZ: There are, they're,
18 they're being sold in the US and across Europe as
19 well. You know there are, these units are out..
20 [cross-talk]

21 COUNCIL MEMBER GJONAJ: Our EMS or..
22 [cross-talk]

23 ISMAEL GALVEZ: Yeah, EMS. [cross-talk]

24 COUNCIL MEMBER GJONAJ: ...response..
25 [cross-talk]

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3 ISMAEL GALVEZ: Yes they... [cross-talk]

4 COUNCIL MEMBER GJONAJ: ...particular

5 unit?

6 ISMAEL GALVEZ: They have them. Some EMS
7 depending on what EMS depending on what EMS
8 department it is. But there are current models out
9 there right now that actually have that. There are
10 also, we was talking about the IP, ingress
11 protection, which is how much water and dust it can
12 take, also has been military tested and they're
13 very small units. Also, the, the checking of, of
14 the units. Most of them are every two years, well
15 nowadays every four years the pads and the
16 batteries could be changed. So, not only do you,
17 there's an extra expense which was before, every
18 two years somebody had to again buy these batteries
19 and then buy these pads. It is no longer the case
20 you know? So, they're more compact. They're a lot
21 easier to use as well, you know.

22 COUNCIL MEMBER GJONAJ: I want to thank
23 you for this common-sense approach.

24 ISMAEL GALVEZ: And, but, let me tell
25 you I mean using them I want something that's
simple and easy for people to use.

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3 COUNCIL MEMBER GJONAJ: Right.

4 ISMAEL GALVEZ: And not have such a big
5 issue, having these huge machines that are out
6 there. I've used them in EMS. I worked since the
7 90s. And I tell you when I started there were these
8 humungous machines out there. Nowadays they're so
9 tiny and small, you know.

10 COUNCIL MEMBER GJONAJ: You know we, we
11 don't realize this but in the event of a heart
12 attack the emotions and the hysteria that's going
13 through the person's mind. Even if they're trained,
14 that very moment they may not remember their...

15 ISMAEL GALVEZ: Yeah.

16 COUNCIL MEMBER GJONAJ: ...training. So,
17 this particular unit would take the guessing out of
18 it and.

19 ISMAEL GALVEZ: Absolutely. And then
20 what I've seen people say well, well I'm afraid,
21 what if I, if I need to shock them, I don't want to
22 shock them by mistake. And this is what people
23 always, many people always have told me you know,
24 especially survivors of this. What could happen you
25 know. I want to take these classes now because my

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2 husband, you know had a cardiac arrest and I didn't
3 know what to do.

4 COUNCIL MEMBER GJONAJ: Chairman, it
5 sounds like we're going to be working on a new bill
6 that requires our 9-1-1 call boxes to be converted
7 especially in our parks. And I'm looking forward to
8 working on that with you and Chair Mateo as we
9 include Narcan and stop the bleeding kids, first
10 aid. Thank you.

11 CHAIRPERSON CONSTANTINIDES: Thank you.
12 Thank you for your enthusiasm for this legislation.
13 I want to thank the panel for giving us such vivid
14 testimony this morning. Mr. Huber, IBO? Get the
15 bill, I'll give it to you. I'll let you guys fight
16 it out.

17 DAN HUBER: Thank you.

18 CHAIRPERSON CONSTANTINIDES: Thank you.

19 DAN HUBER: Good morning Chairman and
20 members of the Committee on Parks and Recreation. I
21 am Daniel Huber, the Environmental Analyst at the
22 New York City Independent Budget Office. Thank you
23 for the opportunity to testify today regarding
24 Intro 161. The Intro would expand the information
25 the Department of Parks and Recreation is required

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3 to report on its online project tracker, a useful
4 tool that already provides detail on each project's
5 location, phase, funding level, and timeline. New
6 data required by Intro 161 would include
7 information on the reasons for capital project
8 delays and the cause and extent of cost overruns.
9 IBO's roll is to provide non-partisan information
10 on the city's budget to members of the council,
11 other elected officials, and the public. Although
12 we generally do not make recommendations, we are in
13 favor of increasing government transparency
14 especially when it comes to budgeting and for
15 disclosing information, additional information of
16 the sort required in Intro 161. As IBO's
17 environmental analyst I often receive questions
18 about Parks Department capital projects. These
19 questions range from the status of a local project
20 to broader questions about the city's capital
21 budgeting process. While we can provide information
22 on changes in the overall budget and shifts in, in
23 funding for specific projects. We often run into
24 roadblocks in trying to track and identify the
25 cause of project delays and cost overruns which is
often what the requestors want to know most.

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3 Identifying the cause of the delay or cost overrun
4 for a specific project is difficult given the
5 nature of New York City's capital commitment plan,
6 the city's capital planning document. In terms of
7 delays the capital equipment plan provides little
8 detail on the plan timeframe of a capital project.
9 In fact, the Parks Department capital tracker
10 already provides more information than is available
11 in the city budget documents, because it contains a
12 project timeline with estimated start and
13 completion dates. The commitment plan does contain
14 a milestone field to indicate the project's current
15 status along with projected start and end dates.
16 Unfortunately, these fields are generally left
17 blank. Moreover even with statuses included is
18 rarely updated between plans. Recognizing a cost
19 overrun in city budget documents is similarly
20 difficult. The capital commitment plans divided by
21 budget line and then by project. A project may
22 either be for discreet work, for example, Orchard
23 Beach Pavilion, or it may be for a bundle of
24 similar projects, for example park security
25 measures citywide. While the commitment plan
provides the total funding planned for a project

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3 there is little detail on, on funding for the
4 projects' individual components. Moreover, moreover
5 it is often unclear if the funding levels represent
6 the total estimated cost of the project. If funding
7 is increased in subsequent plans it can be
8 difficult to discern whether this new funding level
9 represents an increase in cost, in overrun, a
10 change of scope, or if the additional funds were
11 part of the initial cost estimate but are just
12 newly reflected in city budget documents. It is
13 important to note that the difficulty in
14 identifying delays in cost overruns is not limited
15 to the Parks Department. It is something we
16 encounter with capital projects citywide. The Parks
17 Department is actually already more transparent
18 about its capital projects than other city agencies
19 because of its online capital projects tracker. The
20 tracker is a valuable resource that we use
21 routinely, and we often assist members of the
22 public in using it as well. In summary Parks
23 capital projects are an area of intense public
24 interest and adding information to the capital
25 projects tracker particularly on the extent of and
reasons for delays and cost overruns would help

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3 shed light on an already opaque process. Given
4 IBO's support for increased transparency and data
5 sharing in general perhaps the enhanced capital
6 project tracker could be an example for other
7 agencies on how to communicate progress and provide
8 detail information on their capital projects. Thank
9 you.

9 CHAIRPERSON CONSTANTINIDES: Alright
10 thank you Mr. Huber and I thank your agency of, not
11 a frequent custom, but I am a customer and I always
12 appreciate the information I get from the IBO. I
13 would appreciate it if you could give my regards to
14 Ms. Lowenstein, your Director. I don't know if any
15 of my colleagues have any questions? I don't think
16 so. I want to thank you for that, for your support
17 this morning. And seeing no one else ready to
18 testify I am going to close this hearing at 11:40.
19 I thank you all for being here today and we will
20 see you later this month for our next hearing on
21 statues, or the lack of statues for representing
22 females. So, with that, we are done.

23 [gavel]

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C E R T I F I C A T E

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



Date March 08, 2019