

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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THE CIVIC ASSOCIATION OF THE DEAF OF
NEW YORK CITY, *et ano.*,

Plaintiffs,

- against -

MICHAEL R. BLOOMBERG, *et al.*,

Defendants.

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**AMENDED
DECLARATION OF
STEPHEN RUSH**

95 Civ. 8591 (RWS)

STEPHEN RUSH declares, under penalty of perjury, pursuant to 28 U.S.C. § 1746, that the following is true and correct:

1. I am the New York City Fire Department (“FDNY”) Assistant Commissioner for Budget, a position I have held since November, 1987. I have been employed by the FDNY since 1981.

2. As Assistant Commissioner for Budget, I am responsible for overseeing all of the FDNY’s budgetary and financial matters.

3. The FDNY estimates that, whether occurring in FY 2011 or in FY 2012, deactivation of the street alarm box system would save the FDNY (and other City agencies that finance alarm box-related costs) approximately \$6.3M. This figure includes \$2.9M in savings in annualized salary and fringe benefits from attrition, by FY 2014, of 19 Communications Electricians and supervisory staff in the ranks of FDNY Communications Electricians employed in the FDNY Outside Plant Unit, the unit responsible for maintaining the alarm box system cable network.

4. Another component of that \$2.9M savings would be substantially diminished overtime in the Outside Plant Unit – a chronic cost to the FDNY long associated with alarm box maintenance.

5. Additionally, the City would realize a budgetary savings of approximately \$3.4M by terminating a contract the City maintains with an outside vendor to repair alarm boxes that the FDNY's Communication Electricians are unable to repair themselves along with a reduction in equipment and supplies for the Outside Plant Unit.

6. The annual cost of maintaining the street alarm box system will only rise in outlying years. By FY 2014, the annual cost of the system is expected to reach \$7M.

7. In addition to the annual costs of maintenance, the street alarm box system engenders significant capital expenses. Since 1996, the FDNY Communications network capital costs, which were predominantly alarm-box-related totaled approximately \$140M. Those expenses over the next ten years are conservatively projected at \$24.8M, and include costs associated with central dispatch office upgrades, modernization of alarm boxes, as well as with the costs of cabling work related to street construction projects. It should be noted that the costs presented for Capital spending represent the Capital commitment funding in the FDNY Capital Budget. The City's Capital budget is financed through the sale of bonds that are repaid with interest via the Operating Budget as "debt service". These costs are significantly higher than the capital costs presented herein.

8. These costs are particularly significant in light of the current fiscal constraints facing the FDNY and other City agencies. The City's Preliminary Budget for

FY 2011 currently calls for the closing of 20 FDNY fire engine companies and the loss of 505 firefighting positions. The average annual cost of a fire engine company is currently \$1.7M.

9. Averaging the projected ten-year cost of the street alarm box system, the total cost of the street alarm box system is approximately \$8.8M annually (\$6.3M in annual costs plus \$2.5M in annualized capital expense). Significantly, this figure does not account for or include the costs associated with responding to the malicious false alarms street alarm boxes generate. The annual cost of the street alarm box system is thus greater than the annual cost of five fire companies.

Dated: New York, New York
June 23, 2010



STEPHEN RUSH