



**NEW YORK CITY DEPARTMENT OF INVESTIGATION**

**INVESTIGATION INTO  
ALLEGATIONS OF POSSIBLE SLOWDOWN BY DEPARTMENT OF  
SANITATION DURING BLIZZARD OF DECEMBER 2010**

**COMMISSIONER ROSE GILL HEARN**  
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## **I. INTRODUCTION**

### **A. The December 26, 2010 blizzard**

According to the National Oceanic and Atmospheric Administration, the snowfall during the blizzard of December 26, 2010 was the sixth highest recorded in the past 141 years, with a reported 20 inches of snowfall in Central Park, and as high as 30 inches reported in the outer boroughs. The storm began just before 10:30 am on December 26th. From approximately 4:00 pm to 12:00 am the storm intensified, and in that period snow fell at a rate of one to two inches per hour with winds reaching 55 miles per hour creating white-out conditions. According to Department of Sanitation (“DSNY”) officials, in order for the DSNY to handle the cleanup, they were assisted by members of the Department of Transportation (“DOT”), the Parks Department (“DPR”), the New York City Police Department (“NYPD”) and for the first time, the Department of Environmental Protection (“DEP”). To assist DSNY with the storm, DOT provided approximately 80 people, DPR 15 people, and DEP 195 people. DPR also reported that it used its own trucks to remove snow in and around parks facilities.

In advance of the storm, at 12:46 pm on December 24, 2010, DSNY First Deputy Commissioner Bernard J. Sullivan released a teletype throughout DSNY issuing a Snow Alert for 4:00 pm on December 26, 2010.<sup>1</sup> (See Attachment 1) At 12:25 pm on December 25, 2010, Sullivan released a second teletype to the Department revising the snow alert to begin at 8:00 am on December 26, 2010. (See Attachment 2) DSNY officials informed DOI that on December 26th, more than 2,500 DSNY employees reported to work for the day shift for the snowfall cleanup, and that for the night shift into December 27th, the number of personnel continuing the cleanup effort was approximately 2,400. The DSNY had 2,631 plow vehicles, 365 salt spreaders, and 36 snow melters in operation throughout the City. Those personnel levels and number of vehicles were approximately commensurate with the two prior most recent significant storms, according to information from DSNY.<sup>2</sup>

By December 27, 2010 it was apparent that DSNY was experiencing significant difficulties in their snow removal operations. By 9:00 pm on December 27th, DSNY reported 258 vehicles had become immobile in the snow, rendering them useless in assisting in the cleanup effort.

Some of the contributing factors cited during the investigation by DSNY, union and other City officials interviewed were:

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<sup>1</sup> This DSNY Snow Alert was also distributed to the Office of Emergency Management, the Mayor’s Office, DPR, DOT, NYPD, Metropolitan Transportation Authority and NYC Transit.

<sup>2</sup> The two prior storms occurred on February 9, 2010 and February 23, 2010.

- The storm began on a busy holiday weekend and during the day when many cars were on the road. Private vehicles were abandoned throughout the City after becoming stuck in the snow, thus impeding snowplow operations. DSNY did not have a sufficient mechanism in place to remove these private vehicles in an expeditious manner. The MTA reported more than 600 buses were also rendered immobile throughout the City.
- The average daily call volume for 911 calls in 2010 was 30,280 Citywide. In the days following the December 26, 2010 blizzard, there was a substantial increase in the volume of 911 calls. On December 27, 2010, 911 received 49,478 calls and on December 29, 2010, 911 received 33,984 calls.
- A snow emergency was not declared that, among other things, could have reduced the number of private vehicles parked in the street and along designated snow routes, limiting the number of vehicles stuck in the snow and heightening the public alert to the severity of the upcoming storm so that people could have avoided driving where possible.
- DSNY personnel reported that its vehicles were deployed without the proper number of chains on their tires. According to DSNY, there were 3,760 chains that were damaged during the cleanup.
- DSNY personnel reported that a cease salt order was issued on December 26th because, according to City officials, salting would not have been useful due to the snow accumulations. However, over 50 DSNY personnel and 10 DOT employees disagreed, especially in the outer boroughs, stating that in their respective areas continued salting and/or increased salting would have been beneficial. They testified to wanting to “throw everything they could at this storm,” but the Citywide cease salt order prohibited them from doing so. Additionally, approximately 30 DSNY employees stated that the failure to pre-salt made the streets more difficult to clear of snow.
- The magnitude of this storm was so severe that DSNY simply couldn’t keep up with the rate of snowfall. As a result, secondary and tertiary streets were not cleared/plowed.

In addition to the operational problems discussed above, the public made numerous complaints including: DSNY trucks were uncharacteristically absent on their streets and in their neighborhoods; DSNY personnel were seen sitting in their parked vehicles at the height of the storm for extended periods of time; DSNY trucks were seen moving along the streets with their plows raised; and trucks were not dispensing salt. Other complaints included that DSNY plow workers were allegedly sleeping on duty or buying and consuming alcohol while on duty. As the public grew increasingly critical, rumors surfaced alleging that City workers responsible for clearing snow engaged in a deliberate slowdown to protest recent personnel changes within DSNY, and references were made to a City announcement in October 2010 that 100 DSNY supervisors were to be re-

assigned to the rank of uniformed Sanitation workers and that 100 supervisor positions were to be eliminated through attrition. Additionally, during the days following the December 26, 2010 blizzard, Councilman Daniel J. Halloran gave media interviews alleging that some DSNY supervisors had engaged in a slowdown.

As a result of the allegations of possible wrongdoing surrounding this snowstorm, DOI began an investigation into how the City handled this snowstorm. As part of the investigation, DOI interviewed over 150 witnesses including employees from DSNY, DOT, various elected officials, and several dozen members of the public. DOI also read numerous emails, viewed photos from the public, reviewed hours of video footage obtained from the public and law enforcement sources, issued numerous subpoenas, and conferred with several different prosecutors located in New York City.

### **B. Public Statements Made By Queens Councilman Daniel J. Halloran**

In the days following the December 26, 2010 blizzard, Queens Councilman Daniel J. Halloran, who represents the 19<sup>th</sup> district, was quoted in multiple news articles alleging that he had confirmed that DSNY supervisors had engaged in a slowdown. He asserted that City employee witnesses had come to him and reported the slowdown. These articles include but were not limited to the following:

- New York Post article entitled *Sanitation Department's slow snow cleanup was a budget protest* dated Dec. 30, 2010. (See Attachment 3.)
- New York Post article entitled *A mutiny for Mike* dated Dec. 30, 2010. (See Attachment 4.)
- New York Post article entitled *Gov. Paterson calls for snow slowdown probe* dated Dec. 30, 2010. (See Attachment 5.)

In the New York Post's Dec. 30th article, Mr. Halloran reported that on December 29th he met with three DSNY plow workers and two DOT supervisors who were on loan to DSNY. Mr. Halloran publicly stated the City employees were told by DSNY supervisors to skip normal routes and not plow some of the major arteries in a timely manner. According to Mr. Halloran, "they were told to make the [M]ayor pay for the layoffs, the reductions in rank for the supervisors, shrinking the rolls of the rank-and-file."

DOI contacted Mr. Halloran about the statements of the aforementioned City employees. Mr. Halloran stated that after the snowstorm he met with two DOT supervisors.<sup>3</sup> Mr. Halloran explained that these DOT supervisors came forward via a friend who served as an intermediary, and has been identified in the media as Gary Bonelli. According to Mr. Halloran, the two DOT supervisors first spoke to Bonelli, who convinced the two DOT supervisors to meet with Mr. Halloran. According to Mr. Halloran, when he met with the DOT supervisors they made the following statements:

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<sup>3</sup> These two supervisors will be referred to hereafter as "Supervisor 1" and "Supervisor 2."

- According to Mr. Halloran, DOT Supervisor 1 allegedly stated that on Monday, December 27, 2010, he was instructed to go to Hillside Avenue in Jamaica, Queens, and wait for deployment instructions. Supervisor 1 said he was never deployed, and that when he called DSNY for deployment instructions, he was told to “sit and wait.” Supervisor 1 stated that he waited for a total of six to eight hours and was never deployed. Mr. Halloran said that Supervisor 1 was unable to provide names of the DSNY employees who provided these instructions.
- According to Mr. Halloran, DOT Supervisor 1 allegedly said he heard rumors that the DOT crews were purposely not deployed because DSNY wanted to “send a message to City Hall.” When asked by DOI, Mr. Halloran stated that he did not obtain from Supervisor 1 a source for these rumors.
- According to Mr. Halloran, Supervisor 1 allegedly stated that he thought trucks were sent to Francis Lewis Boulevard, Queens, where they too waited for hours without being deployed. According to Mr. Halloran, Supervisor 1 did not provide Mr. Halloran with the names of any workers deployed to Francis Lewis Boulevard, or the names of any DSNY supervisors who instructed the trucks to wait for hours.
- According to Mr. Halloran, Supervisor 1 allegedly stated that a handful of DOT units were deployed, but workers explained they did not plow the “typical” storm routes.
- According to Mr. Halloran, Supervisor 1 allegedly said that DSNY workers who were deployed were told to take their time, not to use salt and were not assigned specific blocks to plow. According to Mr. Halloran, Supervisor 1 did not provide Halloran with the names of anyone who allegedly gave those instructions or made those comments.
- According to Mr. Halloran, Supervisor 1 and Supervisor 2 allegedly said that when DOT employees complained about not being deployed, DOT supervisors told them to do the assignment they were given by DSNY. According to Mr. Halloran, Supervisor 1 and Supervisor 2 did not provide Mr. Halloran with the names of the DOT employees who allegedly made these complaints.
- According to Mr. Halloran, Supervisor 1 allegedly stated that when he returned to his DOT garage, he overheard DOT staff talking about a “slowdown” intended to “send a message.” According to Halloran, Supervisor 1 did not provide the names of the individuals who made any of these statements.
- According to Mr. Halloran, Supervisor 2 stated that “everyone knew what was going on.”

Mr. Halloran also said the following information was provided to him by three DSNY employees:

- DSNY workers were instructed by their supervisors not to go hard and take their time.
- DSNY workers were instructed not to follow their typical snow routes.
- DSNY workers heard people say that City Hall does not care about them.
- DSNY workers were told that there will be plenty of overtime with the New Year's holiday, therefore, take their breaks and "don't push."
- The majority of DSNY workers understood "what was going on."

Mr. Halloran made these serious allegations public via media interviews beginning the week of December 27, 2010. DOI contacted Mr. Halloran immediately and requested the names of the City employee witnesses so that an investigation could be conducted.<sup>4</sup> Mr. Halloran stated that he wanted to first inform the witnesses that he (Mr. Halloran) was going to provide DOI with their names. Later the same week, Mr. Halloran was again asked for the employee names, he stated, variously, that he only had the first names of the Sanitation workers and had been making unsuccessful efforts to contact them; that there were "friendships" involved with the DOT employees; and ultimately with respect to the three Sanitation workers, he asserted those communications were "attorney-client" privileged.<sup>5</sup> Thus, Mr. Halloran refused to give DOI the names of the three DSNY employees because he stated the City Sanitation employees were seeking legal advice from him. Although Mr. Halloran asserted privilege, he had already provided the media with a description in substance of what the Sanitation and DOT witnesses had said to him, as outlined above.

Mr. Halloran did not assert attorney-client privilege with respect to the two DOT supervisors. At the point when Mr. Halloran finally agreed to reveal their identities, Mr. Halloran provided DOT Supervisor 1's name, but revealed he did not know the name of DOT Supervisor 2. Instead, Mr. Halloran told DOI that either Bonelli or Supervisor 1 could provide the name of Supervisor 2. DOI interviewed Bonelli and asked him to provide clarification about the two DOT supervisors who spoke to Mr. Halloran. Bonelli stated that he was not responsible for getting Supervisor 1 to talk to Mr. Halloran, he did not know anything about a second DOT supervisor, and that he did not know the

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<sup>4</sup> Halloran informed DOI that the two DOT Supervisors expressed concern about the potential ramifications on their careers from coming forward with information on the slowdown. He also stated that workers were concerned about consequences since prosecutors had publicly announced investigations. Halloran said that he informed the DOT Supervisors that employees coming forward with information could be provided protection against adverse job ramifications. DOI also informed him that the names of the City employees would be kept confidential and the City's whistleblower law provides protection against retaliation for reporting misconduct.

<sup>5</sup> DOI's General Counsel discussed with Mr. Halloran the fact that the City's Conflicts of Interest Law prohibits a public servant from "engag[ing] in any business, transaction or private employment, or hav[ing] any financial or other private interest, direct or indirect which is in conflict with the proper discharge of his or her official duties." City Charter Section 2404(b)(2).

substance of the conversation that took place between Mr. Halloran and the two DOT supervisors. In fact, he stated that he didn't know that a second DOT supervisor was part of the meeting until Mr. Halloran alerted him to this fact. Lastly, Bonelli stated that he was not present for any discussion between Mr. Halloran and DOT supervisors. Accordingly, Bonelli had no firsthand knowledge of the facts.

In a subsequent interview, Bonelli stated that he was a very good friend of Supervisor 1 and that they had several conversations about the snowstorm. Bonelli said that Supervisor 1 told him that he read in the media about a possible slowdown and had heard rumors to that effect, but he had no firsthand knowledge of a "slowdown." Bonelli then spoke to Mr. Halloran about that conversation with Supervisor 1. Even though Supervisor 1 had no firsthand knowledge, Bonelli thought that as an insider, Supervisor 1 might have been able to provide Mr. Halloran with information about any possible slowdown. Subsequently, Mr. Halloran asked him to set up a meeting with Supervisor 1. Bonelli said he was supposed to attend the meeting with Mr. Halloran and Supervisor 1, but he arrived at Mr. Halloran's Queens Office after it was over and Supervisor 1 had already left. Bonelli stated that he was a friend of Mr. Halloran and worked on Mr. Halloran's 2009 campaign.

Supervisor 1 was interviewed by DOI and stated that he did not come forward to report a slowdown to Mr. Halloran, he was called by Bonelli to a meeting with Mr. Halloran on or about December 29, 2010. Supervisor 1 said Mr. Halloran was "grilling" him for the names of Sanitation supervisors who had issued orders for workers to slowdown. He stated that he told Mr. Halloran that he did not have personal knowledge of a slowdown and that Mr. Halloran appeared to be "upset" with his responses. Supervisor 1 stated that he explained to Mr. Halloran that, "just like everyone else," he was getting most of his information about the possible slowdown from newspaper articles that were critical of the unusually poor handling of the storm, and from what people were saying. According to Supervisor 1, he did say to Mr. Halloran that there was an appearance that something was wrong given so many streets were not plowed, including the street where he resides. According to Supervisor 1, he knew Mr. Halloran because he had also done some work on Mr. Halloran's campaign.

Supervisor 1 stated that the other DOT supervisor who was with him at Mr. Halloran's office, Supervisor 2, was only there because they were working together as partners on the day of Supervisor 1's meeting with Mr. Halloran. Supervisor 1 advised that when Mr. Halloran pressed them for names of any DSNY employees who might have been part of an alleged slowdown, he (Supervisor 1) felt badly about bringing Supervisor 2 along because it was uncomfortable for them and not what either one of them expected. According to Supervisor 1, Supervisor 2 barely participated in the conversation with Mr. Halloran, except for stating that he had no knowledge of a slowdown.

During an interview with DOI, Supervisor 2 also vigorously disputed Mr. Halloran's description of the conversation he and Supervisor 1 had with Mr. Halloran on or about December 29, 2010. Supervisor 2 stated that on their way back from lunch on



December 29th, Supervisor 1 said he wanted to stop and see a friend before they went back to work. When they arrived at Mr. Halloran's Office, Supervisor 2 said that he had no idea in advance that Supervisor 1's friend was a Councilman. He said Mr. Halloran was trying to "get information out of him" as well as Supervisor 1, about the alleged slowdown, but he explained they did not have any knowledge of a slowdown. Supervisor 2 said that the meeting was very uncomfortable and he felt like Mr. Halloran was "annoyed" that they did not have any information that would confirm a slowdown. He said the encounter was brief, several minutes. As they were leaving the meeting, Mr. Halloran said, "if you don't want to talk, I will find a disgruntled worker who is ready to retire who is," according to Supervisor 2.

Thus, Supervisor 1 and Supervisor 2 said it was upsetting to see articles beginning on December 30th in which Mr. Halloran discussed meeting two DOT supervisors, who they realized meant them. They did not know that Mr. Halloran intended to discuss their conversation with the media, and they said they were upset that he did so and that he mischaracterized their words. Supervisors 1 and 2 also said they were upset because Mr. Halloran's statements made it seem as though they were part of a group of five City employees who provided Mr. Halloran with concrete information to corroborate a slowdown when, in fact, they asserted that is not what they said. Even though they had not been named in the media, they said they felt under pressure because they feared they would be subsequently identified. As it related to Mr. Halloran's statements to the media, Supervisor 1 asserted the following:

- He never told Mr. Halloran that any DOT crews were sitting idle for hours while waiting to be deployed by DSNY.
- He never told Mr. Halloran that he was part of a crew that sat idle for hours while waiting for DSNY orders to deploy. In fact, Supervisor 1 explained that DOT supervisors do not get deployed by DSNY for snow removal operations. Supervisor 1 explained that during snow operations DOT supervisors work at DOT garages and generally will only go into the field when a DOT crew has a problem, such as being stuck in the snow or a mechanical breakdown.
- He never told Mr. Halloran that DOT workers questioned being deployed in a timely fashion and that DOT supervisors told them they just had to do what DSNY supervisors instructed them to do.
- He never told Mr. Halloran that any DSNY bosses or other DOT employees told him to take extra time or raise their plows in the street.
- He never told Mr. Halloran that DSNY crews were instructed to take their time, not to use salt and were not given guidance on what streets to plow.

An article was published in the New York Times ("NYT") entitled "*Evidence Is Elusive On Charge of a Blizzard Slowdown*," on January 25, 2011, which raised questions about Mr. Halloran's information regarding a slowdown. Following that NYT article, on January 27, 2011, an article was published online at Cityhallnews.com, entitled "*Mr. Halloran Digs In On Slowdown Claims As Newly Identified DOT Supervisor Hires Lawyer*." Among other things, the Cityhallnews.com article said that Steven Stites, a

Halloran spokesperson, was present for Mr. Halloran's meeting with the DOT supervisors. DOI interviewed Stites about whether Stites was, as reported, present in Mr. Halloran's office when the two DOT supervisors spoke with Mr. Halloran regarding an alleged slowdown. Stites presence at that meeting had not been previously mentioned in interviews DOI had conducted with Mr. Halloran, and the two DOT supervisors. Stites told DOI that, in fact, he was not present for the meeting/conversation between Mr. Halloran and the DOT supervisors and asserted that a mistake had been made by the reporter who published the article; Stites stated that he intended to call the reporter and set the record straight.

In a subsequent conversation with Stites, DOI asked more questions about facts in the Cityhallnews.com article. In particular, Stites was asked about the following excerpt:

*Steven Stites, a Mr. Halloran spokesman, charged that a key figure in the case, under pressure from his union, had changed his story. Stites said that text message records and other witness testimony would show that Mr. Halloran's claims were legitimate.*

When asked about that specific quote, Stites stated that he never told the reporter that any City workers were receiving pressure from their union to change their story pertaining to the snowstorm cleanup. Stites also said he never viewed the text messages referenced in the article and is unaware of the exact messages communicated in the texts.

## **II. DOI's INVESTIGATIVE STEPS AND FINDINGS**

### ***1. 5 Borough Review***

As part of this investigation DOI conducted a comprehensive review, interviewing over 150 witnesses, including numerous DSNY and DOT employees, and members of the public, to gain different perspectives. Supervisors and Sanitation workers from all five boroughs were interviewed in order to obtain information about the storm response Citywide. Representatives of all relevant unions were interviewed. Additionally, members of the public provided their vantage point including observations, theories, photographs and video clips. Many of the City employee witnesses voiced what they believed were the issues and impediments during and after the storm, some of which are reflected in the Introduction of this report.

### ***2. Multi-borough Review of City Surveillance Cameras***

As part of DOI's methodical review of the Citywide snow cleanup, and in order to actually see what happened in the streets for extended periods of time objectively, DOI obtained and reviewed footage from City surveillance cameras for the hours of 12:00 pm on December 26, 2010 to 12:00 pm on December 27, 2010. This 24-hour, multi-borough video footage collectively depicted numerous DSNY vehicles during the storm cleanup, providing far more evidence of DSNY activity than a single photograph or video clip. Thus, in addition to the anecdotal witness testimony and cellphone photographs DOI

received, all of which contributed to this investigation, the review by DOI of the camera footage for this 24-hour period documented hundreds of DSNY and other City trucks out in the streets – under circumstances where they did not know they were being filmed.

### Summary of Multi-borough Surveillance Camera Findings

In Queens, the Bronx, Brooklyn and Staten Island, the camera footage showed a total of approximately 265 plow-equipped DSNY and DOT vehicles. Of these 265 trucks, approximately 30 were observed with their plows in the upright position, however, 8 of those 30 sightings can be explained by the fact that there was minimal snow accumulations in the street at the time these trucks were observed. Another 17 trucks seen with upright plows may have been coming/going to their garage. The remaining 5 trucks observed with their plows in the upright position cannot be explained solely by the camera footage available because there was snow in the street. Lastly, three of those five trucks were seen stationary on the street for periods of time for reasons not apparent from the surveillance tape. The truck identification numbers for these vehicles were not visible on the video footage. The surveillance footage has been provided to DSNY for them to attempt to identify the trucks and for further analysis as necessary.

#### Queens

The first 24-hour videotape DOI reviewed was from a camera located on Rockaway Boulevard in Queens. The footage identified a total of approximately 57 DSNY and other City vehicles: 2 DSNY dump trucks, 1 DOT dump truck, 32 DSNY collection trucks equipped with plows, 17 DSNY salt spreaders, 2 MTA salt spreaders and 3 DSNY front-end loaders. The video footage showed 2 DSNY collection trucks, 1 DSNY salt spreader and 1 MTA salt spreader with their plows in the upright position - 2 of those 4 sightings, (1 DSNY collection truck and 1 DSNY salt spreader), can be explained by the fact that there was minimal snow accumulation at the time those trucks were observed. The same explanation is not available, however, for the remaining 2 trucks (1 DSNY collection truck and 1 MTA salt spreader), because there was a visible snow accumulation while those two trucks had their plows in the upright position. (See Photos taken from surveillance footage, Attachments 6 and 7.) One of those trucks, the DSNY collection truck, was seen stopping and remaining stationary for 26 minutes for reasons not apparent from the video. The remaining 53 vehicles were observed on the video footage plowing and engaging in the cleanup of the snow.

#### The Bronx

The second camera DOI reviewed was located at Southern Boulevard in the Bronx. The 24-hour video footage showed approximately 52 DSNY and City vehicles: 16 DSNY dump trucks, 27 DSNY collection trucks, 4 DSNY salt spreaders and 5 DSNY front-end loaders. Two of the 52 vehicles were seen with their plows in an upright position. (See Photos, Attachments 8 and 9.) There was snow visible in the street so an explanation of the upright plows is not available from the video. Those same two vehicles stopped within the scope of the footage - one truck was stationary for approximately six minutes

and the other truck was stationary for fifteen minutes. The remaining 50 vehicles were seen plowing and performing cleanup of the snow.

### Brooklyn

The third camera reviewed was on Nostrand Avenue in Brooklyn. The 24-hour footage identified 57 DSNY vehicles: 49 DSNY collection trucks with plows and 8 DSNY salt spreaders. Of the 49 DSNY collection trucks seen on video, 6 were observed with their plows in an upright position - 5 of the 6 can be explained by the fact that there was minimal snow accumulation and/or the streets were already plowed. The remaining truck had its plow in the upright position notwithstanding a visible snow accumulation in the street, thus, an explanation is not apparent from the available video footage. (See Photo, Attachment 10.) Lastly, one DSNY salt spreader was observed with its plow in an upright position, but with no visible snow accumulation at that time.

### Staten Island

The fourth camera reviewed was located on Hamilton Avenue in Staten Island. The footage depicted approximately 98 plow-equipped vehicles as follows: 6 DSNY dump trucks, 2 DOT dump trucks, 59 DSNY collection trucks, 24 DSNY salt spreaders, 1 MTA salt spreader, 5 DSNY haulsters, and 1 DOT pickup vehicle. The video footage showed a total of 17 trucks with their plows in the upright position, while the remaining 81 trucks were seen plowing snow. The trucks observed with their plows in the upright position may be explained by the fact that the trucks appear to have been heading to/from a DSNY garage located a few blocks away, which could mean those trucks were traveling to/from their assigned locations. Indeed, eight of the 17 vehicles seen with their plows in an upright position were observed during a time consistent with a tour change. Even though they might have been headed to/from the garage, six of the eight vehicles were observed with plows in an upright position where there was snow visible on the street.

DOI has turned over this information to DSNY for further identification of the trucks and analysis as necessary. In sum, the review of the 24 hour surveillance videotapes documented cleanup work being done by hundreds of DSNY and City vehicles.

### ***3. Multi-borough Review of Cleanup Around Hospitals***

There were a number of complaints about the timely cleanup of snow from streets surrounding hospitals. Thus, DOI surveyed a sample of hospitals in the five boroughs regarding the snow removal.

#### New York (Beekman) Downtown Hospital, Manhattan

The Director of Security for New York (Beekman) Downtown Hospital in Manhattan (“NYDH”) was interviewed by investigators regarding the DSNY snow removal around the perimeter of NYDH after the blizzard. The Director stated, in sum

and substance, that the perimeter of NYDH was cleared relatively quickly and thoroughly by the DSNY. He also explained that the NYDH housekeeping staff was responsible for clearing the sidewalks and ambulance bays of the hospital.

### Queens Hospital Center

DOI interviewed the Deputy Executive Director (“Deputy ED”) of the Queens Hospital Center (the “QHC”). The Deputy ED stated that QHC spans approximately 17 acres of land, and therefore, they do their own snow plowing and hire a private contractor to plow their internal roads, sidewalks and ambulance bays. The Deputy ED said there have been some occasions when during significant snowstorms when QHC has requested assistance from DSNY to plow their internal roads, which DSNY has done. According to the Deputy ED, in the aftermath of the December 26th snowstorm, QHC requested DSNY’s assistance to plow their internal roads, but due to the severity of the situation, DSNY was unable to assist them. The hospital used its own equipment to clear the internal roads as much as possible. Some employees of QHC reported having trouble getting to work in the days following the storm due to snow conditions and transportation problems in their respective areas.

The Deputy ED stated that the main road in front of QHC, 164th Street, was plowed by DSNY following the December 26th blizzard, but the side roads surrounding the hospital were not plowed for several days after the storm. According to the Deputy ED, ambulances could get into the hospital, and traffic into the hospital was generally not that heavy.

### Staten Island University Hospital South and North

DOI spoke with various facilities and facilities management personnel at Staten Island University Hospital South who explained, variously, that DSNY snowplows were plowing around the hospital making some roads passable, that the hospital’s private contractor also provided a front-loader and dump truck to remove snow, and that a direct road to the hospital Emergency Room, Melville Road, was unsalted and icy, making it difficult for ambulances to get traction. Officials at the Hospital South said that Melville Road is sometimes overlooked by the DSNY and yet must be salted and plowed.

DOI spoke to officials at Staten Island University Hospital North, which occupies a separate campus, who reported there was a lack of plowing by DSNY on the road that runs to their loading dock where they receive deliveries of supplies. The North Hospital had their private contractor plow the road to their loading dock, Mason Avenue, to enable the delivery of some vital supplies. The North Hospital reported that it was not until December 28th that DSNY sent in front-loaders to clear Mason Avenue.

Officials at the North hospital stated that a DSNY snowplow was stuck on the corner of Mason Avenue from the evening of December 26th until the afternoon of December 27th. After a DSNY vehicle freed the DSNY snowplow on the afternoon of December 27th, the snowplow did not then finish plowing Mason Avenue.

### Beth Israel Medical Center, King's Highway, Brooklyn

DOI spoke with two officials at Beth Israel Medical Center (“Beth Israel Brooklyn”). The officials stated that on December 27th no plowing was done around the hospital, and numerous complaints were placed with 311. The officials stated that on December 28th DSNY plowed the main portion of Kings Highway, but pushed snow onto the service road, which blocked the employee garage, the drop-off area in front of the Emergency Room, and the driveway leading up to the bulk oxygen storage. The hospital contacted the Office of Emergency Management seeking assistance with snow removal in these areas. OEM enlisted DSNY’s assistance, and on December 29th, the snow was removed from those areas.

### New York Community Hospital, Brooklyn

DOI spoke with two hospital officials at New York Community Hospital regarding the blizzard cleanup. One official stated that the two entrances to the hospital were not plowed by DSNY until the afternoon of December 28th. Nonetheless, no problems were encountered by their ambulances because the hospital utilized private equipment to clear access points including the entrance to their Emergency Room. On December 28<sup>th</sup>, a news report featured a group of buses that were stuck in the snow in front of the hospital. According to hospital officials, some of those buses were stuck for several days.

### Jacobi Medical Center, Bronx

DOI spoke with two hospital officials at Jacobi Medical Center regarding the blizzard cleanup. The officials stated that they used their own grounds crew to handle snow removal within the gates of the hospital as well as the exits and entrances. According to these officials, DSNY did not do a good job of clearing the streets surrounding the hospital. However, officials stated there was no reported problem with emergency vehicles entering or exiting the hospital grounds.

## ***4. Global Positioning System***

The DSNY Queens East 8 Garage was the only DSNY facility that had a Global Positioning System (“GPS”) to track the location of DSNY trucks within its garage.<sup>6</sup> The GPS system shows the location of each DSNY truck in real time and the speed of the moving trucks. During a snow schedule, according to a DSNY official, the GPS data is monitored by DSNY supervisors. For each truck monitored by GPS, DSNY is able to track the truck’s speed, the direction the truck is heading, the engine RPM, the trip fuel, the oil pressure, the coolant level and temperature, the battery voltage, whether the ignition is on or off, and if the tail gate is open or closed. For each truck monitored by

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<sup>6</sup> DSNY provided access, and DOI viewed, the GPS data for the period of time covering the blizzard through the cleanup. Two DSNY officials discussed the GPS operation with DOI.

GPS, DSNY can also track the total number of miles each truck traveled for any timeframe in question.<sup>7</sup>

According to the DSNY official, the Queens East 8 Garage achieved a higher percentage of streets salted and plowed during the blizzard of December 2010 compared to garages in other districts that received approximately the same amount of snow. Although the DSNY official said he did not have a theory on why Queens East 8 Garage had a higher percentage of streets plowed and salted, he did say that the DSNY workers assigned to that garage know that their vehicles are tracked by GPS. (See GPS screenshot, Attachment 11.)

### ***5. Other Allegations Investigated by DOI***

Discussed below are several referrals made to DOI by the media or members of the public.

#### **N.Y. Post Referral re: DSNY Trucks Stuck/Beer Consumption at Mini Mart, Brooklyn**

On Friday, December 31, 2010, the New York Post (“Post”) contacted DOI to report that a group of DSNY workers had gathered on or about Monday, December 27, 2010, at a Mini Mart located in Brooklyn, and at approximately 9:00 pm several of the DSNY workers were observed purchasing six-packs of beer. The Post further alleged that this group of DSNY workers in uniform made a phone call to their supervisor and reported that they were out of gas. It was further alleged that these workers got into two DSNY vehicles where they sat and drank beer while the snow continued to fall. The Post advised DOI that the Mini Mart had a number of video cameras and that a Post colleague reviewed the footage and stated that it was “crystal clear” video featuring DSNY workers in uniform purchasing alcohol. However, the owner of the Mini Mart refused to provide the Post with a copy of the video. On January 2, 2011, the Post wrote about this allegation in an article entitled: *Sanit Bigs Boozed Amid Snow Chaos: Witnesses*, which reported that witnesses alleged a group of on-duty DSNY employees bought alcohol on Monday, December 27, 2010, at the Mini Mart and proceeded to drink while idling in their City vehicles until the morning. (See Post article, Attachment 12.)

Upon receiving this allegation on December 31, 2010, DOI investigators interviewed the clerks at the Mini Mart who stated, in sum and substance, that on or about December 27, 2010, somewhere between the hours of 9:00 pm and 11:00 pm, a group of DSNY workers came into the Mini Mart dressed in their green DSNY uniforms, and two of the DSNY workers purchased one six-pack of beer. In addition, DOI was told that the same group of DSNY workers returned to the Mini Mart a few hours later and purchased a second six-pack of beer. Employees at the Mini Mart stated that they observed one DSNY truck and some “smaller Sanitation vehicles” stuck in the snow west

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<sup>7</sup> According to the DSNY official, the GPS data is monitored at a DSNY Operation Management Division in Manhattan, where officials also monitor weather conditions, DOT cameras and operational information from all five boroughs.

of the Mini Mart and that they believed these vehicles belonged to the DSNY workers who purchased the beer inside their store. When investigators asked to see the video surveillance footage for December 27, 2010, the clerks stated that after the Post had come by asking for a copy of the video, it had been deleted. Investigators interviewed three additional witnesses from neighboring stores who confirmed the presence of multiple DSNY vehicles appearing to be stuck in the snow in the vicinity of the Mini Mart on December 27, 2010.

Despite being told the Mini Mart's video footage of the DSNY workers purchasing beer was deleted, DOI served a subpoena on the Mini Mart for their security camera footage for the week of December 27, 2010. DOI's computer forensic investigators made a digital copy of the Mini Mart hard drive and recaptured a portion of the video footage from the hard drive. This portion of the video, dated December, 27, 2010, and time stamped approximately 9:35 pm is indeed clear and shows two DSNY workers in uniform purchasing what appears to be a six-pack of "Corona" beer. In addition, the video shows a third DSNY worker in uniform standing nearby while the beer was purchased.

Investigators pulled DSNY duty rosters relating to the DSNY garage covering this location, which contained the names and photos of the DSNY workers for that time period. Investigators identified several Sanitation workers, (SW 1, SW 2, SW 3), who were assigned to watch over stuck vehicles in the vicinity of the Mini Mart on December 27, 2010. Investigators confirmed that SW 1, SW 2 and SW 3, are featured in the Mini Mart video.

Specifically, the video footage showed SW 1 handing SW 2 a six-pack of beer in addition to cash for the purchase of the beer, and SW 2 handing money to the clerk and then removing the purchased beer from the counter, whereupon SW 1, SW 2, and SW 3 exited the Mini Mart with the six-pack of beer. (See photos from the video, Attachment 13; see video at [http://www.nyc.gov/html/doi/media/video/mini\\_mart\\_video.aspx](http://www.nyc.gov/html/doi/media/video/mini_mart_video.aspx)).

Following the publication of the Post article on January 2, 2011, according to a Sanitation worker interviewed by DOI, several of the Sanitation workers who purchased the beer at the Mini Mart said they should say nothing about the beer purchase in the Mini Mart.

DOI interviewed SW 1, SW 2, and SW 3. All three Sanitation workers asserted that they did not buy or drink beer, and that they were plowing streets on December 27, 2010. They each stated they were never assigned to stay with trucks stuck in the snow.

However, one of the three Sanitation workers subsequently admitted to investigators that: he was assigned to stay with and watch several stuck vehicles; that he and the other two Sanitation workers purchased beer at the Mini Mart (which is clearly visible on the restored Mini Mart video); they drank the beer inside a DSNY vehicle; and there was a fourth Sanitation worker who was not featured on the restored portion of the Mini Mart video, ("SW 4"), who also purchased and drank beer. The DSNY duty rosters



obtained by investigators confirmed that the fourth Sanitation worker was assigned to work with the other three on December 27, 2010. Indeed, the duty roster for SW 1, SW 2, SW 3 and SW 4, shows they were assigned to remain with stuck vehicles in the vicinity of the Mini Mart.

Moreover, a DSNY employee interviewed by DOI stated that on or about December 27, 2010, he dropped SW 1, SW 2, SW 3 and SW 4 off in the vicinity of the Mini Mart so they could sit with the stuck trucks.

#### Youtube Posting re: DSNY Trucks Stuck at Dunkin Donuts, Brooklyn

On December 27, 2010, a Brooklyn resident posted video clips on Youtube.com entitled: *Mike Bloomberg Fail – NYC Blizzard Workers at Dunkin Donuts for ELEVEN Hour Break*. The video shows three Sanitation trucks parked outside of Dunkin Donuts located on Coney Island Avenue, Brooklyn, and Sanitation workers sitting inside the Dunkin Donuts. (See Photo from video clip, Attachment 14.) The Brooklyn resident who posted the video clips, stated that the Sanitation trucks in the video were parked in the location shown in the video for 11 hours (approximately 7:30 pm to 6:30 am); the video posting appeared to bear that out. The Brooklyn resident took his video camera right up to the stationary DSNY vehicles he observed in front of the Dunkin Donuts, and recorded the truck numbers on the video and verbally for the audio. DOI interviewed the Brooklyn resident who stated the trucks did not appear to be stuck in the snow and there was nothing blocking them in the road.

DOI determined that the three trucks depicted in the video were assigned to the Brooklyn South 14 Garage and identified the DSNY employees assigned to the vehicles. Specifically, on December 26, 2010 at 7 pm, the trucks in question were assigned to three Sanitation workers (SW 1, SW2 and SW3).

During an interview with investigators, SW2 stated that he worked the night of December 26, 2010, and was assigned to the area around Coney Island Avenue and 18<sup>th</sup> Avenue. SW2 said that he began plowing at 7 pm in tandem with SW3, and as he was approaching the intersection of Coney Island Avenue and 18<sup>th</sup> Avenue a vehicle slowed down in front of him causing him to slow down his truck. SW2 advised that the decrease in speed and the amount of snow in the street caused his truck to become stuck in the snow. SW2 stated that trucks have less likelihood of getting stuck when they are heavy with trash, but because there was no pick-up due to the Christmas holiday, the trucks were light on December 26th. SW2 stated that SW3 attempted to push him out but was unsuccessful, and in doing so, got himself stuck. Approximately 20 minutes after getting stuck, SW1 came down the same block they were on and was forced to stop his vehicle because of a car stuck in the snow front of him. According to SW1, he attempted to back up his truck but was unable to do so and also became stuck in the snow. SW1, SW2 and SW3 said that because they kept their vehicles idling the entire time they were stuck in the snow two of the vehicles ran out of gas.

On December 27, 2010 at 7 am, three DSNY workers relieved SW1, SW2 and SW3. According to the DSNY workers and their supervisors, no attempts were made to dig out the vehicles until a second relief crew showed up around midnight on December 27th. Apparently this second crew started to dig the trucks out and another worker showed up and provided gas for the two vehicles that ran empty. Approximately 27 hours after first being stuck in the snow, all three vehicles were free and returned to the Brooklyn South 14 Garage.

Both DSNY crews who were either assigned to these vehicles or to dig these vehicles out near the Dunkin Donuts were interviewed. All of the DSNY employees said that their vehicles were stuck, they had not engaged in a slowdown, and had no knowledge of a slowdown. In addition, supervisors assigned to Brooklyn South 14 Garage also denied having knowledge of a slowdown. When specifically asked why it took so long to dig these three vehicles out, a DSNY supervisor told DOI that during the first two days of the storm, a borough order was sent out instructing DSNY workers not to try and extricate trucks stuck in the snow, and there were insufficient shovels to do so.<sup>8</sup> However, by the time the second relief crew showed up at Dunkin Donuts they had shovels and began to dig out the stuck trucks.

DOI also interviewed the Dunkin Donuts employees who worked during the shifts when the three trucks were stuck. All of them confirmed that although the DSNY workers came in to buy coffee or use the restroom, they did not stay in the facility for extended periods of time. In sum and substance, the employees stated that the trucks appeared to be stuck in large snow piles, and that they heard some comments by the DSNY employees who came into the Dunkin Donuts talking about being stuck.<sup>9</sup>

DOI also learned that, of the many DSNY trucks that got stuck in the blizzard around the City, not all of them were equipped with shovels, and some of the shovels that were distributed following this storm broke. Workers complained about the quality of the shovels, which they said they had to assemble, many of which then broke in use. The trucks stuck at the Dunkin Donuts did not have shovels, and it was not until the relief crew came with shovels after many hours that they could begin to dig the trucks out.

#### Stuck Truck in Queens

On December 31, 2010, The New York Post published an article entitled: *Taking a Plower Nap*, that included a photo depicting a DSNY worker sleeping in a DSNY plow truck in Queens. The DSNY worker was interviewed by DOI and stated he was scheduled to work a 12-hour shift beginning at 7 pm on December 26, 2010, and ending at 7 am on December 27, 2010. The DSNY worker said his orders for that shift were to plow snow on the Whitestone and Van Wyck Expressways in College Point, Queens. The DSNY worker stated that at approximately 4 am he stopped to get coffee at a store

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<sup>8</sup> No borough order was located and produced; investigators were subsequently told that the instructions regarding digging out trucks were given verbally.

<sup>9</sup> The DSNY crews assigned to the trucks in question were cooperative with this investigation.

located on Front Street near 149th Street, and after returning to his vehicle, he was unable to drive it out of the snow because once he parked the truck, the vehicle did not have sufficient momentum to be able to proceed in the snow. According to the DSNY worker, there was only one set of chains on his truck, despite the normal practice of having two sets per truck. The DSNY worker told investigators that, although he did not believe there was a slowdown, in his 11 years as a DSNY worker, he had never seen so many plow trucks head out into the field without two sets of chains. The DSNY worker stated that he believes the insufficient number of chains on his truck was a major factor in his vehicle getting stuck in the snow.<sup>10</sup>

The DSNY worker also told investigators that immediately after getting stuck in the snow, he called his supervisor and requested assistance. At approximately 5:30 am, a DSNY Front End Loader arrived to assist him, but was unable to pull the DSNY vehicle out of the snow. DOI confirmed that the DSNY worker made numerous calls throughout the morning to his garage, but he said no other vehicles arrived to attempt to get his truck out of the snow. The DSNY worker advised that he sat in the truck for over seven hours until he was picked up by a supervisor and returned to his garage at 11:30 am.

The DSNY worker stated 26 other Sanitation workers from his garage were also stuck in the snow, which DSNY confirmed. The DSNY worker stated that some overtime was paid to drivers who were stuck in the vehicles. It is DSNY's practice to have its employees stay with any disabled or stuck vehicle.

#### ***6. Impediments identified by DSNY employees***

As part of DOI's multi-borough investigation, among the witnesses interviewed were a minimum of 15 DSNY and 5 DOT employees from each borough, consisting of a combination of supervisors and workers. Among other things, they were questioned about their knowledge of a slowdown, and what issues they encountered that contributed to the difficulty with this snow removal operation.

#### **Snow Chain Breakage**

Many DSNY personnel cited issues pertaining to problems with the snow chains for tires on snow removal vehicles during the December 26th blizzard. In light of the impending blizzard, DSNY distributed its chains directive that states chains should be attached to salt spreaders as necessary, and that all tandem trucks have chains attached to all four rear outside tires, (both axles). (See DSNY Teletype, Attachment 15.) DSNY maintains a stock of snow chains for use during the winter season. Snow chains are requested by the DSNY Bureau of Cleaning and Collections during the summer and early

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<sup>10</sup> DOI interviewed two DSNY employees who were responsible for putting chains on all sanitation trucks on December 26, 2010 at the Queens garage (Q7) and their foreman. The three employees stated that to their knowledge all vehicles left the garage with 2 sets of chains. This issue has been referred to the DSNY for review.

fall along with hardware and other supplies in preparation for the winter weather season. The chains are installed on the tires in the individual garages throughout the City.

According to a DSNY Deputy Commissioner of Support Services (the “DC”), DSNY is in the process of transitioning from one type of snow chain to another for its heavy equipment fleet, so currently both types of snow chains are in use. The Weed Type Twisted Link snow chain, which was used for many years by DSNY, is being replaced in favor of a square link snow chain. The DC said DSNY began testing the newer chains in approximately 2006 because the older chains were, among other things, too thick to fit between the tires of some of the DSNY trucks. Additionally, DSNY was using “old fashion split rim” wheels that were being phased out by the industry and DSNY had to move to a solid wheel. The DC stated that DSNY took the opportunity to look for better chains. Both the old chains and the new chains come from the same manufacturer, and they are all purchased through the Department of Citywide Administrative Services (“DCAS”) requirements contract. Extensive testing was conducted by DSNY, which included hundreds of miles of vehicle use, and according to several DSNY officials, the preponderance of the feedback indicated that the newer square link chains were much better than the old ones in strength, durability and ease of installation.

According to the DC, the newer square link chain is smaller, flatter, lighter, and much stronger. The newer square link chain achieved a high strength score on the Rockwell test, which is an industry standard test for the strength of metal. The newer chains are made of nickel manganese alloy as compared to the older chains that were made of thicker carbon steel. The newer chains cost approximately \$7 less per chain than the old chains, and the newer chains are lighter, easier for the DSNY workers to install, smaller so as to not damage the tires, and flatter, giving more surface contact for traction.

However, various DSNY employees assigned to snow removal during the blizzard told investigators that the square link snow chains were breaking during the December 26th snow removal operation, adding that the heavier Weed Type chains were, therefore, better and not as susceptible to breakage. Various DSNY workers also indicated they were deployed for snow removal with less than the number of chains their vehicle should have had.

According to DSNY, approximately 3,760 sets of snow chains were damaged during the December 26, 2010 blizzard cleanup. (See Photo of chains damaged in blizzard, Attachment 16). Of the 3,760 sets of chains that were damaged, 400 pairs were able to be repaired, leaving 3,360 sets of chains that needed to be replaced. Additionally, approximately 679 sets of chains were lost in the street as they broke and fell off of vehicles, totaling 4,439 sets of chains damaged or lost.<sup>11</sup> The number of chains damaged or lost by borough in ascending order is: 215 in the Bronx; 633 in Staten Island; 1,014 in Queens; 1,041 in Manhattan; and 1,536 in Brooklyn. According to the DSNY, both types

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<sup>11</sup> Each new chain costs approximately \$46 versus \$53 for the old chains, according to the DSNY.

of chains, square link and Weed Type, broke during the December 26th storm.<sup>12</sup> The number of broken chains is not indicative of the number of vehicles assigned to each borough during the blizzard. The total number of snow vehicles DSNY reported having assigned in the five boroughs as of December 26, 2010 in ascending order was: 291 in Staten Island; 390 in the Bronx; 464 in Manhattan; 813 in Brooklyn; and 856 in Queens. Based on numbers provided by DSNY, DOI determined that 44% of the snow chains deployed on snow removal vehicles broke during the snowstorm cleanup.

### Salt

According to a DSNY official, salt is used in storms at the beginning of a snowstorm and salting continues until it is no longer effective. The DSNY official stated that during the blizzard, reports from the Borough Chiefs came in stating, in substance, that the salting had become ineffective and that salt was being wasted. According to a DSNY official, a teletype was issued at approximately 7 pm on December 26, 2010, giving instructions on a variety of issues including discontinuance of assignments for salt operations. (See Teletype, Attachment 17, item 2.) Salt spreaders did continue to be used for plowing operations. DSNY further informed DOI that it issued an order resuming salting on December 27, 2010, at approximately 4:30 am. (See Teletype, Attachment 18.) In addition, the DSNY official also explained that on the night of December 26, 2010, the focus was on plowing, not salting, because of the amount of snow already on the ground.

Numerous DSNY employees interviewed mentioned the 7 pm “cease salt” order in effect on the night of December 26, 2010. DSNY employees expressed frustration at this order because they believed salting earlier in the storm would have had a positive impact on the snow removal process, and some said that in their respective areas salting at greater levels would have continued to be effective. Some DSNY employees said they wanted to “to throw everything at the storm,” including salt.<sup>13</sup>

### Difficulties with Travel to Assigned Boroughs

A noteworthy issue raised during the investigation was that it was very difficult for DSNY employees to get to an assigned garage outside of their borough of residence. Two employees – one in Queens and another in Staten Island – observed there was difficulty in getting to their assigned garages, noting that they could have more readily cleared snow from garages in their home boroughs.

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<sup>12</sup> The DSNY stated that they did not readily have comparable data regarding numbers of broken chains from past storms.

<sup>13</sup> One DSNY employee interpreted the salt order to mean that supervisors could have continued salting where they felt appropriate. However, the supervisors in that employee’s garage stopped salting pursuant to the order.

## **7. *President of the Uniformed Sanitationmen's Association Harry Nespoli***

Harry Nespoli, the President of the Uniformed Sanitationmen's Association for approximately the past eight years, was interviewed by DOI. Nespoli adamantly denied under oath that there was any slowdown ordered by him or the union. He acknowledged that he was upset at DSNY staff reductions and demotions that were announced by the City in the fall of 2010, but he denied that there was any organized or spontaneous work slowdown by him or his members during the storm. Nespoli said that any job action during the storm would have been a "bad move for my men." Nespoli said that he had not heard that supervisors "laid down" during the storm or "looked the other way" at misconduct during the storm. Nespoli said that he did not give any instructions to his members or make any statements that could have been interpreted as encouraging a slowdown or a "rule book slowdown" during the storm. He described a "rule book slowdown" as an unofficial job action where members strictly follow every DSNY procedure with the intention of delaying operations.<sup>14</sup>

Nespoli stated that he did not think workers were driving with plows intentionally raised when they should have been on the ground clearing the snow. Nespoli noted that when snow gets too high, sometimes truck operators need to lift their plows in order to avoid getting stuck in the snow or having their plows "trip," or snap back toward the truck, increasing the chance for the truck to get stuck in the snow. According to Nespoli, a high number of plows tripped during this snow removal operation.

Nespoli discussed the major factors he believes contributed to the problems experienced during the blizzard. Nespoli said a primary factor was that too many cars, trucks and buses become stuck in the streets during the initial hours of heavy snowfall. Nespoli believes these vehicles became major obstacles, resulting in less effective plowing operations, and that a Snow Emergency should have been declared on Sunday December 26<sup>th</sup> to keep cars off the road. Nespoli also stated that staff reductions in DSNY were an issue and that additional workers could have made a difference. Nespoli stated that DSNY management attempted to counter the reduction in the snow removal work force by utilizing Sanitation police to plow and salt streets. Nespoli advised that he thought this was a mistake because it diverted the police from their normal important job of directing traffic and assisting in closing down streets while snow operations took place.

According to Nespoli, during the storm many DSNY trucks became stuck and these vehicles were then taken out of service for 14 to 16 hours because DSNY did not have enough tow trucks to pull out the stuck vehicles. Nespoli also said that he would recommend that DSNY purchase additional "Chevy LUVs" (Light Utility Vehicles). According to Nespoli, the LUV is a small truck that is effective on side streets, for

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<sup>14</sup> DOI also interviewed Joseph Mannion, President of the Sanitation Officers Association; James Tucciarelli, Vice President of District Council 27 and President of Local 1320 (representing DEP workers); and Gene DeMartino, President of Local 376 and District Council 37 (representing, *inter alia*, DOT workers). These union representatives similarly denied under oath any knowledge of a concerted slowdown or that their union members engaged in a slowdown.

maneuvering around corners, and keeping crosswalks open. According to a DSNY official, the Department no longer utilizes Chevy LUV trucks but instead has a fleet of “haulsters,” which are similar in size and capability to the LUV. There are 71 haulsters assigned throughout the five boroughs.

According to Nespoli, he has received numerous reports from his membership that the snow chains were not effective during the storm. Nespoli said that these chains have been in use by DSNY for several years and that questions were raised about their effectiveness in the wake of the blizzard. In addition, Nespoli advised that he had received information that only one set of chains were placed on many of the Sanitation trucks engaged in the snow cleanup operation. Nespoli advised that one set of snow chains is not sufficient and would lead to vehicles getting stuck in the snow.

### **8. *City’s Actions and Response***

On January 10, 2011, the Mayor’s Office of Operations and the Mayor’s Office of Citywide Emergency Communications released a report entitled *Preliminary Review of the City’s Response to the December 2010 Blizzard*. The report discussed the following steps which should be taken in order for the City to better respond to future snowfall: (1) amend the process for declaring emergencies; (2) provide a broader range of options that could be part of an emergency declaration and make them clear and understandable to New Yorkers; (3) equip every Department of Sanitation truck with a GPS device enabled with two-way communication; (4) improve accountability tools and plowing definitions used by Sanitation for street conditions; (5) use live monitors to stream video of trouble spots; (6) enhance immediate availability of critical equipment; (7) enhance ability to deploy City labor from other departments; (8) enhance the Emergency Operations Center as the center of resource coordination; (9) improve tow truck deployment; (10) secure and expeditiously deploy private contractors for assistance; (11) improve the process of hiring additional laborers; (12) improve two-way communications through real time portal; (13) provide better methods for citizens to request help; (14) reform dispatch protocols in extreme and high volume events; and (15) accelerate PSAC (Public Safety Answering Center) integration and implementation. Notably, the City also hired 100 new Sanitation workers in December 2010.

### **III. Investigative Conclusions/Policy and Procedure Recommendations**

During the days following the December 26th blizzard, Councilman Daniel Halloran alleged in the newspapers and on television that DSNY personnel had staged and executed a slowdown. His allegations about a slowdown became a City, national and international story; investigations and hearings ensued. However, the statements given to DOI by Mr. Halloran were strongly disputed by the two DOT personnel Mr. Halloran said he spoke with about a slowdown, and Mr. Halloran asserted attorney-client privilege as to three other workers he said he spoke with from DSNY. In toto, Mr. Halloran’s information about City employee statements contributed no actual evidence about a possible slowdown.

In addition to individual cellphone photos and videoclips sent in to DOI by the public, DOI also sought to obtain continuous video footage from City surveillance cameras in order to objectively examine the snow removal efforts and what occurred with the cleanup in the streets. Several surveillance cameras with available video footage were identified, obtained and studied by DOI. These cameras depicted the 24-hour period after the storm began, and covered locations in the Bronx, Brooklyn, Queens, and Staten Island. The results of this video footage published for the first time in this report, showed a total of approximately 265 DSNY and other City vehicles in the streets during the snow cleanup effort. Most of those vehicles were visibly plowing the snow. It is apparent that the operators of those vehicles did not know that a City camera was watching them. A relatively small number of vehicles were seen stationary or with upright plows – some with and some without explanation from the video itself. Out of the hundreds of vehicles observed doing their cleanup work, the half-dozen instances of stationary or upright plows without explanation have been referred to the DSNY for further review.

The investigation presented considerable difficulties in the retroactive reconstruction of the whereabouts of DSNY personnel Citywide throughout the storm. DSNY currently has surveillance cameras installed in only several garages (although there are issues with some of that equipment). In an effort to better analyze DSNY's response to and tactics in major incidents, to increase accountability, implement additional security, prevent loss, theft and damage to City property, DOI recommends expanding the use of security cameras with recording capabilities in additional DSNY garages and facilities, and the proper maintenance of those cameras.

In a similar vein, the use of GPS could have aided in the location of disabled vehicles, the dispatch of assistance and cleanup during the blizzard, and would have proven to be a useful tool for resource/deployment analysis after the storm. During the storm, DSNY was largely unable to determine which streets had been plowed until the shift changes when DSNY workers reported back to their supervisors. The Queens East 8 Garage was the only garage within DSNY using a GPS, and that garage achieved a higher percentage of streets salted and plowed during the blizzard. The GPS program that DOI viewed from the Queens East 8 Garage is extremely vivid and proved to be a useful operational tool for assisting with deployment, trouble-spotting, and resource allocation. It is also a good accountability tool. The GPS program was also useful for tracking vehicles in real time, those that are in use or disabled, assuming supervisors are using/watching the GPS data. Other City agencies, such as the Department of Buildings and the Fire Department's Emergency Medical Services, use GPS for tracking field operations successfully. Following the storm, DSNY indicated a goal of installing more GPS tracking capability throughout the City. DOI, therefore, recommends that DSNY continue its progress and place GPS on all of its vehicles, and if possible the data should be relayed to OEM in real time. Lastly, DOI recommends that strong disciplinary action be taken should any GPS or surveillance camera equipment be tampered with.

Numerous DSNY workers also informed DOI that the newer snow chains were weak and broke readily, others said the chains fell off. Many others stated they were sent out on duty without the proper number of snow chains on their vehicles. While more



issues were experienced with the newer chains, there were also problems with the old chains. DOI recommends that DSNY further review the issues relating to the strength of the chains, and that DSNY enforce the mandatory use of the proper number of chains on all vehicles.

DSNY workers also felt the cease salt order declared by DSNY further disabled them from being able to fight the storm on that front. On December 26, 2010, at approximately 7 pm, DSNY halted all salting citywide. (Later, DSNY ordered that salting resume “where productive.”) In the December blizzard, the rate of snowfall, its effect, and the amount of accumulation varied throughout the five boroughs of the City. DOI interviewed numerous DSNY personnel in different boroughs, and opinions varied as to whether continued salting may or may not have aided in battling the blizzard. DOI, therefore, recommends that local DSNY supervisors be permitted to make the decision as to when to use salt, since they are in the better position to directly evaluate the effectiveness of salt usage in their areas.

Many DSNY workers, despite making multiple notifications to their commands, were stranded with stuck vehicles for extended periods of time, some as long as 12 hours. These circumstances raised several issues. First, being stuck and stranded that long in the blizzard led to situations ranging from the need for DSNY personnel to get a warm cup of coffee or use a restroom, to City employees falling asleep in their trucks, and worse, to drinking alcohol while in their stuck trucks.

There was also a negative public appearance issue that arose from DSNY workers and trucks being stranded for long periods of time. For the public to see stationary DSNY trucks and workers for so many hours, and to see DSNY employees falling asleep, sitting in the trucks, getting beer, food, coffee, when photos of that activity are further disseminated in the media or on-line, caused the public to conclude that this inaction was intentional, especially since so many people were frustrated with the snow cleanup. An example of this was the YOUTUBE video depicting DSNY workers sitting in a Dunkin Donuts with their trucks outside, describing this situation as an “eleven hour break,” when, in fact, they were actually stuck.

On numerous occasions during the blizzard, DSNY vehicles became disabled in groups, and investigators were told that Sanitation workers were assigned to stay with each vehicle, leaving numerous workers with stuck vehicles. In one instance at the Mini Mart we found five workers safeguarded four vehicles in close proximity to each other, and in another instance at the Dunkin Donuts, three workers were assigned to stay with a group of three vehicles. We recommend that DSNY review a more efficient way to manage the issue of guarding groups of disabled vehicles, should a circumstance like this arise in the future.

Specifically, DOI recommends that the decision on the staffing of disabled vehicles be made based on the specific circumstances rather than following a standard policy of one worker per vehicle. In this storm, trucks were stuck in groups with as many or more workers left with the trucks, in successive shifts, with the City incurring overtime. While disabled vehicles cannot be left unattended, the DSNY should consider having a pair of

DSNY workers stay when there is a group of trucks. That would have permitted, for example at the Mini Mart, two employees to stay with five disabled vehicles enabling three other DSNY workers to return to battling the storm. Thus, this adjustment to current protocol could assist in the deployment of staff as well as the reduction of overtime. Additionally, in a blizzard, DSNY trucks deployed should be equipped with solid shovels and other materials so workers are able to attempt to dig themselves out if they get stuck.

Roads around the hospitals surveyed by DOI, were cleared in a timely manner to varying degrees. Hospitals with more sizeable campuses experienced greater problems. While several hospitals reported satisfactory snow removal in the streets around their perimeter, several reported that vital roads and access points were not expeditiously cleared. All of the hospitals aided their own cleanup efforts, and by extension assisted the people in their respective communities, by having their own snow removal workforce for sidewalks around and internal roads within their respective properties. Better advanced planning by the City for response to and clearance of streets that are key access points to hospitals is needed.

During this storm, trucks were disabled for a variety of reasons ranging from broken chains, to running out of gas to other mechanical problems. However, there appeared to be no central location that logs the reason why a vehicle broke down or had to be temporarily taken out of service. As a result, it is recommended that a procedure be implemented to record all mechanical failures including broken tire chains. This procedure would not only have benefited this investigation, but is also imperative for an agency to evaluate the effectiveness of their vehicles and ancillary equipment retroactively, and assist with procuring necessary replacement and/or repair of parts and equipment.

DSNY has approximately 61 Heavy Duty Vehicle Wreckers (“HDVW”) that are capable of towing other DSNY vehicles. Several garages in Brooklyn reported not having a HDVW to assist with towing vehicles. Although the HDVWs are assigned throughout the five boroughs, DOI recommends that DSNY develop a reassessed plan for their availability and/or necessary relocation in anticipation of severe storms.

DOI recommends that DSNY create a mobilization plan, to create a procedure for DSNY workers who cannot make it into their assigned garages due to weather conditions. This procedure should allow workers to report to a garage within their home borough.

### Referrals

This report and its findings will be referred to DSNY, the District Attorney’s Office in Brooklyn and Queens County, and to the United States Attorney’s Office for the Eastern District of New York for their review.

ATTACHMENTS

Attachment 1

--- Received from DOS.HDQTRSOP 646-885-4861 10-12-24 12.46  
-> DOS.HQOMSG HQ OPRNS T&P BCC BWD MIS  
FROM CONTROL DM2010-5077

CODE# SNOW1

SUBJECT: SNOW ALERT  
=====

In view of the weather forecast, a SNOW ALERT has been issued for 1600 hours, Sunday, December 26, 2010.

The words "SNOW ALERT" will be written in red at the top of all D.S. 57'S for all remaining shifts on Friday, December 24, 2010 and this will continue throughout the alert.

Bernard J. Sullivan  
First Deputy Commissioner

**Attachment 2**

--- Received from DOS.HDQTRSOP 646-885-4861 10-12-25 12.25  
-> DOS.HQOMSG HQ OPRNS T&P BCC BWD MIS  
FROM CONTROL DM2010-5093

CODE# SNOW1

SUBJECT: SNOW ALERT #2 REVISED  
=====

In view of the weather forecast, a SNOW ALERT has been issued for  
0800 hours, Sunday, December 26, 2010.

Bernard J. Sullivan  
First Deputy Commissioner

### Attachment 3

**NEW YORK POST**

Updated: Thu., Dec. 30, 2010, 12:37 PM



## **Sanitation Department's slow snow cleanup was a budget protest**

By SALLY GOLDENBERG, LARRY CELONA and JOSH MARGOLIN

*Last Updated:* 12:37 PM, December 30, 2010

*Posted:* 2:34 AM, December 30, 2010

These garbage men really stink.

Selfish Sanitation Department bosses from the snow-slammed outer boroughs ordered their drivers to snarl the blizzard cleanup to protest budget cuts -- a disastrous move that turned streets into a minefield for emergency-services vehicles, The Post has learned.

Miles of roads stretching from as north as Whitestone, Queens, to the south shore of Staten Island still remained treacherously unplowed last night because of the shameless job action, several sources and a city lawmaker said, which was over a raft of demotions, attrition and budget cuts.

"They sent a message to the rest of the city that these particular labor issues are more important," said City Councilman Dan Mr. Halloran (R-Queens), who was visited yesterday by a group of guilt-ridden sanitation workers who confessed the shameless plot.

Mr. Halloran said he met with three plow workers from the Sanitation Department -- and two Department of Transportation supervisors who were on loan -- at his office after he was flooded with irate calls from constituents.

The snitches "didn't want to be identified because they were afraid of retaliation," Mr. Halloran said. "They were told [by supervisors] to take off routes [and] not do the plowing of some of the major arteries in a timely manner. They were told to make the mayor pay for the layoffs, the reductions in rank for the supervisors, shrinking the rolls of the rank-and-file."

New York's Strongest used a variety of tactics to drag out the plowing process -- and pad overtime checks -- which included keeping plows slightly higher than the roadways and skipping over streets along their routes, the sources said.

The snow-removal snitches said they were told to keep their plows off most streets and to wait for orders before attacking the accumulating piles of snow.

They said crews normally would have been more aggressive in combating a fierce, fast-moving blizzard like the one that barreled in on Sunday and blew out the next morning.

The workers said the work slowdown was the result of growing hostility between the mayor and the workers responsible for clearing the snow.

In the last two years, the agency's workforce has been slashed by 400 trash haulers and supervisors -- down from 6,300 -- because of the city's budget crisis. And, effective tomorrow, 100 department supervisors are to be demoted and their salaries slashed as an added cost-saving move.

Sources said budget cuts were also at the heart of poor planning for the blizzard last weekend. The city broke from its usual routine and did not call in a full complement on Saturday for snow preparations in order to save on added overtime that would have had to be paid for them to work on Christmas Day.

The result was an absolute collapse of New York's once-vaunted systems of clearing the streets and keeping mass transit moving under the weight of 20 inches of snow.

The Sanitation Department last night denied there was a concerted effort to slow snow removal.

"There are no organized or wildcat actions being taken by the sanitation workers or the supervisors," said spokesman Matthew Lipani.

Joseph Mannion, president of the union that represents agency supervisors, said talk of a slowdown "is hogwash." But he admitted there is "resentment out there" toward Mayor Bloomberg and his administration because of budget cuts.

His counterpart at the rank-and-file's union, Harry Nespoli, has also denied there is a job action, though he admitted his guys are working lucrative 14-hour shifts.

Bloomberg spokesman Stu Loeser said only: "We would hope this is not the case."

But multiple Sanitation Department sources told The Post yesterday that angry plow drivers have only been clearing streets assigned to them even if that means they have to drive through snowed-in roads with their plows raised.

And they are keeping their plow blades unusually high, making it necessary for them to have to run extra passes, adding time and extra pay.

One mechanic said some drivers are purposely smashing plows and salt spreaders to further stall the cleanup effort.

"That is a disgrace. I had to walk three miles because the buses can't move," said salesman Yuri Vesslin, 38, of Sheepshead Bay, Brooklyn.

Meanwhile, Bloomberg -- quickly becoming the public face of failure this week -- spent a second consecutive day yesterday defending himself to critics of his administration's handling of the storm.

He took reporters to The Bronx to explain that the city is coming back to life and to tout his administration's efforts.

"Can't work much harder," Bloomberg said.

But Hizzoner admitted, "We didn't do as good a job as we want to do or as the city has a right to expect."

Sanitation Commissioner John Doherty promised that every street will have been plowed by 7 this morning, but then he offered this hedge: "Will somebody find a street that I missed? Maybe."

Bloomberg and Doherty also offered a series of excuses for the failed response to the blizzard. They blamed residents for shoveling snow into streets that had already been plowed and for tying up 911 with non-emergency calls.

"This was a failure in the operations and ultimately, as the mayor tells us very often, the buck stops with him," said Councilman Vincent Ignizio (R-SI).

*Additional reporting by C.J. Sullivan and Anthony Affrunti*

[jmargolin@nypost.com](mailto:jmargolin@nypost.com)

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## Attachment 4

**NEW YORK POST**

Updated: Fri., Dec. 31, 2010, 10:21 AM



# A mutiny for Mike

*Last Updated:* 10:21 AM, December 31, 2010

*Posted:* 10:01 PM, December 30, 2010

So it transpires that the city Department of Investigation has been on to reports of a snow-removal slowdown all week.

Go to it, folks.

People could have *died* because of the mini-mutiny -- and those responsible have *much* for which to answer.

The Post reported yesterday that sanitation employees purposely delayed plowing streets during and after the Christmas weekend blizzard.

It now seems that there was an effort to target certain politically connected neighborhoods -- like Borough Park in Brooklyn and Middle Village in Queens.

Why?

Because hard times are on the city, austerity looms for everyone -- but unionized city employees feel they should be left untouched by the pain.

That's nothing new.

But a slowdown in a grave emergency is *astonishingly* new -- and Mayor Bloomberg cannot let those responsible get away with such a thing.

Already, he's promising an "extensive review" of the city's storm response.

But that can only be the beginning.

Let's be frank: If sanitation wildcatters skate on this, what will other public employees do when budget constraints force the city to cut deeper elsewhere?

Or hold down salaries?

Or insist on other concessions?

As this slowdown showed, *some* employees couldn't care less about the pain they inflict.

Indeed, the more, the better.

The steps reportedly taken to hamper snow-removal efforts this week are shocking: Some bosses apparently told plow operators "not to tackle the jobs quickly," City Councilman Dan Mr. Halloran (R-Queens) says workers told him.

The idea was to "make the mayor pay" for demoting supervisors and trimming staff (about 100 bosses are slated for demotion this week).



And maybe to squeeze more cash from taxpayers -- workers get *double overtime pay* on Sundays -- by stretching out their time on the job.

A mechanic said some drivers intentionally wrecked plows and salters.

Presto: a paralyzed New York.

And the slowdown apparently wasn't even department-wide, but undertaken by those affected by budget trims and targeted at certain areas. Imagine if it *had* been a full-fledged, union-blessed strike.

Labor bosses deny that *any* kind of job-action took place this week.

Of course they'd say that: An intentional slowdown could amount to a criminal violation of the state's Taylor law.

As well it should.

For his part, Bloomberg said such a job action would be an "outrage."

Yes, it would.

But does he see it as a threat to the good order of the city -- which it also is?

He needs to get to the bottom of the slowdown and deal as harshly as possible with those responsible -- *and* with those managers who so obviously lost control of their department.

If he thinks other unions aren't watching the outcome of this drama for clues on how to deal with their own problems, he's very much mistaken.

Bloomberg needs to draw a line in the snow right here and now.

If he doesn't, things are going to get much, much worse as the city's fiscal fortunes continue to decline.

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## Attachment 5

**NEW YORK POST**

Updated: Thu., Dec. 30, 2010, 10:39 AM



# Gov. Paterson calls for snow slowdown probe

By BRENDAN SCOTT

*Last Updated:* 10:39 AM, December 30, 2010

*Posted:* 8:57 AM, December 30, 2010

ALBANY – Outgoing Gov. David Paterson called this morning for a criminal investigation into allegations that a slowdown by budget-squeezed plow operators contributed to the city’s blizzard woes.

The Post reported today that a group of guilt-ridden sanitation workers confessed their protest plot to City Councilman Dan Mr. Halloran (R-Queens). The workers were fuming over recent job cuts and cutbacks, the councilman and other sources told The Post.

“This would be a very, very serious breach,” Paterson told WOR 710-AM on his, adding that it “would be better for there to be an investigation about the allegations.”

“I just think the whole thing would be outrageous, if it’s actually true.”

Miles of roads remained treacherously unplowed as of last night, days after the blizzard dumped nearly two feet of snow on the city.

Paterson, who lives in Harlem, said the snarl has left New Yorkers “scratching their heads” since the city handled a similar storm so well last year.

“That always gives way to a lot of rumor and innuendo, which I think we should probably table until there are facts to back that up,” Paterson said.

The governor, nonetheless, said any slowdown could be considered criminal.

“I would have to look through the criminal law to find exactly which one to prosecute people under,” Paterson said. “But criminality is a heightened sense of wrongdoing and there are examples of people whose lives were threatened severely.”

Paterson will hand over the Executive Mansion to Gov.-elect Andrew Cuomo tomorrow night.

*brendan.scott@nypost.com*

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Attachment 6 Queens



Attachment 7 Queens



**Attachment 8 Bronx**



**Attachment 9 Bronx**



Attachment 10 Brooklyn





**Attachment 11**





**NEW YORK POST**

Updated: Sun., Jan. 2, 2011, 9:19 AM



# Sanit bigs boozed amid snow chaos: witnesses

By REUVEN BLAU and BRAD HAMILTON

*Last Updated:* 9:19 AM, January 2, 2011

*Posted:* 2:10 AM, January 2, 2011

Instead of plowing, they got plowed.

A group of on-duty Sanitation supervisors is under investigation for allegedly buying booze and chilling in their cozy department car for hours Monday night after the blizzard stranded a bus and three snowplows blocks away.

The city Department of Investigation is probing the incident after witnesses said four snow blowers blew off their duties to get blitzed, buying two six-packs of beer from a Brooklyn bodega. The workers then walked five blocks to their car, which was in 20 inches of snow in the middle of 18th at McDonald avenues near the F train entrance, passing the stuck bus and idle plows on 18th Avenue between Third and Fourth streets.

The four remained in the idling sedan until morning -- then told their bosses they could do nothing about the blizzard because they had run out of gas, one witness said.

"They just sat in their car all night with the heat running," the witness said.

Customers who saw the group buying beer at the Ocean Mini Mart at 3917 18th Ave. in Kensington shouted at the workers.

"They were saying, 'How can you do this? You should be outside!' " a witness told The Post.

But the Sanitation team was unmoved.

"One guy said, 'Don't worry about it. We know what we're doing,' " the witness recalled.

A block from the deli, six riders remained on the snow-stalled bus all night.

The supervisors had shown up at the deli near Ocean Parkway at 8 p.m. when a smiling, uniformed Sanitation honcho bought a six-pack of Heineken Light, the witnesses said. About 30 minutes later, another worker from the group bought a six-pack of Corona Light.

Later, they ducked inside their car and hunkered down.

"I saw them drinking, but I'm not sure what it was," said a witness who lives in the area.

In the morning, the four men returned to the deli, where they were heard telling their bosses over the phone that their car had run out of gas.

"This guy was on his cell and said, 'We're out of fuel,' " a witness said.

Department of Investigation Assistant Commissioner Keith Schwam said "we're looking into what happened."

The DOI is also investigating whether Sanitation workers contributed to the chaos with an organized slowdown.

Yesterday, city officials claimed every street in the city had seen a plow and said garbage pickups would resume tomorrow, starting with street-corner cans and, possibly, residential trash.

*Additional reporting by C.J. Sullivan*

[brad.hamilton@nypost.com](mailto:brad.hamilton@nypost.com)

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Attachment 13





Cam1-2010-12-27 21:42:51 842



Cam1-2010-12-27 21:42:56 986



## Attachment 14

[http://www.youtube.com/watch?v=74M4AxiDCXE&feature=watch\\_response\\_rev](http://www.youtube.com/watch?v=74M4AxiDCXE&feature=watch_response_rev)

**You Tube**   [Browse](#) [Upload](#)

**Mike Bloomberg Fail - NYC Blizzard Workers at Dunkin Donuts for ELEVEN Hour Break**

[TheNYCWatch](#) 12 videos



2:33 / 3:33 360p

Suggestions

-  0:58
-  2:27
-  0:20

Attachment 15

--- Received from DOS.HDQTRSOP 646-885-4861 06-02-11 07.33  
-> DOS.HQOMSG HQ OPRNS T&P BCC BWD MIS  
FROM CONTROL DM2006-0599  
CODE# SNOW86

SUBJECT: ATTACHING CHAINS - (TANDEM AXLE VEHICLES)  
=====

In light of the impending storm, chains will be attached to salt spreaders as necessary.

ALL TANDEM TRUCKS WILL HAVE CHAINS ATTACHED TO ALL FOUR REAR OUTSIDE TIRES (BOTH AXLES).

\*\* REMEMBER SAFETY FIRST \*\*

Michael A. Bimonte  
First Deputy Commissioner



**Attachment 16**



Attachment 17

--- Received from DOS.HDQTRSOP 646-885-4861 10-12-26 17.48  
-> DOS.HQOMSG HQ OPRNS T&P BCC BWD MIS  
FROM CONTROL DM2010-5107

CODE# ORDERS1600  
=====

ORDERS FOR THE 1900-0300 SHIFT, SUNDAY, DECEMBER 26, 2010  
=====

=====  
Supervisors will remind snow equipment operators that schools are closed and children will be playing in the snow. Be alert for the potential for children playing in the snow particularly in the evening when there will be poor visibility due to the potential blizzard conditions.  
=====

- 1- Assign personnel to Maxi Spreader Coverage plus extra equipment. This equipment is in a plow operation until salting resumes.
- 2- DO NOT ASSIGN ANY PERSONNEL TO FEL'S FOR SALT LOADING OPERATIONS. When salt becomes EFFECTIVE be prepared to divert this personnel back to salt loading.
- 3- Assign balance of personnel to plowing equipment until all schedules are completed.
- 4- Assign Sanitation Enforcement Agents to Salt Locations as per plan.
- 5- Night Bridge and Highway personnel are activated as of 1800 hours.
- 6- DOT will cover the four East River Bridges. Night Bridge and Highway will monitor their progress.
- 7- Employ DOT personnel on plowing operations as per Tonight's plan. DOT plows will be assigned to secondary routes into tertiary routes. Refer all problems with DOT to Operations as the DOT Command Center is opened (646) 885-4893. SR8 must be completed. DOT quitting time will be the same as DSNY personnel.
- 8- OEM Command Center has been activated and is being covered by a DSNY representative.
- 9- MTA Command Center will be covered by a DSNY representative at 1900 hours. Priority will be given to icy conditions calls received via MTA Command Center.
- 10- Condition reports will continue to be called in to the Operations office every hour on the half hour. They will be called in to the following extensions: (646) 885-4860/57.
- 11- SR1 Report will be e-mailed into the Operations office at 0200 hours. Deputy Chiefs will review and attest to the accuracy of the report.
- 12- Stagger lunch hours for snow operations.
- 13- Quitting time for personnel assigned to the 1900-0300 shift will



Attachment 18

--- Received from DOS.HDQTRSOP 646-885-4861 10-12-27 04.28  
-> DOS.HQOMSG HQ OPRNS T&P BCC BWD MIS  
FROM CONTROL DM2010-5112

CODE#SALT

Resume salt operations where productive and necessary to eliminate icy conditions.

\* CONSERVE SALT \*

Bernard J. Sullivan  
First Deputy Commissioner