

CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON FINANCE JOINTLY WITH  
COMMITTEE ON TECHNOLOGY AND  
COMMITTEE ON FIRE AND EMERGENCY  
MANAGEMENT

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May 14, 2019  
Start: 2:00 p.m.  
Recess: 4:20 p.m.

HELD AT: Council Chambers - City Hall

B E F O R E: DANIEL DROMM  
Chairperson

PETER KOO  
Co-Chair

JOSEPH BORELLI  
Co-Chair

COUNCIL MEMBERS:

Adrienne E. Adams  
Fernando Cabrera  
Andrew Cohen  
Robert Cornegy Jr.  
Vanessa L. Gibson  
Mark Gjonaj  
Robert F. Holden  
Alan N. Maisel  
Steven Matteo  
Francisco P. Moya  
Keith Powers

Helen K. Rosenthal  
Eric A. Ulrich  
Kalman Yeger

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

Samir Saini, Commissioner  
New York City DoITT

John Winker  
DoITT Associate Commissioner for  
Financial Services

Michael Pastore  
DoITT General Counsel

Daniel A. Nigro, Commissioner  
New York City Fire Department

Laura Kavanagh  
First Deputy Commissioner  
New York City Fire Department

John Sudnik  
Chief of Department  
New York City Fire Department

Lillian Bonsignore  
Chief of EMS  
New York City Fire Department

Stephen Rush  
Assistance Commissioner for Budget and Finance  
New York City Fire Department

1 COMMITTEE ON FINANCE JOINTLY WITH COMMITTEE ON  
TECHNOLOGY AND COMMITTEE ON FIRE AND EMERGENCY  
MANAGEMENT

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2 [sound check] Today's date is May 14,  
3 2019, Executive Budget Hearing on Finance joint with  
4 Technology and Fire and Emergency Management being  
5 recorded by John Biando [phonetic].

6 CHAIR DROMM: [gavel] Okay, good  
7 afternoon and welcome to the City Council's sixth day  
8 of hearings on the Mayor's Executive Budget for  
9 fiscal 2020. My name is Daniel Dromm and I chair the  
10 Finance Committee. We are joined by the Committee on  
11 Technology chaired by Council Member Peter Koo and  
12 Council Member Powers is also here with us today.  
13 Today we will hear from the Department of Information  
14 Technology and Telecommunications and the Fire  
15 Department. Before we begin, I'd like to thank the  
16 Finance Division staff for putting today's hearing  
17 together including the Director, Latonya McKinney,  
18 Committee Counsels, Rebecca Chasen, Stephanie Ruiz  
19 and Noah Brick, Deputy Directors Regina Puerta-Ryan  
20 and Nathan Toth, Unit heads, John Russell and Eisha  
21 Wright, Financial Analysts Sebastian Bochee  
22 [phonetic] and Anna Maria Camillo-Vega and the  
23 Finance Division administrative support unit, Nicole  
24 Anderson, Maria Pagon, Latina Brown and Courtney  
25 Semmarize [phonetic] who pull everything together.

1 Thank you all for your efforts. I'd also like to  
2 remind everyone that the public will be invited to  
3 testify on the last day of budget hearings on May 23  
4 beginning at approximately 2 p.m. in this room. For  
5 members of the public who wish to testify but cannot  
6 attend the hearing, you can email your testimony to  
7 the Finance Division at  
8 [financetestimony@council.nyc.gov](mailto:financetestimony@council.nyc.gov) and the staff will  
9 make it a part of the official record. DoITT's  
10 fiscal 2020 Executive Budget is \$684 million, a \$17.3  
11 million increase from the fiscal 2019 adopted budget,  
12 the Council commends the agency for heeding its call  
13 to find savings and efficiencies in the budget. At  
14 the recommendation of the Council, the administration  
15 achieved the savings of \$180,112 through right-sizing  
16 software and hardware maintenance contracts City  
17 wide. It also adjusted the Mayor's Office of Media  
18 and Entertainment, Film incentive fund budget to  
19 reflect actual costs which resulted in a realized  
20 savings of \$446,000 in fiscal '19 and a baseline  
21 savings of \$1 million beginning in fiscal 2020.  
22 DoITT was also able to achieve savings by expanding  
23 the Agency's partial hiring freeze. The Council  
24 recommended partially freezing 40 vacant positions  
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1  
2 for fiscal 2020 in order to generate approximately \$3  
3 million in savings. DoITT went beyond the Council's  
4 recommendation and permanently eliminated 72 vacant  
5 positions which will result in budgetary savings of  
6 \$5.1 million in fiscal 2020 and baseline savings of  
7 \$6 million beginning in fiscal 2020. Although much  
8 progress has been made in achieving savings in  
9 DoITT's executive budget, the Council believes that  
10 additional savings can be realized. At today's  
11 hearing, I look forward to learning on how the agency  
12 plans to further achieve savings while addressing  
13 other budgetary issues raised in the Council's fiscal  
14 2020 preliminary budget response. Before we begin,  
15 I'd like to remind my colleagues that the first round  
16 of questions for the Agency will be limited to three  
17 minutes per Council Member and if Council Member's  
18 have additional questions, we will have a second  
19 round of questions at two minutes per Council Member.  
20 I will now turn the mike over to my co-chair Council  
21 Member Peter Koo for his statement and then we'll  
22 hear from DoITT Commissioner Samir Saini.

23 CHAIR KOO: Good afternoon everyone.  
24 Welcome to today's joint executive budget hearing  
25 with the Committee on Finance and the Committee on

1  
2 Technology. My name is Peter Koo. I am the Chair of  
3 the Committee on Technology. I want to recognize  
4 that we're joined by Council Members Holden in our  
5 committee and others on the way and I also want to  
6 thank Chair Dromm for co-chairing today's hearing  
7 with me. First and foremost, I want to express my  
8 disappointment that the fiscal 2020 executive budget  
9 in general does not include the majority of the  
10 Council's recommendations set forth in the  
11 preliminary budget response. Nevertheless, I, along  
12 with my colleagues, will push the administration to  
13 ensure that the fiscal 2020 adopted budget includes,  
14 deletes and increases of the City and the programs  
15 they fund. Today we will be hearing testimony from  
16 the Department of Information Technology and  
17 Telecommunications also known as DoITT regarding  
18 their fiscal 2020 executive budget which totals \$684  
19 million. This is an increase of \$17.3 million when  
20 compared with DoITT's fiscal 2019 adopted budget.  
21 This increase is the result of funding allocated to  
22 the City cyber command for staffing purposes and for  
23 the purchase of cyber defense tools, the majority of  
24 which come in the form of software licenses. The  
25 Committee would like to know more about the cyber

1  
2 defense projects funding in the DoITT budget and how  
3 this project will protect the City from further  
4 cyberattacks. The Committee would also like to  
5 discuss budgetary priorities that were listed in the  
6 preliminary budget response that were not included in  
7 the DoITT budget including creating new UA's for the  
8 purpose of budgetary transparency. Lastly, I want to  
9 hear more about NYCWiN and the issues surrounding it  
10 since our preliminary budget hearing. On April 6,  
11 2019, NYCWiN had issues for about ten days due to a  
12 GPS rollover which affected the operations of multi-  
13 City agencies. Remote access to the City's traffic  
14 lights were cut. Traffic cameras were shut down and  
15 other agency technology was unusable. This is  
16 unacceptable. At today's hearing, the Committee  
17 wants to know more about the issues surrounding  
18 NYCWiN going offline. This contract with Northrop  
19 Grumman and what the department has done to prevent  
20 such issues happening again to any of its other IT  
21 systems. I would like to thank DoITT Commissioner,  
22 Samir Saini and his team for coming to today's  
23 hearing. I would also like to thank my staff, the  
24 staff of the Finance Division and the Committee staff



1  
2 for their help in preparing for today's budget  
3 hearing. Thank you, back to Chair Dromm.

4 CHAIR DROMM: Thank you very much,  
5 Council Member Koo. We've been joined by Minority  
6 Leader, Steve Matteo, as well. I think we, oh,  
7 Robert Cornegy is here also and I think we've got  
8 everybody so far covered. All right, Counsel would  
9 you swear the panel in please.

10 COUNSEL: Do you affirm that your  
11 testimony will be truthful to the best of your  
12 information, knowledge and belief?

13 All: I do.

14 COUNSEL: Thank you, you may proceed.

15 CHAIR DROMM: Commissioner, would you  
16 like to begin.

17 COMMISSIONER SAMIR SAINI: Yes, thank  
18 you. Good afternoon Chairs Dromm and Koo and members  
19 of City Council Committees on Finance and Technology.  
20 My name is Samir Saini. I am the Commissioner of the  
21 Department of Information Technology and  
22 Telecommunications otherwise known as DoITT and New  
23 York City's chief information officer. Thank you for  
24 the opportunity to testify today about DoITT's fiscal  
25 2020 executive budget. With me today, to my right is

COMMITTEE ON FINANCE JOINTLY WITH COMMITTEE ON  
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1 John Winker, our Associate Commissioner for Financial  
2 Services and to my left, Michael Pastore, our general  
3 counsel. Today it is my pleasure to update the  
4 Committees on the work that DoITT has been doing and  
5 the many exciting things to come in the next year.  
6 I'll begin with a summary of DoITT's fiscal 2020  
7 executive budget. Following that, I'll explain how  
8 we have realigned our strategic priorities to deliver  
9 the best services for agency customers and in turn  
10 all New Yorkers. DoITT's fiscal year 2020 executive  
11 budget provides for operating expenses of  
12 approximately \$684 million, allocating \$173 million  
13 in personal services to support 1,840 full-time  
14 positions and \$511 million for other than personal  
15 services, otherwise known as OTPS. This includes  
16 \$142 million in intra-City funds transferred from  
17 other agencies for services provided. In total, the  
18 intra-City funding represents approximately 21% of  
19 the total budget allocation. Telecommunication's  
20 costs represent the largest portion of the intra-City  
21 expense which is projected at \$102 million for fiscal  
22 year 2019. DoITT also generates upwards of \$190  
23 million in revenues through our franchise portfolio.  
24 I'm proud to share that we have identified saving of  
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1  
2 \$14 million for fiscal 2019 and approximately \$7  
3 million in savings for fiscal 2020. This meets and  
4 exceeds the Mayor's call for a program to eliminate  
5 the Gap or the PEGs. This is largely a result of  
6 savings associated with the hiring freeze as well as  
7 across the board OTPS accruals and reductions. For  
8 fiscal year 2020, DoITT's budget appropriation  
9 decreases by approximately \$4.6 million as compared  
10 to fiscal 2020 preliminary budget. This decrease is  
11 associated with savings that DoITT and OMB identified  
12 during the executive financial plan process. What I  
13 have described so far are simply the changes to our  
14 budget but what I want to emphasize is how we've  
15 streamlined, how our streamlined appropriation will  
16 support all of the work in our prevue, including  
17 managing technology projects, architecting complex IT  
18 solutions, administering City wide IT service  
19 contracts and that's just to name a few of the dozens  
20 of services that we provide for the over 100  
21 governmental entities that rely on these services  
22 every single day to keep New York City running. Last  
23 year, I briefed the Committees on strategic  
24 objectives that framed a transformative agenda to  
25 improve DoITT across the board. I'm proud to say, in

1  
2 working with DoITT's staff and our agency customers,  
3 we have both refined and expanded these objectives  
4 and have been working every day towards implementing  
5 them. We have been laser focused on improving the  
6 customer experience for our agency partners with whom  
7 we collaborate to deliver a technology that keeps the  
8 City running. As City wide CIO, I'm committed to  
9 revising DoITT's offerings to better meet agency  
10 needs by insuring the delivery support and continuous  
11 improvement of all services available in our service  
12 catalog. We are working towards refining our service  
13 offerings and a tailoring service catalogs for our  
14 agency customers. The streamlined approach will help  
15 other City agencies achieve their missions and  
16 deliver services to New Yorkers in a more efficient  
17 and effective way. One important service we are  
18 offering includes the hosting and safeguarding of  
19 many of the City's digital and physical information  
20 assets. We strive to further strengthen the  
21 reliability, securing and resiliency of these  
22 operational services and to that end, we have been  
23 working to align our core network, storage and  
24 compute infrastructure and associated software to  
25 meet industry best practice capacity planning

1  
2 processes. This will ensure that the City makes the  
3 best use of these assets for years to come. Another  
4 enhancement we are planning to add to our service  
5 catalog is the simplification and acceleration of the  
6 deployment of applications and software services for  
7 our agency customers. We have begun to adopt a  
8 "application platform" as a service model that will  
9 give agencies direct control over their application  
10 build increasing agility, reliability, resiliency and  
11 responsiveness. It will facilitate more effective  
12 deployment and quality of applications by reducing  
13 the time it takes for an agency to design, build,  
14 test, launch and also continuously improve these  
15 applications over time. Additionally, our new data  
16 governance program will further empower agencies to  
17 better share data and connect applications both  
18 internally and across government under a newly formed  
19 data management and integration division I stood up,  
20 helmed by Don Sunderland, DoITT's chief data officer.  
21 This program will bring together targeted agency  
22 leadership to enable agencies to effectively use a  
23 new modernized City-wide data platform to seamlessly  
24 enable the ingestion, storage, analysis, sharing and  
25 actions against this data for all our agency

1 customers. While this recent development focuses on  
2 how cities may better share information across  
3 agencies, our most public facing data sharing effort,  
4 of course, Open Data continues to thrive. This  
5 program is a joint effort with the Mayor's Office of  
6 Data Analytics. The Open Data portal now boasts over  
7 2,500 data assets and we continue to expand agency  
8 participation and compliance with the Open Data law.  
9 We are pleased to collaborate on Open Data training  
10 with City Council staff that we are planning to have  
11 early next month. Open Data represents one  
12 significant conduit through which New Yorkers  
13 interact with the City but we also recognize the  
14 importance of improving the online digital experience  
15 for New Yorkers through other core New York City  
16 digital products. For example, NYC.gov, NYC business  
17 and 311 which are all digital offerings through which  
18 New Yorkers interact with City government. We aim to  
19 prioritize and accelerate enhancement of these  
20 products with technologies to better analyze,  
21 predict, and deliver recommended services and  
22 information to New Yorkers. Further, we have  
23 launched an improved NYC I.D. which allows New  
24 Yorkers to use the same account to interact with  
25

1 different public facing websites across agencies.  
2  
3 For example, a New Yorker can now use the same  
4 username and password to update their Notify NYC  
5 alerts or apply for benefits through Access HRA, one  
6 account for all. This feature will go a long way  
7 towards improving how agencies interface and interact  
8 with New Yorkers. In addition to these strategic  
9 shifts, we continue our vigilant work on matters that  
10 directly impact New Yorkers through our cable  
11 franchises. DoITT has been using every tool at our  
12 disposal to ensure our cable franchisees have been  
13 remitting revenue payments accurately. At the  
14 preliminary budget hearing, I advised the committees  
15 about a notice of default we issued to Charter  
16 Communications on March 6 as a result of an audit  
17 that indicated the company failed to pay the City  
18 millions of dollars in advertising revenue. I'm  
19 pleased to announce as a result of that notice,  
20 Charter agreed to pay the City \$4.3 million in two  
21 years' worth of owed fees. This payment which was  
22 remitted in early April cures Charter's defaults.  
23 Further Charter agreed to properly calculate their  
24 payments to the City going forward which will result  
25 in approximately \$1.5 to \$3 million in additional

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2 annual revenue. DoITT will continue to exercise its  
3 franchising authority to ensure that the City  
4 receives the payments we are owed from these  
5 multimillion-dollar companies who have the privilege  
6 of using our public right-of-way to deliver services  
7 to millions of New Yorkers. Finally, I would also  
8 like to take this opportunity to address the issue  
9 with the City's private wireless network, otherwise  
10 called NYCWiN, in our plan going forward with this  
11 network. First, I want to emphasize that at no point  
12 was the public at risk when this network went down  
13 and this did not impact most New Yorkers daily lives.  
14 That being said, on April 6, a GPS rollover resulted  
15 in a technical issue that took down the network on  
16 that day but was incrementally restored over a period  
17 of ten days past the April 6 outage date. The  
18 network has been restored and remains in working  
19 condition. Fortunately, agencies that were using the  
20 network were able to continue operating certain  
21 functions without significant impact to the public.  
22 Staff here at DoITT worked tirelessly throughout the  
23 outage to get the network back up and running as  
24 quickly as possible but we are focused on moving  
25 forward. As we have indicated in prior budget



1  
2 testimonies, we have been in the process of  
3 decommissioning the NYCWiN network and ending our  
4 contractual relationship with the vendor that wholly  
5 manages this network, Northrop Grumman. This will  
6 intrinsically be a cost savings measure in the  
7 multimillions. As we have previously announced, this  
8 work continues. Keep this in mind, Northrop Grumman  
9 is still maintaining and operating the NYCWiN network  
10 since we must ensure that the agencies who use the  
11 network are fully migrated to commercial carriers  
12 before we shut it down. We are eager to fully  
13 decommission but we must continue to work with the  
14 contractor during this transition period. As we move  
15 forward with the process, we'll keep the Committees  
16 informed. With that, I'd be happy to take questions  
17 from the Committees. Thank you once again for the  
18 opportunity to testify before you.

19 CHAIR DROMM: Okay, thank you very much,  
20 Commissioner, and I want to start off with NYCWiN.  
21 On April 6, 2019, as we know the New York City  
22 wireless network crashed for about ten days before it  
23 was up and running again affecting the operation of  
24 multiple agencies. According to several news  
25 outlets, the federal government issued a warning a

1  
2 year prior advising that the, that a time counter  
3 rollover event could affect GPS enabled devices like  
4 NYCWiN so what steps did you take to prepare NYCWiN  
5 for this issue and where did these efforts fall short  
6 leading to the crash.

7           COMMISSIONER SAMIR SAINI: Sure, so, let  
8 me take that in a few parts, so first off, regarding  
9 the notice of the GPS rollover event occurring. Our  
10 agency and myself was aware of the GPS rollover event  
11 occurring just as many other cities, right, private  
12 or public sector entities were aware as well. What  
13 we weren't aware of was that the GPS module that  
14 again is part of a decade old NYCWiN network that was  
15 stood up in the Bloomberg era, that this GPS module  
16 happened to be because of its age, susceptible, all  
17 right, to this GPS rollover change that was deployed  
18 that would cause the network to go down.

19           CHAIR DROMM: So, Northrop Grumman never  
20 informed you of that?

21           COMMISSIONER SAMIR SAINI: We were not  
22 informed by Northrop Grumman regarding this GPS  
23 module being susceptible to the GPS rollover event.  
24 Now all that said, again I need to reemphasize that  
25 at no time during this outage was there a risk to the

1  
2 public nor was there major disruption in operations  
3 for the agencies that were using the network. During  
4 the ten-day period, post the July [sic] 6 outage, we  
5 worked day in, day out, round the clock to restore  
6 the network and I want to clarify that the network  
7 wasn't reestablished ten days after. The network was  
8 incrementally being stood up over the course of the  
9 ten days because the network is comprised of various  
10 nodes, network sites, across the City and we worked  
11 to stand those up incrementally over the ten-day  
12 period.

13 CHAIR DROMM: Were there costs involved  
14 with the breakdown?

15 COMMISSIONER SAMIR SAINI: The only costs  
16 that we incurred was really internal labor, which is  
17 internal City staff working, again, tirelessly around  
18 the clock over those ten days to get the network up.

19 CHAIR DROMM: In the preliminary budget  
20 hearing, you testified that DoITT would use NYCWiN's  
21 current operating budget to pay for the decommission  
22 of NYCWiN beginning in June 2020. Can you provide a  
23 breakdown of the cost associated with the  
24 decommission of NYCWiN and when will it begin to  
25 realize savings?

1  
2 COMMISSIONER SAMIR SAINI: Sure, I'm  
3 gonna ask John to field that question, John.

4 JOHN WINKER: Good afternoon, I'm John  
5 Winker. Yes, beginning the end of FY '20 which is  
6 June 2020, we will see sites being taken down and  
7 start to see savings related to leases, data circuit  
8 costs, and primary electricity. Those are the types  
9 of costs we'll start to see coming down. Ultimately,  
10 when everything is off, we'll be able to decommission  
11 all of the spectrum that we're using to transmit all  
12 the services so we anticipate that to take 18 to 24  
13 months so sometime in, well I would say FY '23, we'll  
14 start to see savings.

15 CHAIR DROMM: And any number in terms of  
16 what the cost savings will be?

17 JOHN WINKER: Well, as we testified  
18 previously, it's gonna be in the tens of millions of  
19 dollars.

20 CHAIR DROMM: Okay.

21 COMMISSIONER SAMIR SAINI: On an annual  
22 basis.

23 JOHN WINKER: On an annual basis,  
24 recurring.

1  
2 CHAIR DROMM: In a recent news article it  
3 was reported that DoITT's urgency to switch over to  
4 commercial wireless carriers waned after former DoITT  
5 Commissioner Roest left her position. So, since she  
6 left, what has been done to make this switch and why  
7 were you unable to sunset the system before. Did it  
8 have something to do with what you mentioned in your  
9 testimony, your contract with Northrop Grumman?

10 COMMISSIONER SAMIR SAINI: No, and again  
11 I want to say on the record that that is, that's  
12 certainly a false statement. We have not lost  
13 momentum in migrating off the NYCWiN network to  
14 commercial carriers since Anne, the prior  
15 Commissioner moved on. In fact, if anything, we've  
16 been accelerating the deployment, so can you?

17 CHAIR DROMM: Yeah, so are you locked  
18 into a contract with Northrop Grumman now?

19 COMMISSIONER SAMIR SAINI: So, we have a,  
20 actually Michael, do you want to talk about that  
21 contract?

22 MICHAEL PASTORE: Yes, we have a contract  
23 right now but when you say locked, Council Member, I  
24 mean the thing, the contract itself is not the thing  
25 that's keeping us from migration. It's a big

1 project, a project that's been around for a long  
2 time. We have plans to migrate, but these things do  
3 take some time for the changeover to occur.  
4

5 CHAIR DROMM: So, is that like  
6 maintenance, is that what the contract is for now?

7 MICHAEL PASTORE: And running the  
8 network.

9 CHAIR DROMM: And running the network and  
10 okay, making that work.

11 MICHAEL PASTORE: Exactly.

12 CHAIR DROMM: All right, let me just go  
13 to another topic, special education student  
14 information system ceases. I used to be a New York  
15 City public school teacher and am somewhat familiar  
16 with the issues regarding ceases from its start. The  
17 City has announced that the DOE will stop using the  
18 SETSS system, a centralized online management tool  
19 for IEP's and special education records and would  
20 perform such services inhouse. However, in a  
21 recently issued RFP, DOE was said to be seeking  
22 proposals for a new special education data management  
23 system to replace SETSS so have we given up on doing  
24 a new system with SETSS inhouse and now going to  
25 outside vendors for that system?

1  
2                   COMMISSIONER SAMIR SAINI: So let me, let  
3 me first state that DOE and this initiative around  
4 SETSS is being managed by that agency and from a  
5 technology standpoint, their CIO and their IT staff.  
6 The involvement

7                   CHAIR DROMM: Commissioner, I met with  
8 some of your staff in my office

9                   COMMISSIONER SAMIR SAINI: Right, I was  
10 gonna say

11                  CHAIR DROMM: Okay, go ahead, I'm sorry.

12                  COMMISSIONER SAMIR SAINI: Sure, I just  
13 want to describe, they wholly, of course, own this  
14 but we are providing advisory, architectural advisory  
15 services, from one of our divisions to help support  
16 them, right with making the right decisions around  
17 what platform they should move to and adopt to ensure  
18 that the system meets their short and long term  
19 requirements.

20                  CHAIR DROMM: So, when I did meet with  
21 folks from your, from DoITT, maybe a year and a half,  
22 two years ago, at that time DoITT was going to revise  
23 the system itself. Is that plan completely over now?

24                  COMMISSIONER SAMIR SAINI: So, we are  
25 partnered with DOE on providing advice for them

1  
2 around what we believe the right architecture is for  
3 the solution.

4 CHAIR DROMM: So, they're looking for a  
5 new system?

6 COMMISSIONER SAMIR SAINI: They are  
7 looking for a new system and we're simply helping  
8 them out with the decision making around that as we  
9 do with other agencies.

10 CHAIR DROMM: And you're working with  
11 them on that?

12 COMMISSIONER SAMIR SAINI: They actually  
13 came to us seeking advisory support around it so  
14 we're providing that service.

15 CHAIR DROMM: DoITT's current year budget  
16 includes \$5.7 million for tech related work for SETSS  
17 so is, what's the proposed scope of that work for the  
18 revival of that program?

19 COMMISSIONER SAMIR SAINI: John, can you

20 JOHN WINKER: We're primarily purchasing  
21 consultant services with those funds.

22 CHAIR DROMM: So, they're outside  
23 consultant services?

24 JOHN WINKER: Correct.



1  
2 CHAIR DROMM: Do you know if one of the  
3 purposes of the new RFP is to make it so that it  
4 communicates with other systems within the DOE?

5 JOHN WINKER: I believe so.

6 COMMISSIONER SAMIR SAINI: I know that  
7 for certain. It's one of the key requirements for  
8 this system as I remember in some of the meetings I  
9 was in, interoperability was really the key word.  
10 Ensuring ease of integration, of SETSS with other DOE  
11 systems, is a key requirement.

12 CHAIR DROMM: Has any of the discussions  
13 with DOE been around tracking UPK or 3K as well?

14 COMMISSIONER SAMIR SAINI: So I can't  
15 speak to that but I can certainly discuss that my  
16 team offline and with DOE and get back to you.

17 CHAIR DROMM: Yeah, I'm interested in  
18 that. I do have a piece of legislation that would,  
19 is asking DOE to begin to collect that data and  
20 particularly because often times CBO's are involved  
21 in it and I'm just wondering how or what that would  
22 look like because they're a little bit organized  
23 different than the regular K to 12 programs within  
24 the DOE.

1  
2                   COMMISSIONER SAMIR SAINI: Understood, I  
3 can set that up.

4                   CHAIR DROMM: Okay, the hiring freeze  
5 savings, DoITT will realize savings of \$5 million in  
6 fiscal 2020 by permanently reducing 72 vacant  
7 positions. Where are these positions, where were  
8 these positions allocated across the agency and will  
9 the reduction of these vacant positions have an  
10 impact on DoITT's essential operations?

11                   COMMISSIONER SAMIR SAINI: I'm gonna have  
12 John field that.

13                   CHAIR DROMM: Sure.

14                   JOHN WINKER: Obviously those vacancies  
15 are spread across the whole organization. We're  
16 looking at, we're currently accessing where to take  
17 those in the most strategic way to avoid impact to  
18 operational services, to minimize an impact.

19                   CHAIR DROMM: So, will you, will you get  
20 back to us on that before we make a decision with the  
21 budget? I asked this yesterday from the Department  
22 of Buildings because they were given a goal to meet  
23 but did not yet know where the cuts were gonna come  
24 from and it sounds to me the same for you.

1  
2 JOHN WINKER: It is the same. This was a  
3 City-wide program in terms of the baseline allocation  
4 of these reduction in heads so we are accessing where  
5 we're gonna take those in the operation.

6 CHAIR DROMM: So hopefully, we'll get  
7 that information within the next couple of weeks or  
8 so?

9 JOHN WINKER: Yes.

10 CHAIR DROMM: Okay, thank you. The  
11 Mayor's Office of Media and Entertainment, incentive  
12 fund savings. In the City-wide savings program,  
13 DoITT will realize baseline savings of \$1 million in  
14 fiscal 2020 by adjusting the Mayor's Office of Media  
15 and Entertainment Film Incentive fund budget to  
16 reflect actual expenditures. Although this is a  
17 welcome feature included in the budget, the Council  
18 called for a much larger reduction in the Film  
19 Incentive fund in our response. Have you worked  
20 with, I don't know what the acronym is MOME, to  
21 reduce the funding for the Film Incentive fund?

22 JOHN WINKER: Well, the Mayor's Office of  
23 Media and Entertainment actually worked directly with  
24 OMB to come up with that target. If you have  
25 specific questions regarding where they want to

1  
2 implement that reduction, we could certainly take  
3 that back to MOME.

4 CHAIR DROMM: Okay, and given the  
5 magnitude of the State's credit, why do you think the  
6 Film Incentive fund is effective? Has anyone ever  
7 conducted an analysis of its efficacy?

8 JOHN WINKER: Again, we could take that  
9 back to MOME and have them get back to us.

10 CHAIR DROMM: Okay, all right and look  
11 forward to hearing from you on that and with that I'm  
12 gonna turn it over to Chair Koo.

13 CHAIR KOO: Thank you, Chair Dromm.  
14 Commissioner, my question, first question to you is  
15 on the New York City wireless network, NYCWiN. On  
16 Saturday, April 6, 2019, a GPS rollover created  
17 several issues for the network. It took over a week  
18 and a half before NYCWiN was fully restored which is  
19 unacceptable as it affected multiple agency  
20 operations. Furthermore, DoITT spends approximately  
21 \$40 million a year on maintaining this antiquated  
22 system so please tell the Committee how you plan to  
23 move agencies that currently use NYCWiN onto  
24 commercial carriers. Can you provide an estimate as  
25 to how much this transition will cost?

1  
2                   COMMISSIONER SAMIR SAINI: Sure, so again  
3 we are aggressively focused on transitioning off of  
4 NYCWiN to carrier networks. We have a plan to have  
5 all agencies leveraging NYCWiN today onto those  
6 carrier networks by next year. We have a, the plan  
7 is divided by agency because different agencies have  
8 different assets and services that they're using the  
9 NYCWiN net work for. Some agencies will get to the  
10 carrier networks first, all right, some second, some  
11 third but again, we're working very hard with those  
12 agencies, right, to accelerate that timeline to get  
13 them off of NYCWiN and then initiate the  
14 decommissioning, right, of the NYCWiN network itself.

15                   CHAIR KOO: So, what was the type of work  
16 DoITT Commission did to fully restore NYCWiN? How  
17 much did this cost the agency?

18                   COMMISSIONER SAMIR SAINI: So, again just  
19 to reiterate, the only cost that was incurred by the  
20 City during the NYCWiN outage was internal labor  
21 which is the time of my DoITT staff and several other  
22 agencies working around the clock, right, to  
23 incrementally get that network up. That was the only  
24 cost.

1  
2 CHAIR KOO: So, what agencies and agency  
3 systems were affected by the outage of NYCWiN and how  
4 long were these systems offline?

5 COMMISSIONER SAMIR SAINI: So, the  
6 primary ones which I think we already discussed was  
7 DOT which leverages the NYCWiN network for remote  
8 control of modifying signal timing for all the  
9 traffic signals in the City. Also, NYPD leverages  
10 the network for a small subset of license plate  
11 readers and then a few others but that was really the  
12 extent of it.

13 CHAIR KOO: So provide a list of agencies  
14 that currently use NYCWiN and for what purpose?

15 COMMISSIONER SAMIR SAINI: So I, I don't  
16 have that list with me.

17 CHAIR KOO: You have a list?

18 COMMISSIONER SAMIR SAINI: I'm happy to  
19 share with you the full list of all the agencies that  
20 leverage it how they leverage it but again, I'll  
21 reiterate it, the major users for the network are DOT  
22 for remote control of traffic signals, also some  
23 traffic cameras NYPD for LPR's, DEP for water meters  
24 and then for some remote sites that we have with  
25 parks and rec and sanitation, they leverage the next

1  
2 network as either a back-up network for small remote  
3 sites they have or as their primary network for these  
4 small sites as well. That's just a quick summary of  
5 the major agencies using the network.

6 CHAIR KOO: Were there any other systems  
7 that DoITT uses affected by the GPS rollover?

8 COMMISSIONER SAMIR SAINI: No.

9 CHAIR KOO: No, what can DoITT do to  
10 prevent this issue from happening in the future?

11 COMMISSIONER SAMIR SAINI: Getting off of  
12 NYCWiN and getting onto carrier networks which is  
13 exactly what we're doing right now. Ten-year old  
14 system, Bloomberg era, we gotta get off of it and  
15 that's what we're doing.

16 CHAIR KOO: Okay, so the second set of  
17 questions I ask is related to LinkNYC. Actual  
18 revenue brought by the LinkNYC kiosk from 2013 to  
19 2018 shows that the kiosks initially did not sell  
20 enough advertising to meet the CityBridge minimal  
21 annual guarantees of revenues to the City. In fact,  
22 between 2015 and '18 actual revenues for the kiosks  
23 fell short \$20.1 million from what was listed in the  
24 minimal annual grant parity in the franchisee  
25 agreement of the CityBridge. In what ways have you

1 worked with CityBridge in order to receive the  
2 minimal annual guaranty of revenues from the Link NYC  
3 kiosks.  
4

5 COMMISSIONER SAMIR SAINI: Great, I'm  
6 gonna ask Michael, our general counsel, to field that  
7 question.

8 MICHAEL PASTORE: Good afternoon, Chair.  
9 Just one quick starting point about the question of  
10 actual revenue so there can be confusion as to  
11 focusing on the revenue of CityBridge, the  
12 franchisee, because they track their revenue on an  
13 April to April basis and we obviously in the City  
14 government track our revenue from a fiscal year,  
15 fiscal year, June to June. If you compare those, it  
16 can look like there is a discrepancy when there  
17 isn't. With respect to revenue, Chair, you know from  
18 the City's perspective, the revenue requirements are  
19 set out in the franchise agreement, in the minimal  
20 annual guarantee. All those payments have been paid  
21 to the City and we would expect that all that they  
22 will so from the City's perspective, from a revenue  
23 perspective, it's all set out in the franchise  
24 agreement and that's where our expectations come from  
25



1  
2 the revenue that we will expect to see and have seen  
3 already.

4 CHAIR KOO: Please explain why your  
5 revenue projection for LinkNYC in fiscal 2019 is  
6 \$32.3 million while the minimal annual guarantee for  
7 fiscal 2019 is \$42 million.

8 MICHAEL PASTORE: Yes, Chair, so again  
9 that goes back to the difference between the time of  
10 the year, right, so the fiscal year we'll look at how  
11 much the City will get between June and June. The  
12 contract year, minimal annual guarantee that you're  
13 seeing which is pulled straight from the contract  
14 itself, has a different time frame so those numbers  
15 will never sink up identically because the amount  
16 we're getting on a fiscal year basis will look  
17 different than a April 1 to April 1 basis.

18 CHAIR KOO: Okay, yeah, in late April the  
19 NYPD arrested a local man for smashing and  
20 vandalizing 42 LinkNYC kiosk displays. Who will be  
21 responsible to pay for the repairs of the LinkNYC  
22 kiosk displays?

23 MICHAEL PASTORE: All costs for the  
24 program are borne, including these costs, are borne  
25 by the franchisee, CityBridge.

1  
2 CHAIR KOO: Okay, so will these costs  
3 have an impact on the revenue the City receives from  
4 the LinkNYC kiosks?

5 MICHAEL PASTORE: It will not, Chair.

6 CHAIR KOO: It will not.

7 MICHAEL PASTORE: No, I should just also  
8 point out, Chair, that it's our understanding that  
9 all of the damaged panels have now been repaired by  
10 the franchisee along with its subcontractors.

11 CHAIR KOO: Okay, the third set of  
12 questions I have is related to 311, 311  
13 rearchitecture new needs. The executive plan  
14 includes new needs of \$4.6 million for courses  
15 related to 311 rearchitecture program. Can you give  
16 the Committee an update on the rollout of that new  
17 311 system?

18 COMMISSIONER SAMIR SAINI: Sure, and  
19 again, I shared this update in the preliminary budget  
20 hearing as well. We are on track for sunseting the  
21 current legacy 311 platform and moving to a modern  
22 cloud-based platform that's going to be going live  
23 later this year so the funding that we've asked for  
24 is really to support that effort. It's on track and  
25

1  
2 we couldn't be more excited about moving to the new  
3 system.

4 CHAIR KOO: So, can you provide a  
5 breakdown and what this funding will cover? Are you  
6 behind schedule on the project?

7 COMMISSIONER SAMIR SAINI: No, we are not  
8 behind schedule. Again, I said in the preliminary  
9 hearing and I'll say it again. We're going live  
10 later this year. In terms of breakdown of the  
11 funding, I'm going to ask John to share that with  
12 you.

13 JOHN WINKER: Well, to summarize it,  
14 essentially, it's to address changes in enhancements  
15 that we've made as we've identified in going through  
16 the process of rolling out the project. I can give  
17 you the exact breakdown. I have actually a copy with  
18 me but in the interest of time, I'll share that with  
19 you separately.

20 CHAIR KOO: Okay, so my other questions  
21 will be related to agency legacy systems. In what  
22 ways have you worked with the City agencies to  
23 transition from using antiquated text systems, like  
24 the pension, payroll management system, PPMS?  
25

1  
2                   COMMISSIONER SAMIR SAINI: So with regard  
3 to how DoITT works with agencies to address legacy  
4 applications and to modernize them, first let me make  
5 clear that the, if an agency, there's a difference  
6 between a agency that hosts its own applications  
7 within their own environment versus hosting those  
8 legacy applications within the DoITT hosted  
9 environment. Where an agency has a legacy  
10 application, that's hosted within our data centers,  
11 we actually work with those agencies to first  
12 highlight what is legacy, what legacy components  
13 exist within their applications and then work with  
14 them to lay out a strategy for modernization. We're  
15 actually doing this very aggressively right now on a  
16 number of fronts to evaluate some systems that we  
17 have that are operating on legacy operating systems  
18 or legacy databases so to that extent, that's how we  
19 support agencies to address legacy that's within the  
20 DoITT hosted environment. Outside of that, agencies  
21 handle legacy modernization on their own.

22                   CHAIR KOO: Commissioner, in your  
23 response to the Committee's preliminary budget  
24 follow-up letter, you mentioned that DoITT has an  
25 attrition rate of 8.3% so does the agency have

1  
2 trouble retaining employees? If so, please describe  
3 the reasons why this is the case.

4 JOHN WINKER: Actually, attrition rate of  
5 8% is customary across the City. I mean it's  
6 actually fairly low so we don't have an issue of  
7 retaining people. I mean ultimately you want to see  
8 people move on with their career and succeed so I  
9 wouldn't necessarily say it's a bad thing having that  
10 level of attrition rate.

11 CHAIR KOO: So, I've finished my  
12 questions. I yield to Chair Dromm.

13 CHAIR DROMM: Okay, very good, we do have  
14 some Council Members who have joined us, Council  
15 Member Kohen, Council Member Van Bramer, Council  
16 Member Gjonaj, Council Member Rosenthal and then we  
17 have Council Member Powers and Holden who want to ask  
18 questions but before we move on, just something that  
19 Chair Koo brought up which is the breakage of the  
20 kiosks, the Link New York City kiosks, I was  
21 actually, the thing that was surprising to me was  
22 that there are cameras in there and I didn't realize  
23 that. What is done with those cameras? Are those  
24 cameras capturing footage of anybody who passes by or  
25 and then what is done with that footage?

1  
2                   COMMISSIONER SAMIR SAINI: That's a great  
3 question. I'm gonna Michael to elaborate on the  
4 cameras.

5                   MICHAEL PASTORE: I'd be happy to take  
6 that, Council Member, so yes, so the Links do have  
7 cameras. The purpose of the cameras are to secure  
8 the kiosks themselves, to be utilized in the event  
9 that there is vandalism or damage done to the kiosk.  
10 The cameras are there to catch that. What is done  
11 with the video data? First of all the video data is  
12 kept encrypted by CityBridge and what can be done  
13 with the data is strictly prescribed by the privacy  
14 policy that we have with CityBridge and what that  
15 privacy policy says is that the data is kept no more  
16 than seven days and then it is completely destroyed  
17 unless there is a request in related to a specific  
18 incident. I should also point out as it related to  
19 the privacy policy that I've just described and the  
20 seven day deletion requirement in there, the privacy  
21 policy is part in parcel of the franchise agreement  
22 and is binding on the franchisee so the video footage  
23 is there to deter vandalism and to catch people who  
24 vandalize the kiosks but it is destroyed after seven  
25 days.

1

2

CHAIR DROMM: And what would it take to  
secure outside viewing of those, of the video?

4

MICHAEL PASTORE: You would need to be  
law enforcement and have a legal basis to obtain that  
video data.

7

CHAIR DROMM: Would they need a warrant?

8

MICHAEL PASTORE: I wouldn't want to go  
through every single law enforcement body, but they  
would need to comply with legal process which  
normally would probably require a subpoena or  
something to that affect.

12

13

CHAIR DROMM: A subpoena, a judicial or s  
administrative?

14

15

MICHAEL PASTORE: I think it could be  
either.

16

17

CHAIR DROMM: Which one, I'm sorry?

18

MICHAEL PASTORE: I think it could be  
either but I'd have to confirm that.

19

20

CHAIR DROMM: It's a little concerning  
because, you know, it could be anti-immigrant, used  
to track immigrants and it's concerning to me. Even  
though there's a seven-day storage, it ends after  
seven days and then it's destroyed.

21

22

23

24

25

MICHAEL PASTORE: Correct.

1  
2 CHAIR DROMM: Okay, was that discussed at  
3 hearing before the implementation of Link New York  
4 City?

5 MICHAEL PASTORE: So the implementation  
6 predates my time at the agency. I can't say, Council  
7 Member, whether it was discussed.

8 CHAIR DROMM: Okay, cause I'm not sure  
9 that every New Yorker is fully aware that every time  
10 you pass one of those, you're being recorded.

11 MICHAEL PASTORE: Understood and the one  
12 thing I will say, Council Member, is that we as an  
13 agency and as administration consider privacy to be  
14 sort of a fundamental principal and something that we  
15 strive to protect in every area that we work on and  
16 for that reason actually the privacy policy we felt  
17 needed to be strengthened and it was strengthened a  
18 couple of years ago so we share that view and I think  
19 in this instance, again it predates my time at the  
20 agency but it's something where you're balancing a  
21 need to protect the kiosks but also the privacy  
22 interests that are inherent in destroying the data.

23 CHAIR DROMM: No, I hear you on that. It  
24 just, it is a little concerning to me cause I wasn't



1  
2 fully aware of that and probably would like to have  
3 further discussions with you about that so.

4 MICHAEL PASTORE: I'm happy to do so.

5 CHAIR DROMM: Okay, thank you. Council  
6 Member Powers?

7 COUNCIL MEMBER POWERS: Great, thank you,  
8 just a quick question. In your budget you have \$38.9  
9 million, you note that I think it's state funding  
10 going to Mayor's Office on Criminal Justice for an  
11 ecology of justice program. Can you tell us what  
12 that program is and an update on it?

13 COMMISSIONER SAMIR SAINI: Sure, John you  
14 want to provide the specifics?

15 JOHN WINKER: It covers various  
16 alternatives to incarceration types of programs that  
17 Mark Jay is administering. We're basically just  
18 supporting them from an administrative perspective,  
19 helping them with contractual services and things  
20 along those lines so any specific questions related  
21 to any of the programs itself, we could take that  
22 back to the Mayor's office and get back to you with  
23 details.

24 COUNCIL MEMBER POWERS: Okay, great, and  
25 it's State funding that's passed down to the City?

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2

JOHN WINKER: Correct.

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COUNCIL MEMBER POWERS: Thank you, just one final question is, you know, there was a couple of conversations recently about other cities in terms of how they're, you know, leaning into Smart Cities and 5G and things like that. I was hoping maybe you could just give us an update in terms of where New York City is, we could glean to like embracing technology like 5G I know has been rolling out in certain cities. Where we are in terms of infrastructure and capacity to handle that and what hurdles might be in the way of embracing new technology that consumers want?

COMMISSIONER SAMIR SAINI: Sure, absolutely and let me just say a few words about 5G in particular.

COUNCIL MEMBER POWERS: Sure.

COMMISSIONER SAMIR SAINI: I mean, first, of course we're all very excited, right, about bringing 5G, right, to New York City. I'll say that it's, to get 5G service in the City obviously we're very dependent on carriers and their ability to deploy technology on our right of way, on our poles and our rooftops that enable expanded 4G LTE service and

1 enable 5G service so where it is certainly a priority  
2 of ours, we've had many conversations with the  
3 carriers and our franchisees about it and we're gonna  
4 be starting to take steps forward to test it, right,  
5 and see how this all works. I want to just also  
6 mention that 5G is not as simple a deployment as it  
7 may be made out to be, right. It's highly complex  
8 and requires lots of things on, not just small cell  
9 infrastructure on poles but also phones that can  
10 actually leverage the 5G service so today all phones  
11 with exception to one, which is Motorola, one  
12 Motorola model, can actually benefit from 5G service  
13 if it's used in a city that has it but today outside  
14 of that, there's no iPhones, right, today that have  
15 5G capability but again it is absolutely something  
16 we're gonna be bringing to the City. First we want  
17 to test it, understand how it works, the operating  
18 model around it and then we'll take it from there.

19  
20 COUNCIL MEMBER POWERS: And just one  
21 follow-up question and then I'll, I know I'll exceed  
22 my time. The, where, what does the timeline look  
23 like for us then in that regard if we're sort of  
24 testing it now and second, in terms of deploying  
25 small cell technology into poles and things in our

1  
2 right of way, where are we in terms of permitting and  
3 allowing for that to happen.

4 COMMISSIONER SAMIR SAINI: Great, I'm  
5 gonna ask Michael to elaborate.

6 MICHAEL PASTORE: Sure, let me sort of  
7 split it up into where we are and then where we'll  
8 be. Right now we have a mobile telecom franchise  
9 that permits various franchisees to reserve street  
10 poles and install on that and that is an ongoing  
11 program that we have to basically to increase 4G  
12 connectivity, particularly in underserved areas.  
13 That franchise has expired and there will be new  
14 mobile telecom franchisees agreements put in place by  
15 the end of the year. Those franchisee agreements  
16 will have an eye on 5G. One thing I did want to  
17 point out further to the Commissioner's point. Any  
18 time 5G comes up, I think it's important to stress,  
19 we as a City are focused in addition to just the  
20 technology, on equity, on how the technology is  
21 equitable for the users and so I think that one thing  
22 we focus on at DoITT is not just 5G which is one  
23 subset of connectivity but broadband connectivity  
24 more generally and we're working very closely with  
25 the Mayor's Office of the Chief Technology Officer on

1 that issue, meaning connecting people in their homes  
2 and outside, including LinkNYC which is a form of  
3 connectivity so we don't take our eye, we can our eye  
4 on many balls at once. You know one of them is on  
5 broadband connectivity and making sure that it's  
6 equitable and we would be very remiss if 5G ended up  
7 only in certain pockets for certain people so I think  
8 if we focus on that now, our prior "reservation  
9 phase" for installations was targeted at Upper  
10 Manhattan and the outer boroughs to try to increase  
11 wireless installations in those areas but as I said,  
12 as the Commissioner said, we're constantly thinking  
13 about 5G, how we can be ready but at the same time,  
14 we're thinking about broadband generally and what we  
15 can do to help people connect.  
16

17 COUNCIL MEMBER POWERS: Was there a  
18 timeline in there?

19 MICHAEL PASTORE: So, I think the 5G  
20 timeline is much more with the carriers than with  
21 municipalities and I think you'll hear, frankly, very  
22 different answers about when 5G will be here but I  
23 think it's not this calendar year before we see 5G at  
24 the earliest.  
25

1  
2                   COMMISSIONER SAMIR SAINI: Right, I would  
3 also mention that today you may, some New Yorkers,  
4 maybe people in this room, may see 5G on the top  
5 right or top left of their smartphones. That isn't  
6 actually 5G service so just want to mention that  
7 there's some interesting definitions of what 5G means  
8 that are being applied by certain companies. By not  
9 means, right, if you see 5G on your phone, is it  
10 actually 5G service in the way that we all understand  
11 what 5G truly is.

12                   COUNCIL MEMBER POWERS: Great, thank you  
13 for that.

14                   CHAIR DROMM: We've been joined by  
15 Council Member Moya, Yeger and Ulrich and now we have  
16 questions from Council Member Holden.

17                   COUNCIL MEMBER HOLDEN: Thank you Chair  
18 Dromm. Thank you for your testimony, Commissioner.  
19 Let's go, I want to pick up on Council Member Powers'  
20 5G, just a couple of things. I have some questions  
21 because we met with some carriers. They're saying  
22 that DOT is very restrictive with their assets and  
23 not willing to work so much them and also with DoITT.  
24 Are you seeing that, are you hearing that or?  
25

1  
2                   COMMISSIONER SAMIR SAINI: Yeah, I would,  
3 I mean I would disagree with that statement but  
4 Michael, you want to elaborate.

5                   MICHAEL PASTORE: Yes, Council Member, I  
6 think from the franchise administration perspective  
7 we work very closely with our partners at DOT and on  
8 the program itself, on the wireless program and don't  
9 have any reason to believe that.

10                  COUNCIL MEMBER HOLDEN: Like I said, they  
11 want someone to build micro trenches and they were  
12 getting some push back. Are you hearing that?

13                  MICHAEL PASTORE: We have not, we have  
14 not heard that and as I said, we work on a daily  
15 basis with DOT on this program and we find them to be  
16 great partners.

17                  COUNCIL MEMBER HOLDEN: The utility  
18 companies are working with you? Are they a  
19 roadblock?

20                  MICHAEL PASTORE: No, not that I know of.

21                  COUNCIL MEMBER HOLDEN: No, okay.

22                  MICHAEL PASTORE: No.

23                  COUNCIL MEMBER HOLDEN: All right cause  
24 other cities, Houston, I guess Los Angeles,  
25

1 Sacramento they have the 5G networks. Have you  
2 looked at how they rolled it out?

3  
4 COMMISSIONER SAMIR SAINI: Well, again I  
5 want to preface that they really don't.

6 COUNCIL MEMBER HOLDEN: I know you said  
7 they don't but they do. They say they do, you say  
8 they don't. Most phones don't work but it will catch  
9 up. I guess the phones will catch up.

10 COMMISSIONER SAMIR SAINI: So there, I'll  
11 try to comment and Michael please chime in but for  
12 the cities that were targeted by some of the carriers  
13 as being the first cities to have 5G service, the  
14 marketing, right, behind it, it doesn't align to the  
15 reality, right, of what of 5G service delivery in  
16 those cities. They're in small pockets, small zones,  
17 right, in a part of those cities and they require a  
18 specific phone. Also, that phone requires an  
19 additional attachment to put on top of that phone to  
20 actually receive 5G signal and that is the truth  
21 behind 5G service that's live in all these cities.

22 COUNCIL MEMBER HOLDEN: Okay, but future  
23 phones would have

24 COMMISSIONER SAMIR SAINI: Future phones  
25 will eventually, yeah.



1  
2 COUNCIL MEMBER HOLDEN: So that's how we  
3 have to look at it.

4 COMMISSIONER SAMIR SAINI: Absolutely and  
5 again I want to emphasize, reemphasize Michael's  
6 point that we are, we are working and discussing our  
7 strategy for broadband holistically which includes  
8 expansion of 4G LTE, 5G, right, broadband on the  
9 streets and the home, all together with Macto  
10 [phonetic] and what's the best way for us to do that  
11 with a specific eye on equity.

12 COUNCIL MEMBER HOLDEN: Okay, I'm just  
13 running out of time so I just want to get to, I  
14 wanted to talk about Northrop Grumman again, just  
15 NYCWiN. That contract was supposed to expire next  
16 month originally. When did you start the changeover  
17 with private carriers at least working on it?

18 COMMISSIONER SAMIR SAINI: So the  
19 migration, the plan to migrate

20 COUNCIL MEMBER HOLDEN: Right.

21 COMMISSIONER SAMIR SAINI: Started

22 COUNCIL MEMBER HOLDEN: Before you

23 COMMISSIONER SAMIR SAINI: Before I was  
24 in this role. I started, of course, in February of  
25 2018 so the ball was already moving towards an

1  
2 agreement to get off of NYCWiN and Northrop Grumman  
3 and move to carrier, carrier networks.

4 COUNCIL MEMBER HOLDEN: And how is that  
5 process done? How many, you have 1,800 people  
6 working, 1,840. How many people are working on that  
7 changeover, migration?

8 COMMISSIONER SAMIR SAINI: Oh, I mean, we  
9 have a large team together that's working with  
10 agencies as well for the agencies that are using  
11 that.

12 COUNCIL MEMBER HOLDEN: But so it took,  
13 since you had to extend the contract, it's taking  
14 much longer than you anticipated. Is that it?

15 COMMISSIONER SAMIR SAINI: It's, we're  
16 trying, we have to, we want to do this right so I  
17 think there's been some time that we've spent  
18 negotiating with the carriers to ensure that when we  
19 move service to their networks that we get the, the  
20 level of reliability, right, and performance that  
21 our agencies need. I think we've just been spending  
22 that extra time making sure those contracts in that  
23 agreement is rock solid because once we make the  
24 move, we're

1  
2 COUNCIL MEMBER HOLDEN: Yeah, because the  
3 Mayor wanted it out this past January. Now he said  
4 it was going to be gone soon and then, but you're  
5 saying something different. You're saying next

6 COMMISSIONER SAMIR SAINI: Don't, I'm  
7 saying the exact same thing which is we are  
8 aggressively working right now to get off of it. We  
9 will be off of the NYCWiN network, on the carrier  
10 networks by next year and in fact by June of next  
11 year we will be fully off.

12 COUNCIL MEMBER HOLDEN: But we heard the  
13 Mayor say January of last year, January of 2019, it  
14 didn't happen and then he said at the last press  
15 conference I heard that it was going to go off soon  
16 but we're saying 2020 now.

17 COMMISSIONER SAMIR SAINI: So, let me,  
18 let me be more specific so there are many agencies  
19 that currently use the NYCWiN network. By January,  
20 there will be several agencies that are already  
21 moved, several.

22 COUNCIL MEMBER HOLDEN: Okay.

23 COMMISSIONER SAMIR SAINI: In fact, the  
24 majority of the agencies that use the network will  
25 actually be moved by then. The long pole, no pun

1  
2 intended perhaps here, is DOT and moving traffic  
3 signals to the NYCWiN network which will take a  
4 little bit longer, all right, than January but we are  
5 absolutely, right, gonna have a significant number of  
6 agencies moved by then.

7 COUNCIL MEMBER HOLDEN: Thank you. Thank  
8 you, Chair.

9 CHAIR DROMM: Okay, thank you, we have  
10 follow-up questions with Council Member Moya and  
11 Gjonaj.

12 COUNCIL MEMBER MOYA: Thank you Chair  
13 Dromm, Chair Koo. Commissioner, thank you very much  
14 for being here. Just a quick question and I don't  
15 even know if this falls on you but with the program  
16 LinkNYC you've talked about sort of the rollout of  
17 where they're going to be placed through the City but  
18 who's in charge of the phone booths that are now  
19 decommissioned on the public streets?

20 COMMISSIONER SAMIR SAINI: Michael?

21 MICHAEL PASTORE: Sure, I'm happy to take  
22 that Council Member. The franchisee that runs the  
23 Link program is also in charge and responsible for  
24 the legacy pay phones that are on the streets.

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COUNCIL MEMBER MOYA: So, okay, cause there's a slew of them in the City that are not used as garbage receptacles. Is the, how do you, how do we go about sort of contacting them to keep the maintenance of these phone booths that are in our districts, graffiti goes up, the break the glass, they stuff, you know, garbage in there. It becomes an eyesore and by the time it gets rolled out or you find a provider that can actually go into these areas, how do we fix that problem?

MICHAEL PASTORE: Sure, two points, number one, Council Member, if you have, if any of the committee has an issue with any particular pay phone, you should bring it directly to me or to my team and we can engage directly with the franchisee to see what's going on with that particular pay phone. I think the second thing I will say is that we are looking at the pay phone portfolio and if there's a particular problem pay phone where we don't see a Link coming right away into that, you know maybe we can look into that question as well but as a starting point, we're the franchise administrators. The franchisee is obligated to keep the phones in good repair and if there's any particular issue, I

1  
2 would also add if there's an issue of some type of  
3 nuisance around, right then we can engage with  
4 potentially the police department or whomever but as  
5 a starting point, you can come right to us. It's our  
6 responsibility to work with the franchisee to make  
7 sure that the pay phones are in good shape.

8 COUNCIL MEMBER MOYA: Great, and just,  
9 cause it's great that I know you Michael and I can  
10 call you but if the public wants to is it 311? How  
11 does that work?

12 MICHAEL PASTORE: Yes, well the public  
13 can and does call us frequently actually, but yes 311  
14 would be the way to go. You call 311, you tell 311  
15 this is where there's a problem at this pay phone and  
16 that would be directed to the right people.

17 COUNCIL MEMBER MOYA: Great, I'm off.  
18 I'll get you some locations.

19 MICHAEL PASTORE: You know where to find  
20 us.

21 COUNCIL MEMBER MOYA: Thank you Michael.  
22 Thank you, Commissioner. Thank you.

23 COMMISSIONER SAMIR SAINI: You can call  
24 me as well.

25 COUNCIL MEMBER MOYA: Okay, thank you.

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2

CHAIR DROMM: Okay, thank you, Council

3

Member Gjonaj.

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COUNCIL MEMBER GJONAJ: Thank you, Chair.

5

I just wanted to piggyback on a question that the

6

Chair brought up with regard to the kiosks. Are

7

those cameras using facial recognition software?

8

COMMISSIONER SAMIR SAINI: They are not.

9

COUNCIL MEMBER GJONAJ: Is there any

10

intent in the future to have facial recognition

11

software?

12

COMMISSIONER SAMIR SAINI: Absolutely

13

not, in fact, facial recognition is effectively

14

banned, right,

15

MICHAEL PASTORE: Under the Privacy Law.

16

COMMISSIONER SAMIR SAINI: Under the

17

current privacy policy that we have in place.

18

COUNCIL MEMBER GJONAJ: Great, your

19

involvement to what degree with August cameras. Is

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it your software? The police cameras that are used

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to monitor traffic and whatnot that are placed in

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locations throughout the City.

23

MICHAEL PASTORE: That is not, that's not

24

our technology.

25

1  
2 COMMISSIONER SAMIR SAINI: Yeah, that  
3 would be NYPD wholly manages that camera network.

4 COUNCIL MEMBER GJONAJ: So you have  
5 nothing to do with it. I see you have a lease  
6 adjustment for fiscal 2020 thru 2023 for \$1.1  
7 million. How much property do you actually have that  
8 is City owned and how much do you have that is leased  
9 from a third party?

10 COMMISSIONER SAMIR SAINI: Got it, John  
11 can you take that?

12 JOHN WINKER: The, we only have one City  
13 owned property, we have space in one City owned  
14 property and that is at the municipal building.  
15 Everything else is privately owned and there's  
16 probably about another half dozen sites or more.

17 COUNCIL MEMBER GJONAJ: Half dozen sites  
18 that are leased?

19 JOHN WINKER: That are leased. You have  
20 the MetroTech sites, you have 255 Greenwich, you have  
21 59 Maiden Lane, so that's already five right there  
22 and there's one up on Broadway as well so there's six  
23 private and one public.

24 COUNCIL MEMBER GJONAJ: How many total  
25 square footage are we referring to?



1  
2 JOHN WINKER: I would have to get back to  
3 you with the square footage.

4 COUNCIL MEMBER GJONAJ: When was the last  
5 time we've gone through a vacancy on the lease  
6 properties? Do we have any square footage that is  
7 not being utilized? Are we over leasing properties?

8 JOHN WINKER: No, actually with the  
9 amount of vacancies that we have, we're actually  
10 challenged for space.

11 COMMISSIONER SAMIR SAINI: Yeah, we're  
12 full.

13 COUNCIL MEMBER GJONAJ: You're full.

14 COMMISSIONER SAMIR SAINI: There's very  
15 little space we have.

16 COUNCIL MEMBER GJONAJ: So long term, are  
17 you going to be looking for additional space?

18 JOHN WINKER: Potentially.

19 COUNCIL MEMBER GJONAJ: I hope that will  
20 be a City owned property versus

21 JOHN WINKER: Well, that's why I said  
22 potentially in terms of additional cost. If we can  
23 find some City owned space, then obviously there  
24 would be no additional cost.

1  
2 COUNCIL MEMBER GJONAJ: The reason I  
3 bring this up and I'm finding this out from agency to  
4 departments, on City owned property we have a  
5 tremendous amount, and when I say tremendous, one  
6 square foot of unutilized space, while we're leasing  
7 additional space from private third-party landlords  
8 is a problem for me. We're not spending taxpayer  
9 dollars wisely and I'm going to be hopefully working  
10 with you on your needs in the future to make sure  
11 that we find space within our own City owned  
12 properties versus third party landlords when we have  
13 the space and I'm hopeful that will set an example on  
14 how to best utilize the properties that we own.

15 JOHN WINKER: Obviously the best people  
16 to engage that conversation with would be DCAS. They  
17 manage the leases.

18 COUNCIL MEMBER GJONAJ: Yeah, I don't  
19 think DCAS has gone through it with a fine-tooth comb  
20 and the definition of vacant space I think is loosely  
21 defined. Thank you, so much for your 5G proposal.

22 CHAIR DROMM: Okay, thank you very much.  
23 This is the end of this portion of the hearing. We  
24 appreciate you coming in Commissioner, you and your  
25 team and we'll be talking to you.

1  
2                   COMMISSIONER SAMIR SAINI: Great, thank  
3 you very much.

4                   CHAIR DROMM: Thank you very much. We're  
5 gonna take a five-minute break and then we will start  
6 with the Fire Department.

7                   [pause]

8                   [gavel]

9                   CHAIR DROMM: Okay, we will now resume  
10 the City Council's hearing on the Mayor's executive  
11 budget for fiscal 2020. The Finance Committee is  
12 joined by the Committee on Fire and Emergency  
13 Management, chaired by Council Member Joe Borelli. I  
14 don't see any of our other colleagues, but we just  
15 heard from DoITT and we will now hear from Daniel  
16 Nigro, the Commissioner of the Fire Department. In  
17 the interest of time, I will forego an opening  
18 statement but before we hear testimony, I'll open the  
19 mike to my co-chair Council Member and Chair Joe  
20 Borelli.

21                   CHAIR BORELLI: Good afternoon, my name  
22 is Joseph Borelli and I am the Chair of the Fire and  
23 Emergency Management Committee. I'm pleased to be  
24 joined by Finance Committee Chair Dromm and my  
25 colleagues today. Today's fiscal year 2020 executive

1 budget hearing to review the Fire Department's  
2 budget. Now the Committee will review the Fire  
3 Department's proposed budget for fiscal 2020, its  
4 2019-2023 capital commitment plan and its ten-year  
5 capital strategy. It is important to note that both  
6 the expense and capital plans do not include any of  
7 the new needs called for by the Council. On April 9  
8 we released our fiscal year 2020 preliminary budget  
9 response which presents a unified vision of the  
10 Council for increased accountability in the budget  
11 process while at the same time shoring up the City's  
12 social safety net to protect our fellow residents in  
13 their times of need and providing resources that  
14 access opportunities for upward economic mobility.  
15 In response we specifically called for the Department  
16 to create a Fire house in the Hudson Yards as well as  
17 building a new EMS Station on Staten Island.  
18 Additionally, we called for an increased pay rates  
19 for EMS staff as well as the addition of staff to  
20 existing four fire fighter companies. These are the  
21 needs that the community has been pushing for that  
22 are key to successful development of public safety  
23 across the City. I'm disappointed to see that  
24 despite the great need, the executive budget does not  
25

1  
2 include funding to address such issues. The  
3 Committee would like to know what the Department  
4 plans to do to address these deficiencies as well as  
5 an update on the Department's recruitment plan and  
6 all the new needs that were added in FY 2020. I also  
7 want to make sure we thank our Committee staff for  
8 their hard work, Anne Maria Carmello-Vega, excuse me,  
9 Iesha Wright, Josh Kingsley, Will Hungatch [phonetic]  
10 and my chief of staff, Frank Mascia. I'd like to  
11 welcome you Commissioner Nigro and all your folks and  
12 I want, I just want to point out, not that you get  
13 distracted, but we do have a slide show this year so  
14 just prepare to be wowed, prepare to be wowed.

15 CHAIR DROMM: I am, thank you.

16 CHAIR BORELLI: Thank you very much.

17 CHAIR DROMM: I'm gonna ask counsel to  
18 swear the panel in.

19 COUNSEL: Do you affirm that your  
20 testimony will be truthful to the best of your  
21 knowledge, information and belief?

22 ALL: I do.

23 CHAIR DROMM: Okay, thank you, and  
24 Commissioner you can start.

25

1  
2                   COMMISSIONER NIGRO: Well, thank you,  
3 good afternoon Chair Dromm and Co-Chair Borelli and  
4 all Council Members present. Thank you for the  
5 opportunity to speak with you today about the  
6 executive budget for fiscal year 2020 for the Fire  
7 Department. I'm joined this afternoon by First  
8 Deputy Commissioner Laura Kavanagh, Chief of  
9 Department John Sudnik, Chief of EMS Lillian  
10 Bonsignore and Assistance Commissioner for Budget and  
11 Finance Stephen Rush. First, I'd like to recognize  
12 the terrible tragedy that befell our City last week  
13 when a fire in Harlem caused the death of six family  
14 members, including four children. The fire was  
15 caused by unattended cooking. Unfortunately, there  
16 was no working smoke alarm present in the apartment  
17 where the fire occurred. The next day we had another  
18 fatal fire in Manhattan where again there was no  
19 working smoke alarm. We have for several years now  
20 worked aggressively to spread the word about the  
21 importance of having working smoke alarms in one's  
22 home or apartment. In November 2015, we launched a  
23 campaign called Get Alarmed NYC that committed to  
24 distributed and installing 100,000 smoke alarms  
25 throughout the City. Thanks to help from the City

1 Council and City Hall along with other partners, this  
2 initiative has so far resulted in more than 200,000  
3 smoke and combination smoke/co alarms being  
4 distributed to New Yorkers, many of which were  
5 installed in homes by Red Cross volunteers. The  
6 latest shipment of alarms, more than 60,000 have just  
7 been delivered to the Department and we will continue  
8 to distribute them and install them in homes in areas  
9 of the City where incidences of fires and fire deaths  
10 continue to occur. We will be contacting elected  
11 officials, community stakeholders, clergy leaders and  
12 partner organizations to coordinate distribution  
13 events. I look forward to working with the Council  
14 Members here today and with your colleagues to get  
15 these alarms to the people who need them. One other  
16 update I'd like to share with you is a recent change  
17 in senior leadership at the Department. Following  
18 the retirement of Chief James Booth, last week I  
19 appointed Lillian Bonsignore to the position of Chief  
20 of EMS. Chief Bonsignore who has 28 years of service  
21 with FDNY is the first woman in the history of the  
22 Department to serve as the highest-ranking officer in  
23 EMS. She is also the first open member of the LGBT  
24 community to hold the post. Along with Chief  
25

1  
2   Bonsignore's appointment, Alvin Suriel has been  
3   promoted to Assistant Chief of EMS, the second  
4   highest uniformed rank. Chief Suriel who has 30  
5   years of service is the first Hispanic member  
6   appointed to the role. In addition to the  
7   distinguished work that they will do on behalf of the  
8   people of New York, I am proud that Chief Bonsignore  
9   and Chief Suriel will also serve as examples of  
10   diverse leadership as we continue our mission to  
11   build a Fire Department that reflects the diversity  
12   of the City we protect. I'm happy to report that the  
13   Mayor's executive budget for fiscal year 2020 funds  
14   the Fire Department at levels that will enable us to  
15   effectively protect life and property, improve the  
16   services that we provide and expand our efforts to  
17   educate the public. The budget provides \$43 million  
18   over two fiscal years to fund an expansion of the Fly  
19   Car pilot program. Under this system, we send an  
20   advance life support, ALS fly car, which provides  
21   paramedic level care and a basic life support, BLS  
22   ambulance, which provides EMT level care to each  
23   potentially life-threatening emergency. Whichever  
24   unit responds first is able to immediately begin  
25   providing care. The ALS unit provides an advance



1 life support level assessment and the BLS unit  
2 transports the patient to the hospital. The ALS unit  
3 only accompanies the patient to the hospital if the  
4 patient needs ALS level care which happens on less  
5 than half of all responses. This frees up the ALS  
6 crew faster, allowing them to respond to the next  
7 call and streamlining our ability to get the  
8 appropriate level of care to each patient. Beginning  
9 in October 2019, the fly car program will be extended  
10 to cover the entire borough of the Bronx. With this  
11 additional funding, we'll transition the rest of our  
12 ALS ambulances in the Bronx to fly cars. As we begin  
13 the expansion of the program this fall, we will add  
14 17 additional fly cars, resulting in a total of 27  
15 fly cars across the borough during our busiest hours.  
16 Other EMS funding in the executive budget includes  
17 \$2.6 million to enable the Department to take over  
18 six ambulance tours that were previously run by  
19 Montefiore Medical Center. This includes funding 28  
20 positions and it will increase the percentage of  
21 tours in the 911 system that are operated by  
22 municipal units to 67%. The budget also funds 16 new  
23 positions in emergency medical dispatch. These  
24 positions will be used to support the creation of a  
25

1  
2 quality assurance team and to maintain span of  
3 control within emergency dispatch. Another  
4 commitment in this budget is \$2.6 million in fiscal  
5 year 2020 for improvements at the EMS Academy at Ft.  
6 Totten. In addition to \$8 million in capital funds  
7 in fiscal year 2020 and \$50 million in capital funds  
8 in fiscal year 2021. This will fund fiscal  
9 improvements and allow the Department to hire  
10 additional instructors which will enable the  
11 Department to increase class size so that we can  
12 train more EMT's and paramedics. Another major  
13 commitment in the executive budget is \$3.2 million in  
14 fiscal year 2020 for technology projects. I am  
15 pleased to provide the Council with a few updates on  
16 education and outreach matters that we've previously  
17 discussed here. The Department is working with the  
18 Administration of Children Services, and the American  
19 Red Cross to train approximately 3,000 front line  
20 child welfare staff throughout 2019. ACS workers  
21 learn how to examine homes for potential fire hazards  
22 and refer families to the Red Cross for smoke alarm  
23 installations. As of the end of April, over 400  
24 workers have been trained. We have also continued  
25 our partnership with the Department of Youth and

1  
2 Community Development. On April 24, our two agencies  
3 carried out the second annual Youth Firehouse  
4 Initiative. More than 24,000 Kindergarten through  
5 5<sup>th</sup> grade students from the DYCD Compass afterschool  
6 program visited more than 50 firehouses meeting with  
7 members of the Department and receiving fire safety  
8 education instruction. We are also looking forward  
9 to another round of our very popular City-wide open  
10 houses in the fall. I thank the Council for your  
11 partnership and ongoing support as we carry out the  
12 mission of protecting the lives and property of the  
13 people of New York and I'd be glad to take your  
14 questions at this time.

15 CHAIR DROMM: Thank you very much  
16 Commissioner and we have been joined by Council  
17 Member Cabrera and Council Member Maisel and let me  
18 also start off by thanking you for appointing Chief  
19 Bonsignore and also Chief Suriel. It's great that  
20 you have done that and you know that diversity really  
21 reflects New York City and as an openly gay man  
22 myself, I'm really proud to see Chief Bonsignore here  
23 also so congratulations and thank you very much. As  
24 part of the PEG program, the FDNY had an initial PEG  
25 target of \$6.5 million. The FDNY exceeded the target

1  
2 and the fiscal 2020 executive plan introduces a total  
3 savings of \$10.5 million. Part of the savings  
4 includes implementing a hiring freeze of 54 positions  
5 in fiscal 2019 and in the out years. Can you  
6 identify where these positions will come from and how  
7 the hiring freeze will impact the Department's  
8 operations.

9 COMMISSIONER NIGRO: I'll let someone  
10 else give you the details. I do know that it does  
11 not affect our members who respond and carry out the  
12 primary mission of the Department, that's  
13 firefighters, EMT's and paramedics.

14 CHAIR DROMM: Okay.

15 STEPHEN RUSH: Council Member, we're  
16 working on some of the details on where the units  
17 will be cut. We're still working with OMB on this.  
18 I will tell you that areas like fire prevention which  
19 is inspection based and revenue based is exempt,  
20 obviously EMS is exempt, and we're hoping there will  
21 be some other exemptions but those details aren't  
22 worked out as of yet but we do have a significant  
23 number of vacancies in the Department across all  
24 units and some of those will have to be, obviously 54  
25 of those will have to be eliminated.

1  
2 CHAIR DROMM: Okay and, you know I've  
3 been asking every department that comes in, if we can  
4 get that within the next couple of weeks, it would be  
5 very useful to us in our negotiations.

6 STEPHEN RUSH: Yeah, we're supposed to  
7 provide to OMB by June 30 where the reductions will  
8 come from.

9 CHAIR DROMM: Okay, thank you, in fiscal  
10 '19 savings included \$7.2 million and in fiscal 2020  
11 expected savings total only \$3.3 million with the  
12 difference attributable to the fact that the \$7  
13 million dollars in fringe savings will be implemented  
14 only in fiscal 2019. Why is there no fringe savings  
15 anticipated for 2020?

16 STEPHEN RUSH: Potentially there may be.  
17 This is Federally funded money that is in our budget  
18 for fringe costs which would be obviously transferred  
19 out of our budget. Potentially in FY '20 there could  
20 be but we have not come to that yet.

21 CHAIR DROMM: And would that come with  
22 the reduction in head count?

23 STEPHEN RUSH: The head count would be in  
24 addition to that.

1  
2 CHAIR DROMM: In addition, can you go  
3 over the Department strategy regarding the hiring  
4 freeze and how did you decide which vacant positions  
5 would be eliminated.

6 STEPHEN RUSH: We have not as yet decided  
7 which positions. We are trying to take them in the  
8 areas that have the least impact on service delivery  
9 and mostly in administrative areas.

10 CHAIR DROMM: So, did OMB just give you a  
11 number?

12 STEPHEN RUSH: OMB looked at our  
13 vacancies across the board and some of the vacancies  
14 are long standing and therefore they made this  
15 reduction target across all agencies. I don't know  
16 the details of how they arrived at it.

17 CHAIR DROMM: Okay cause, you know, when  
18 we look at just the vacancies and we cut them the  
19 question always remains is it true reduction or is it  
20 really just a savings in terms of the head count.

21 STEPHEN RUSH: No, it will be a reduction  
22 in full time head count in the budget, yes.

23 CHAIR DROMM: Okay, let's talk a little  
24 bit about overtime. Over the past five years, the  
25 Department budgeted overtime cost at \$240.5 million.

1  
2 During the same time, FDNY's actual overtime cost  
3 averaged \$277.7 million. This means there's an  
4 average difference between the budgeted and actual of  
5 \$37.2 million or 13% in overtime expenditures. Why  
6 does the FDNY exceed it's overtime budget and given  
7 that it does, why doesn't your Fiscal 2020 overtime  
8 budget more realistically align to the actual  
9 spending?

10                 STEPHEN RUSH: That's a great question.  
11 We traditionally have overtime issues in the Fire  
12 Department. We do our best to meet the targets that  
13 are set by OMB. We agree that it is a challenging  
14 target but we are expecting with additional  
15 firefighter hired and hopefully a reduction in  
16 medical leave which impacts our ability to staff fire  
17 companies that we should see an improvement in  
18 overtime along with reductions in our light duty  
19 staff.

20                 CHAIR DROMM: So, do you have any new  
21 measures that you might take to control the overtime  
22 budget?

23                 STEPHEN RUSH: Right now there are  
24 several we're looking at in terms of medical leave  
25 controls as well as reducing the light duty

1  
2 population. Basically, members who are long term  
3 would be retired add to the pension rolls and that  
4 would decrease the number of light duty people and  
5 then we could increase more full duty people and  
6 therefore, that should reduce the overtime.

7           COMMISSIONER NIGRO: And also when we, it  
8 took us, and we're still now not even up to head  
9 count but we're very, very close. Because of the  
10 hiring freeze that lasted for a number of years in  
11 the Fire Department, we fell very far behind in our  
12 firefighter staffing and although we've hired many  
13 people over the last four years, we're just now  
14 reaching the numbers that should have some impact on  
15 the overtime. Previously, we needed considerable  
16 overtime just to staff our units.

17           CHAIR DROMM: Are you exempt from the  
18 current hiring freeze or not?

19           COMMISSIONER NIGRO: We are on the  
20 uniform side, firefighters, EMS, paramedics but not  
21 on the civilian side.

22           CHAIR DROMM: So do you think that the  
23 Department will be affected by the freeze in the  
24 civilian side?



1  
2                   COMMISSIONER NIGRO: Well, I think, I  
3 think anyone would say when there is a limit on the  
4 people, the jobs we can fill, there may be some  
5 impact on it administratively but certainly not on  
6 our ability to serve the public as such.

7                   CHAIR DROMM: Do the civilians get  
8 overtime, Commissioner?

9                   COMMISSIONER NIGRO: Some of our  
10 civilians do get overtime, yes.

11                   CHAIR DROMM: Is that a large enough  
12 number to affect or help with the overtime cost that  
13 it would see enough of a reduction there?

14                   STEPHEN RUSH: Much of the overtime comes  
15 in areas such as mechanics and unpraised personnel  
16 that take care of the fire houses and in those areas  
17 we're going to try to, to the best possible, reduce  
18 their cost on overtime but overall, the overtime  
19 needs there will remain.

20                   CHAIR DROMM: So, most of the overtime is  
21 with the uniformed?

22                   STEPHEN RUSH: The uniformed is over, you  
23 know, most of the overtime in the Fire Department.  
24 Approximately this year, we'll spend about \$241

1 million in tax levy, one EMS we'll spend another \$51  
2 million, civilian another \$21 million.

3  
4 CHAIR DROMM: Okay, I don't know if we  
5 have a graphic, but we may, a 10-year capital  
6 strategy. As outlined in the Council's preliminary  
7 budget response, the fiscal '20 to '29 preliminary  
8 10-year capital strategy presented by the  
9 administration was not true to its name and many of  
10 the 10-year strategy categories had a dramatic  
11 decline in planned spending or close to no spending  
12 in the second half of the strategy, the executive 10-  
13 year capital strategy still fails to address planning  
14 in the out years for many City agencies including  
15 FDNY. This has been true for Education as well. Did  
16 FDNY work with OMB and DCP to develop the agency's  
17 10-year capital strategy and what did that back and  
18 forth look like?

19 STEPHEN RUSH: So on the capital  
20 strategy, on the long-term capital plan, historically  
21 you will see that most of the funding is front loaded  
22 in the four year plan and that it decreases but as  
23 you move forward in the out years, as you get closer  
24 to the out years, the numbers are again negotiated  
25 with OMB and they tend to, they obviously do grow

1  
2 higher. Part of the issues with the capital plan is  
3 pointed out by OMB and correctly so and not just in  
4 our agency, in many agencies. There was a challenge  
5 in spending, in committing to the dollars in a timely  
6 fashion and as a result, lots of times the funds roll  
7 over from year to year so while we do our best, there  
8 is a delay sometimes in procuring things but things  
9 like the facilities and fleet, two of the more  
10 critical areas in the Department are usually funded  
11 fairly well by OMB.

12 CHAIR DROMM: And so you believe that  
13 this plan is sufficient?

14 STEPHEN RUSH: Obviously the out-year  
15 plan obviously is dropping a lot but we're not really  
16 concerned with the out-years or beyond the first two  
17 or three years of the capital plan.

18 CHAIR DROMM: Okay, can you provide your  
19 retention rates broken down by demographics?

20 COMMISSIONER NIGRO: Retention rate of  
21 our members?

22 CHAIR DROMM: Yes.

23 COMMISSIONER NIGRO: Well, I believe, as  
24 close as I can calculate, I think we lose about 4% on  
25 Fire and about 9% in EMS.

1  
2 CHAIR DROMM: Okay, during the  
3 preliminary budget hearing you testified that the  
4 most recent class to graduate from the firefighter  
5 academy included 15 female graduates. What are your  
6 projections for the next class?

7 COMMISSIONER NIGRO: Well, we just, a  
8 class just went into our fire academy and that class  
9 has 17 females.

10 CHAIR DROMM: And last year when we  
11 spoke, I asked you a little bit about LGBTQ  
12 employees. How many of the department staff is  
13 LGBTQ?

14 COMMISSIONER NIGRO: I don't believe we  
15 track that.

16 CHAIR DROMM: I thought that you said  
17 that in some ways you do and I was surprised to hear  
18 that actually.

19 LAURA KAVANAGH: We don't track it. We  
20 do try to support those employees and we try to  
21 recruit during the recruitment campaign and so we  
22 have a liaison and we have a number of staff and we  
23 have a fraternal organization and we try to make sure  
24 that those resources are shared with the firefighters  
25

1 but we don't track them in such a way that we could  
2 tell you what the numbers were.

3  
4 CHAIR DROMM: So is the support program  
5 Fire Flag?

6 LAURA KAVANAGH: Yeah.

7 CHAIR DROMM: It is and do you know how  
8 many people are in there or how many?

9 LAURA KAVANAGH: I don't, I don't believe  
10 they would tell us.

11 CHAIR DROMM: Chief, would you know?

12 LILLIAN BONSIGNORE: I don't, no I'm  
13 sorry.

14 CHAIR DROMM: Are you a member?

15 LILLIAN BONSIGNORE: No. [Laughter]

16 CHAIR DROMM: Oh, we got to get you in  
17 there.

18 LAURA KAVANAGH: I can say I've been to  
19 their meetings. There's a few dozen people at those  
20 meetings but I don't believe they track everyone as  
21 well for privacy.

22 CHAIR DROMM: I ask this, you know,  
23 because even and I have a piece of legislation that  
24 would require all City agencies to voluntarily ask  
25 people that in the initial stages of employment, you

1  
2 know, so that we can get a better feel of how many  
3 LGBT people there are so that's where I'm coming from  
4 on this. I think it also sends a message that the  
5 Department is open to it or whatever so that's why  
6 I'm asking these questions.

7 LAURA KAVANAGH: Yeah, one thing we do do  
8 for recruits is we let them know that there is an  
9 LGBTQ advocate and we email them about that so that  
10 they can reach out proactively if they'd like to.

11 CHAIR DROMM: And to be honest with you,  
12 I do see them at LGBT events and things like that as  
13 well. It's very positive. Now is the Department  
14 meeting its goal of diversifying uniform and EMS  
15 staff?

16 COMMISSIONER NIGRO: I think we, our  
17 recruitment for the exam, we actually exceeded the  
18 goal and

19 CHAIR DROMM: What was that goal,  
20 Commissioner?

21 COMMISSIONER NIGRO: Do you have the  
22 numbers for our

23 LAURA KAVANAGH: We had a goal to recruit  
24 a list that represented the same demographics as the  
25

1  
2 City and we did that. We actually exceeded it by a  
3 few percentage points.

4 CHAIR DROMM: By what?

5 LAURA KAVANAGH: We exceeded it by a few  
6 percentage points in each demographic and

7 CHAIR DROMM: Do you know the numbers  
8 there or?

9 LAURA KAVANAGH: I can send them to you.

10 CHAIR DROMM: Okay, that would be great.

11 COMMISSIONER NIGRO: So on the  
12 firefighting force, right now in the Department and  
13 it's at a high time in the history of the Department,  
14 more than 30% of the members of the Department are  
15 non-white males and that number continues to grow  
16 with each probationary firefighter class and the  
17 Department has over the past four years become more  
18 and more diverse.

19 CHAIR DROMM: Okay, do you have a list of  
20 uniform and EMS staff who are bilingual?

21 LAURA KAVANAGH: We in some cases do know  
22 that. We do a series of trainings, things like fire  
23 safety education and when we do those trainings, we  
24 do ask and actually recruit for members who are  
25

1  
2 bilingual so we don't know every bilingual member but  
3 we know many of them.

4 CHAIR DROMM: So do you know, like when  
5 you respond to a fire or to some type of medical  
6 call, that there is always somebody bilingual or  
7 speaking another language other than English?

8 COMMISSIONER NIGRO: Not always, no.

9 CHAIR DROMM: What do, what would, what  
10 would staff do? What would officers do or EMS  
11 officers do in the case of a non-English speaking  
12 person?

13 COMMISSIONER NIGRO: Well, I think

14 CHAIR DROMM: Is there a phone?

15 COMMISSIONER NIGRO: Lillian can discuss  
16 that on the EMS side.

17 LILLIAN BONSIGNORE: We have a very  
18 diverse EMS crowd and it's not difficult for us to  
19 find someone to translate but we do also have  
20 translation services to reach out to.

21 CHAIR DROMM: And how do you get ahold of  
22 those translation services?

23 LILLIAN BONSIGNORE: It through a phone,  
24 through a phone call.

25 CHAIR DROMM: By phone?



1

2

LILLIAN BONSIGNORE: Yes.

3

CHAIR DROMM: Is that true for the Fire

4

Department?

5

COMMISSIONER NIGRO: Well on the medical

6

calls we work with EMS and we use the same

7

CHAIR DROMM: But I mean like for a fire

8

call?

9

COMMISSIONER NIGRO: Negative.

10

CHAIR DROMM: No, okay, because we did

11

have a very big fire in Elmhurst about two years ago

12

and that was a bit of an issue. People didn't know,

13

my Spanish is okay. I can get by but telling people

14

what was happening, where they were supposed to go,

15

etc., I think having had somebody who could speak

16

Spanish or get some type of translation would have

17

been helpful.

18

COMMISSIONER NIGRO: I think on the

19

initial stages of a fire, it has not been a critical

20

issue but we do bring people in as a follow up when

21

people need services between all of the agencies of

22

the City that are there following a fire, all of

23

those services can be provided.

24

CHAIR DROMM: Well, I think, I think it

25

would be good to look at as a possibility as a

1  
2 possibility of also equipping your uniformed officers  
3 with some type of ability to get translation  
4 services. Yes, no?

5 LAURA KAVANAGH: We can do that. We do,  
6 they do have devices that do in some cases have  
7 translation services on them. I don't know that they  
8 always are able to use them

9 CHAIR DROMM: I mean, the Police  
10 Department is moving in that direction.

11 LAURA KAVANAGH: Yeah, we are as well.

12 CHAIR DROMM: Okay, so hopefully next  
13 year we'll have more information on that.

14 COMMISSIONER NIGRO: Okay.

15 CHAIR DROMM: What's that?

16 COMMISSIONER NIGRO: Yeah, we can, we'll  
17 look into it.

18 CHAIR DROMM: Okay, all right, in the  
19 past the Department has partnered with DFTA to  
20 provide fire safety workshops in senior centers  
21 across the City. Can you give us an update on that  
22 and how many workshops you've done, etc.

23 COMMISSIONER NIGRO: As far as breaking  
24 it down, I think we can, we don't have that right now  
25 but we can get it. The number of total visits we've

1  
2 had I think, somewhere I may have that, fire safety  
3 education visits. Anyone? More than 6,000 in a year  
4 and that covers whether it's senior centers, whether  
5 it's community groups, schools, etc.

6 CHAIR DROMM: Okay, let me go on. In the  
7 past the Department, excuse me, during the  
8 preliminary budget hearing you testified that one of  
9 the department's greatest challenges has been  
10 antiquated regulations that classify EMS as a  
11 transportation service for the purposes of Medicaid's  
12 reimbursement. Please provide an update on the  
13 Department's strategy to address this challenge.

14 COMMISSIONER NIGRO: Well, I know we do  
15 have a strategy for increasing our revenue that would  
16 increase it by approximately \$22 million but has that  
17 been initiated yet, Steve?

18 STEPHEN RUSH: Yes, so working in concert  
19 with our billing vendor, OMB, Health and Hospitals,  
20 we have developed the methodology which we're gonna  
21 present to New York State on increasing Medicaid  
22 revenues which we think would enhance the budget by  
23 \$22 million.

1  
2 CHAIR DROMM: \$22 million, okay. Thank  
3 you, can you provide an update on DDC's design and  
4 construction of EMS station 17 in the Bronx?

5 COMMISSIONER NIGRO: Well, we have,  
6 currently we have three projects that are in various  
7 stages, Rescue 2 in Brooklyn which we believe will be  
8 opened in November, Station 17 in the Bronx which is  
9 underway and in the planning, very preliminary  
10 stages, a new fire house at Rockaway on 116<sup>th</sup> Street.  
11 I would say the Station 17 in the Bronx is at the  
12 midpoint of those three projects for our Department  
13 right now.

14 CHAIR DROMM: Okay, thank you. How much  
15 of FDNY's operations and maintenance work is  
16 contracted out?

17 STEPHEN RUSH: We spend a significant  
18 amount of money on contracting services. It might be  
19 in plumbing, it might be sewer work, electrical. We  
20 do have a robust staff as well and a good capital  
21 program but some of the services we don't have the  
22 expertise on. Overhead doors repairing, those kind  
23 of things, those expertise do not lie in the  
24 firehouses so we rely on outside vendors.

1  
2 CHAIR DROMM: Can you provide us a after  
3 the hearing with a list of those people that you  
4 contract with?

5 STEPHEN RUSH: Sure.

6 CHAIR DROMM: Okay, thank you, and then  
7 Commissioner, you mentioned that the bulk of overtime  
8 comes from uniform services. However, the civilian  
9 overtime spending is \$18.5 million higher than the  
10 \$41.6 million budgeted at adoption so what is the  
11 Department doing to right side the civilian overtime  
12 budget?

13 STEPHEN RUSH: When we're looking at  
14 civilians sometimes, we get, they are grouped in  
15 together. EMS might be in there as well but I will  
16 tell you on EMS, we have significant staffing issues  
17 because of a loss of personnel and we are, one of the  
18 plans that we have in the long term, starting in  
19 FY'20 would be Fort Totten would be expanded so more  
20 classroom space would be made available so classes  
21 can grow from the current 180 on EMT's to 225. Same  
22 thing with paramedic staffing, it can grow from 70 to  
23 90 so these kind of things will help us catch up and  
24 reduce our overtime in the out years.

1

2

CHAIR DROMM: Okay, and then the EMS  
recruiting problem, what is, what causes that?

3

4

COMMISSIONER NIGRO: I don't believe we  
have a recruiting problem. I think we have, we have  
an issue with being able to educate students faster.  
We can only put 180 people in the class maximum so by  
our increased capacity at Fort Totten, we'll be able  
to increase those classes to 240.

5

6

7

8

9

10

CHAIR DROMM: And then you have a  
retention problem though with new, with EMS?

11

12

COMMISSIONER NIGRO: We lose EMT's to  
Fire because there's an exam, promotion exam from EMT  
or paramedic to firefighter and people avail  
themselves of that and we have lost personnel.

13

14

15

16

CHAIR DROMM: So have you asked for  
larger space for EMT training?

17

18

COMMISSIONER NIGRO: We have and we've  
got, we've received funding for it.

19

20

CHAIR DROMM: Okay, all right. Thank  
you, I'm gonna turn it over to Chair Borelli.

21

22

CHAIR BORELLI: Thank you and I'd like to  
recognize Council Member Adams as here. Good to see  
you. According to the Department, the average EMS  
response times fluctuate between 4 minutes 27 seconds

23

24

25

1 to 5 minutes 45 seconds depending on the type of  
2 incident. However, response time in the Bronx  
3 average 7 minutes 52 seconds. Why is that high or  
4 higher than the other boroughs and why even with the  
5 fly cars is it only down to 6 minutes, 43 seconds and  
6 not within a normal range?  
7

8 COMMISSIONER NIGRO: Well the reason we  
9 started, initiated the pilot for fly cars in the  
10 Bronx was because of the highest, it has the highest  
11 per capita demand for our services of any of the  
12 boroughs so while we've had some impact, we're still  
13 in the process of bringing it down and that's the  
14 main reason why we're very happy to have gotten  
15 funding to increase the fly car program in the Bronx  
16 to address this.

17 CHAIR BORELLI: But is there something  
18 preventing the fly car from lowering the time even  
19 further or is there enough of them, should there be  
20 more of them I guess is what I'm getting at?

21 COMMISSIONER NIGRO: Well, we need  
22 increases in staffing which we are gradually building  
23 up and we do believe the additional fly car and BLS  
24 ambulances that go along with the fly car program  
25 will put the Bronx in line with the rest of the City.

1  
2 CHAIR BORELLI: Can you explain how we  
3 staff the fly car and then where we find those  
4 technicians from, the paramedics and then how we  
5 backfill them?

6 COMMISSIONER NIGRO: Well, the current  
7 fly cars are staffed with one paramedic lieutenant  
8 and a paramedic. Moving forward, they will be  
9 staffed with two paramedics. We continue to educate  
10 classes and graduate classes of paramedics and that's  
11 how we staff them.

12 CHAIR BORELLI: So, can you just go into  
13 more detail then on the \$15 million to enhance the  
14 program in the Bronx.

15 COMMISSIONER NIGRO: Well, actually it's  
16 over two years, \$43 million. It will provide the  
17 additional staffing for these units and for the BLS  
18 units that are part of it because for each fly car  
19 there's an additional BLS ambulance that becomes the  
20 transport vehicle and those are staffed by EMT's.

21 CHAIR BORELLI: Okay, you might remember  
22 there was some discussion of the fifth firefighter  
23 over the past few weeks. Can you just describe what  
24 the criteria is for choosing the 20 companies that  
25 have the fifth firefighter, 20 engine companies?



1  
2                   COMMISSIONER NIGRO: Sure, John, you  
3 might want to do that.

4                   JOHN SUDNIK: We have a discussion, as  
5 you know we've increased them incrementally over the  
6 last four years, five a year, and we get input from  
7 Bureau of Operations. They have discussions with the  
8 borough commanders. We look primarily at activity.  
9 We look at response areas, structural fires, a number  
10 of responses and that's how we determine the  
11 criteria.

12                  CHAIR BORELLI: On average you would say  
13 that a busier engine company would be more likely to  
14 have a fifth firefighter?

15                  JOHN SUDNIK: Generally.

16                  CHAIR BORELLI: So, if all the engine  
17 companies were responding to 600,000 more runs, isn't  
18 it better that all the companies have a fifth  
19 firefighter?

20                  COMMISSIONER NIGRO: Well, I think, the  
21 criteria is not solely the number of responses they  
22 have. It can be units that frequently operate alone.  
23 Units that may be more remote. Five firefighter  
24 units, no one would dispute that five firefighter  
25 units may be superior to four firefighter units in

1  
2 some ways but the Department has a long history of  
3 being successful at fighting fires with four  
4 firefighter units which is, you know, more staffing  
5 than really anywhere else in the country.

6 CHAIR BORELLI: Does the Department have  
7 a cost estimate of the cost of adding another I  
8 guess, 170?

9 COMMISSIONER NIGRO: Well, I think each,  
10 each 20 units would cost us about \$800,000 a month.  
11 If we made all of our units five firefighters, it  
12 would about \$100 million.

13 STEPHEN RUSH: Actually, the number would  
14 be closer to \$200 million because you'd have to add  
15 approximately 900 firefighters.

16 CHAIR BORELLI: Is there any discussion  
17 of eliminating the fifth firefighter from the current  
18 20?

19 COMMISSIONER NIGRO: Well, the trigger,  
20 the number that triggers that is a medical leave  
21 number that's already been exceeded but the  
22 Department has not reduced the staffing and we are  
23 looking at how that number is measured so there is no  
24 immediate plan to reduce in those companies.

1  
2 CHAIR BORELLI: Would you characterize it  
3 as somewhat unproductive that we go through this  
4 process every six or seven months depending on  
5 different incidents of weighing whether to eliminate  
6 the fifth firefighter?

7 COMMISSIONER NIGRO: I think, you know,  
8 the trigger is the trigger. The process of weighing  
9 whether to do it or not is something new. I think  
10 medical leave being tied to staffing is unusual but  
11 this is what was negotiated between the Union and the  
12 City many years ago and was acceptable to both sides  
13 so until some other formula can be successfully  
14 negotiated, this is what we have.

15 CHAIR BORELLI: I certainly agree that it  
16 takes two to tango but is it a good policy or a bad  
17 policy to eliminate or to change something that  
18 affects public safety rather than a perk with respect  
19 to medical leave? We're not cutting the ice cream  
20 from the kitchen.

21 COMMISSIONER NIGRO: Well, being that  
22 deferred that the Department operates with the  
23 majority of four firefighter engine companies, we  
24 don't believe that a four firefighter engine company  
25 makes people unsafe in the areas served by them so I

1 don't see this, the correlation, the direct  
2 correlation between public safety and the number of  
3 firefighters on the engine.  
4

5 CHAIR BORELLI: Can you just discuss the,  
6 you mentioned a \$2 million number with respect to the  
7 Academy but the capital plan calls for \$58.3 million  
8 and if I read correctly it's supposed to be spent in  
9 fiscal year 2020? Can you tell us where you area on  
10 the capital side of Fort Totten and whether there's a  
11 design done or not?

12 STEPHEN RUSH: There's two stages.  
13 There's actually \$8 million actually in FY '20, an  
14 additional \$50 million in FY '21 and this is the  
15 first of we hope will be several stages to renovate  
16 Fort Totten which is long, in our view, long term  
17 overdue. This stage is basically addressing all of  
18 the infrastructure needs, utilities and things of  
19 that nature so we expect that by, we will have the  
20 designing ready, design ready in FY '20 and move into  
21 construction and work in FY '21.

22 CHAIR BORELLI: Going back to something  
23 that Council Member Dromm talked about, the retention  
24 rate with EMS, has the Department ever evaluated what  
25 the cost would be and I fully, I'm aware that this is

1  
2 subject to collective bargaining, but has the  
3 Department ever calculated what the cost would be to  
4 give EMS technicians and EMT's pay raises over a  
5 period of time or significant pay raises that will  
6 put them perhaps in better parity with other  
7 departments, other large city departments?

8 COMMISSIONER NIGRO: No, we've not.

9 CHAIR BORELLI: Is that something that  
10 the Department would do in this next fiscal year?

11 COMMISSIONER NIGRO: I don't, the  
12 Department will look at the next, you know, the  
13 current promotion exam list is virtually exhausted so  
14 for the next few years there will not be a outflow of  
15 EMT's into firehouses so prior to the next exam being  
16 given, we'll take a look at what the criteria will  
17 be. As far as salary ranges for those people, we  
18 have not looked at the numbers. You know, what would  
19 it take to keep people in EMS rather than have them  
20 take a promotion exam to Fire or keep them as EMT's  
21 rather than move up to paramedics, no we have not.

22 CHAIR BORELLI: Do we know the PS and  
23 OTPS cost of training new EMT's?

24 COMMISSIONER NIGRO: I'm sure we do.  
25

1  
2           STEPHEN RUSH: Yes, we can get you those  
3 numbers. For, we approximately train 180 EMT's at a  
4 time. Within that there is an, Chief Bonsignore  
5 would speak to that as well, there is a lot of  
6 instructional staff over at the Academy that goes  
7 into that so we can give you a per capita cost for  
8 each EMT student and for paramedics as well.

9           CHAIR BORELLI: I'm glad we're expanding  
10 the Academy but is there some sort of cost benefit to  
11 paying EMT's more so that they are less likely to  
12 leave so that we may not have to train as many?

13           COMMISSIONER NIGRO: Well, there's also a  
14 benefit to the EMT's themselves that they have a path  
15 either to paramedic or Fire if they so choose and  
16 also for the Department that new firefighters have  
17 had training because so many of their calls will be  
18 medical calls, had prior training in EMS and worked  
19 in our EMS system. We've found that those classes  
20 are more diverse and for those reasons, it's also a  
21 benefit to the Department that people do promote from  
22 EMT to firefighter.

23           CHAIR BORELLI: What is the cost to be  
24 trained as a paramedic?

1  
2           STEPHEN RUSH: It's a nine-month program  
3 so it's an extensive amount of time where we take  
4 them out of the field and we put them in classes for  
5 nine months so it's, it's actually an overtime cost  
6 to us in addition to the instruction cost at the  
7 Academy.

8           CHAIR BORELLI: Just going to the revenue  
9 side of EMS, since you guys are working with H&H and  
10 OMB to develop a reimbursement strategy, can you sort  
11 of go into a bit more detail and do you anticipate  
12 EMS revenue to grow in the out years?

13           STEPHEN RUSH: We believe this  
14 methodology will be sustainable in the out years. It  
15 is based on a, something that's been identified  
16 that's going on in other states across the country.  
17 Legislatively it would require just the New York  
18 State of Health to work with us and then approach CMS  
19 to make this a proposal on getting additional, for  
20 Medicaid costs, additional reimbursement to basically  
21 more fully cover the cost of a Medicaid transport.  
22 Right now, we get reimbursed about \$200 for any  
23 Medicaid transport. Our billing rate which reflects  
24 our actual cost is probably about \$800.

1  
2 CHAIR BORELLI: When you say that other  
3 departments are looking into, have any done this  
4 successfully?

5 STEPHEN RUSH: This has been done in  
6 other states already, yes.

7 CHAIR BORELLI: Is there a need for a new  
8 EMS station on Staten Island?

9 COMMISSIONER NIGRO: Well, Staten  
10 Island's a large borough geographically. It does at  
11 the present time have the best response time of any  
12 of the boroughs. We've evaluated it. It's not at  
13 the top of our list but maybe at some point it will  
14 but right now we don't see an immediate need.

15 CHAIR BORELLI: Have, this is something I  
16 asked at a hearing maybe two or three hearings ago.  
17 Does the Department calculate the number of tours run  
18 privately? I'm sure it calculates those operated by  
19 the City. Does it calculate the number of tours run  
20 privately?

21 COMMISSIONER NIGRO: I do believe by  
22 privately we mean either directly by a hospital or by  
23 an ambulance company working for a hospital. It's  
24 approximately one-third of the system.



1  
2 CHAIR BORELLI: Do we have any reason to  
3 believe that more hospital systems and private  
4 providers will forego their service for lack of  
5 profit in the future?

6 COMMISSIONER NIGRO: We don't, we have  
7 not heard that, and we don't believe so.

8 STEPHEN RUSH: After a number of  
9 reductions from the voluntary sector, it's more  
10 stabilized so we don't have any signs that that's  
11 occurring.

12 CHAIR BORELLI: What is the, almost  
13 anecdotally, what is the normal length of time  
14 between when you hear informally that a hospital may  
15 discontinue its service to when there is some  
16 official notice and then to when it actually gets  
17 taken away?

18 STEPHEN RUSH: They're under an agreement  
19 with us. I won't say a contract but there's an  
20 agreement and they have to give us, I believe there's  
21 a termination clause in the contract that allows them  
22 to exit so I don't know the exact terms but we can  
23 provide that, those agreement, an example of an  
24 agreement to you.

1  
2 CHAIR BORELLI: The wireless emergency  
3 response network, the FY 2020 budget includes \$3.2  
4 million and more in the out years to replace the  
5 emergency response network. Do you anticipate the  
6 amount that has already been allocated and projected  
7 to be allocated enough or will there be more costs  
8 for this?

9 STEPHEN RUSH: There's funding in both  
10 the expense budget for the capital being eligible and  
11 obviously operating budget costs, but a lot of the  
12 funding is also in the capital budget and that goes  
13 through, actually through DoITT. There's a central  
14 budget for what they call dispatch type services for  
15 multiple agencies.

16 CHAIR BORELLI: How involved is the  
17 Department in the NextGen 911 system planning?

18 LAURA KAVANAGH: Very.

19 CHAIR BORELLI: Is it concerning that one  
20 of the potential bidders may not be meeting all the  
21 requirements of the bid?

22 LAURA KAVANAGH: We'd have to get back to  
23 you on that.

24 CHAIR BORELLI: Going to fire alarms, I  
25 see you guys have allocated \$1 million, actually

1  
2 Commissioner, you mentioned \$1 million for the Get  
3 Alarm program. Is that program going to be continued  
4 in the following year and if, how much?

5 COMMISSIONER NIGRO: Well let's see, we  
6 just received 60,000 smoke alarms that will be going  
7 out soon. Some of which will be installed by Red  
8 Cross and we hope to continue this program going  
9 forward.

10 CHAIR BORELLI: Is there a public benefit  
11 to having fire alarms hard wired in say NYCHA  
12 buildings in residential units so that potentially a  
13 resident can't disable it?

14 COMMISSIONER NIGRO: Hardwired smoke  
15 alarms are generally more dependable than battery  
16 operated smoke alarms for that very reason.

17 CHAIR BORELLI: If the Council were to  
18 propose legislation to require at least one in each  
19 unit, would that be something the Department  
20 supported, supposing money was no factor?

21 COMMISSIONER NIGRO: Assuming money was  
22 no factor, which is always a good, we would say  
23 hardwired smoke alarms would be more attractive.

24 CHAIR BORELLI: Okay, and the final  
25 question I have is on the strategic plan. The last

1  
2 strategic plan publicly available from the Department  
3 goes from 2015 to 2017. Why is that and is there any  
4 anticipation of publishing an updated strategic plan?

5 COMMISSIONER NIGRO: One is not close to  
6 being published, no.

7 CHAIR BORELLI: Is there a need for a  
8 public strategic plan for the Department?

9 COMMISSIONER NIGRO: I don't think  
10 there's a need for one. I think the plan was more  
11 for a target for ourselves. I think it's more for  
12 the Department internally.

13 CHAIR BORELLI: Okay, well thank you.  
14 Council Member Gjonaj, I know you have a question.

15 COUNCIL MEMBER GJONAJ: Thank you Chair.  
16 First of all, I want to congratulate you on choosing  
17 two incredible Bronxites to be the chief of EMS and  
18 the assistant chief of EMS. Thank you for that and I  
19 want to thank every man and woman that puts on that  
20 uniform that endangers themselves for the safety of  
21 others. I'm forever grateful to you. I am concerned  
22 about those numbers and if you can bring them up  
23 again, the Bronx response rates and based on my quick  
24 calculations, how can we have such a difference in  
25 response times, almost 75% when we compare a response

1  
2 time of 4 minutes 27 seconds to as high as 7 minutes  
3 52 seconds for the borough of the Bronx?

4 COMMISSIONER NIGRO: Which numbers, I'm  
5 not sure what numbers we're looking at right now?

6 COUNCIL MEMBER GJONAJ: I'm at something  
7 that

8 COMMISSIONER NIGRO: Is it a response to  
9 fire, is it a response to medicals?

10 COUNCIL MEMBER GJONAJ: Average EMS  
11 response times fluctuating between 4 minutes 27  
12 seconds to 5 minutes 45 seconds depending on the type  
13 of the incident yet for 2019, we're looking at a  
14 response time, on the right is the ALS assigned  
15 incidents versus the fly car which is marked in green  
16 but my question is first off for the borough of the  
17 Bronx, how could there be as high as 75% difference  
18 in response times? What would be the cause?

19 COMMISSIONER NIGRO: I'm trying to see  
20 that it is 75%. I don't see that number

21 COUNCIL MEMBER GJONAJ: I did my math.

22 COMMISSIONER NIGRO: As a 75% difference  
23 somewhere but it's certainly not reflected there or  
24 in the material I have so I think we're looking at  
25 two different things. I would say that

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COUNCIL MEMBER GJONAJ: A response time of 4 minutes 27 seconds is the low that I'm looking at, the numbers that were provided to me and to a high of 7 minutes 52 seconds and the difference is nearly 75%.

COMMISSIONER NIGRO: I don't, I can't answer.

COUNCIL MEMBER GJONAJ: All right, let me, let's go backwards Commissioner. Of the five boroughs, which is the borough

COMMISSIONER NIGRO: You're looking at structural fires right now, 4 minutes 27 seconds is a City-wide average in 2018, the response time to structural fires.

COUNCIL MEMBER GJONAJ: And for the borough of the Bronx?

COMMISSIONER NIGRO: City wide, the borough of the Bronx was 4 minutes 34 seconds. I don't see it anywhere, I don't see that number anywhere else in my numbers.

COUNCIL MEMBER GJONAJ: This is EMS response times. You're not, let me rephrase this whole question.

COMMISSIONER NIGRO: Okay.

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2 COUNCIL MEMBER GJONAJ: Commissioner,  
3 let's start all over again. It's so good to see you  
4 again. Thank you for the excellent job that you're  
5 doing. Which of the boroughs has the slowest  
6 response time, the greatest response time, City wide?

7 COMMISSIONER NIGRO: Right now, the  
8 Bronx, followed closely behind by Manhattan. The  
9 best response time is in Staten Island.

10 COUNCIL MEMBER GJONAJ: What would be the  
11 purpose or what would be the explanation for the  
12 borough of the Bronx?

13 COMMISSIONER NIGRO: A continuation of  
14 the per capita need for our services and the lack of,  
15 a shortage in staffing that didn't allow us to fill  
16 all of the ambulance tours that we may have filled in  
17 the previous year but those numbers as we have hired  
18 more people and as we improve the fly car program we  
19 believe will come back into line with where they  
20 should be.

21 COUNCIL MEMBER GJONAJ: And this has been  
22 historic, I believe year over year, the borough of  
23 the Bronx has had the greatest response, the highest  
24 response

1  
2                   COMMISSIONER NIGRO: Why we instituted  
3 this program in the borough of the Bronx was because  
4 of the need. We felt that the Bronx was not being  
5 served as it should be in correlation with the other  
6 boroughs and attempted to correct that and we're  
7 still in the process of doing that.

8                   COUNCIL MEMBER GJONAJ: Do you believe  
9 the additional, I believe it's ten fly car units will  
10 be sufficient, and this is only for EMS now, correct?

11                   COMMISSIONER NIGRO: This is EMS yes. We  
12 will add eventually 17 fly cars and their  
13 corresponding BLS transport units and we do believe  
14 that that will be sufficient in the Bronx and will  
15 bring their response times down considerably.

16                   COUNCIL MEMBER GJONAJ: Commissioner, and  
17 how long before we evaluate to see if there's  
18 additional need of resources and obviously

19                   COMMISSIONER NIGRO: I think the first  
20 additional fly cars will go in in October of this  
21 calendar year.

22                   COUNCIL MEMBER GJONAJ: And an assessment  
23 will be made relatively in a short period of time to  
24 determine if there are additional resources in the  
25 long-term approach?



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2                   COMMISSIONER NIGRO: We should see, we  
3 should see improvements right away.

4                   COUNCIL MEMBER GJONAJ: And then, long  
5 term approach would be permanent structures?

6                   COMMISSIONER NIGRO: Well, we may need  
7 more stations in the Bronx. As we add resources, our  
8 stations are considerably crowded.

9                   COUNCIL MEMBER GJONAJ: And then you go  
10 back to one of the fundamental questions.

11                   COMMISSIONER NIGRO: And there is funding  
12 for a station in the Bronx.

13                   COUNCIL MEMBER GJONAJ: Okay, and the  
14 primary question is why the borough of the Bronx?  
15 What makes it so different from the rest of the City  
16 that you

17                   COMMISSIONER NIGRO: I see what, it was  
18 per capita demand increasing at a higher rate than  
19 the other boroughs so that the population of the  
20 Bronx as opposed to the other boroughs required more  
21 ambulance calls per person than any other borough and  
22 we did not have the staffing to put enough units  
23 there to cover that increase, ever increasing demand.

24                   COUNCIL MEMBER GJONAJ: I'm sorry to hear  
25 that you don't have enough staffing, but I would

1  
2 imagine this would be a priority that we would use  
3 whatever limited resources we do have available

4 COMMISSIONER NIGRO: And we had, you  
5 know,

6 COUNCIL MEMBER GJONAJ: And prioritize to  
7 the borough of the Bronx where obviously the need is  
8 higher, and the response rates are higher.

9 COMMISSIONER NIGRO: We had five tactical  
10 units we added to the borough of the Bronx. We also  
11 have an issue because of, you know, the Bronx is not  
12 full of hospitals and the turnaround time when we  
13 bring people to the hospitals it is the longest of  
14 any of the boroughs also. It takes more time to get  
15 our units back in service and part of that is because  
16 the ER's in the Bronx are as busy as they are  
17 anywhere in the country.

18 COUNCIL MEMBER GJONAJ: I'm glad you  
19 brought that up and Chair, if you will allocate me a  
20 little bit of grace time here. I'm glad that you  
21 brought that up and those two ER's, we'll just use  
22 two in particular, maybe one being Jacobi Hospital  
23 and the other being Montefiore Hospital Albert  
24 Einstein.

25 COMMISSIONER NIGRO: Lincoln?

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COUNCIL MEMBER GJONAJ: Yeah, Lincoln, but I'm gonna use these two as a prime example and why I bring them up is, we were recently looking at a, this administration initiating Vision Zero Road Dieting for Morris Park where we're going to, just to familiarize you with the Road Diet plan where you take two driving lanes and you create one driving lane so you can create left turns and whatnot. This is all part of this administration's Vision Zero approach. This would be a concern. Where we already have the highest rate of response time City wide and if you're gonna narrow a major corridor that leads to both hospitals, Jacobi and Einstein, this is gonna increase the amount of time that your units can get to those ER's and we know that seconds and minutes make a difference in many cases. What are your thoughts?

COMMISSIONER NIGRO: I don't know if we've reviewed that particular project yet but we do look very closely at any similar projects and how they would affect our ability to respond so I'm not sure if we've looked at that one but we would have some concern.

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2 COUNCIL MEMBER GJONAJ: We're working  
3 through this and we currently have a temporary stay,  
4 actually I had to go to court to get one. This is an  
5 important part of the argument that was made by the  
6 community that leading to these two hospitals, you  
7 will have a Road Diet plan implemented that will  
8 delay the time that you get to the Emergency Room.

9 COMMISSIONER NIGRO: And what road is  
10 this?

11 COUNCIL MEMBER GJONAJ: Morris Park  
12 Avenue.

13 COMMISSIONER NIGRO: Morris Park Avenue,  
14 I was

15 COUNCIL MEMBER GJONAJ: And it's a  
16 stretch of a mile and a half that will converted from  
17 two driving lanes to a single lane and I'd really  
18 like to take this up with you to make sure that we  
19 don't make a mistake

20 COMMISSIONER NIGRO: We'll be glad to  
21 discuss that with you and your staff.

22 COUNCIL MEMBER GJONAJ: And I'm grateful  
23 to you for acknowledging that these are areas of  
24 concern that would, should involve the EMS and Fire  
25 Department and other first responders when it comes

1  
2 to where these Road Diets are implemented City wide  
3 and in the best interest of New Yorkers. Thank you  
4 again.

5 COMMISSIONER NIGRO: Thank you.

6 COUNCIL MEMBER GJONAJ: Thank you Chair  
7 for the discretion.

8 CHAIR DROMM: Okay and thank you very  
9 much and with that we're going to end this hearing.  
10 I think you all for coming in and giving us  
11 testimony. We'll follow up with questions later on.  
12 This hearing is adjourned at 4:20 in the afternoon.  
13 Thank you. [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 June 13, 2019