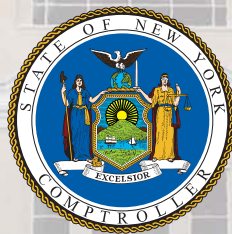




New York City Department of Parks and Recreation

Correcting Hazardous Conditions
Identified by the
Parks Inspection Program

Report 2008-N-18



Thomas P. DiNapoli

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State of New York Office of the State Comptroller

Division of State Government Accountability

August 13, 2009

Dear Commissioner Benepe:

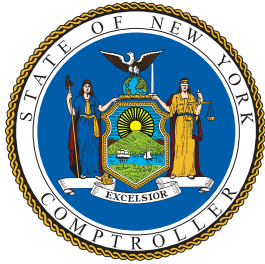
The Office of the State Comptroller is committed to helping State agencies, public authorities and local government agencies manage government resources efficiently and effectively and, by so doing, providing accountability for tax dollars spent to support government operations. The Comptroller oversees the fiscal affairs of State agencies, public authorities and local government agencies, as well as their compliance with relevant statutes and their observance of good business practices. This fiscal oversight is accomplished, in part, through our audits, which identify opportunities for improving operations. Audits can also identify strategies for reducing costs and strengthening controls that are intended to safeguard assets.

Following is a report of our audit of Correcting Hazardous Conditions Identified by the Parks Inspection Program. The audit was performed pursuant to the State Comptroller's authority as set forth in Article V, Section 1 of the State Constitution and Article III of the General Municipal Law.

This audit's results and recommendations are resources for you to use in effectively managing your operations and in meeting the expectations of taxpayers. If you have any questions about this report, please feel free to contact us.

Respectfully submitted,

*Office of the State Comptroller
Division of State Government Accountability*



State of New York Office of the State Comptroller

EXECUTIVE SUMMARY

Audit Objective

Our objective was to determine whether the hazardous conditions identified during inspections of New York City Parks are corrected within the expected time frame.

Audit Results - Summary

The New York City Department of Parks and Recreation (Department) performs ongoing inspections of its park system, one of the largest municipal park systems in the country. If an inspection identifies a hazardous condition that could result in an injury, the condition is generally expected to be corrected within a certain time frame (generally two to four weeks).

However, when we followed up on a sample of 85 hazardous conditions that had recently been identified during inspections, we found that 41 of the 85 hazards (48 percent) were not corrected within the expected time frame. All 41 hazards had yet to be corrected at the time of our visits to the parks, and the corrective actions for the hazards were between 32 and 76 days overdue at the time of our visits. The 41 uncorrected hazards included four that were classified by the Department as Priority One hazards, which meant they presented the risk of a life-threatening or permanently-debilitating injury. We note that our sample of 85 hazards was not randomly selected; rather it focused on sites with more hazardous conditions.

We also determined that three of the uncorrected hazards had previously been identified in prior inspections, but had not been corrected, and as a result, were identified again in two of the inspections included in our sample. For example, a hockey rink at a playground in Queens had splintered, jagged walls with sharp edges and sharp protruding bolts. This hazard was identified in an inspection conducted in June 2008, was identified again in an inspection conducted in October 2008, and was still not corrected when we visited the site on December 30, 2008, more than six months after the hazard was first identified.

If such hazards are not corrected in a timely manner, the risk of injury increases. If such hazards are left unaddressed for months at a time, there is a further risk the Department could be considered negligent were injuries to occur. The Department is supposed to monitor the corrective actions for such hazards. While we found that the informal monitoring process used by the Department at the time of the audit was not adequately documented, a formal tracking system for such hazards was under development. We recommend the Department use this system to establish a formal

monitoring process, and follow up with the responsible officials when hazards are not corrected within the expected time frame.

In addition, when such hazards cannot be corrected in a timely manner, we recommend the Department reduce the risk of injury by either securing the area around the hazard or posting a sign to warn the public of the hazard. Department officials told us that they frequently take such precautions - however none were observed for any of the 41 uncorrected hazards in our sample. After our audit field work was completed, Department officials informed us they had corrected 40 of the 41 hazards and initiated corrective action on the other.

Also, when we followed up on the results of certain inspections, we found some of the hazards identified in those inspections were not identified when the sites were inspected again a few months later, even though the hazards had yet to be corrected and were still present when we visited the sites after the later inspections. We recommend the Department determine why the hazards were not identified when the sites were inspected again, and take any actions that are needed to improve the thoroughness of the inspection process.

Our report contains five recommendations for improving the Department's management of hazardous conditions identified by its Parks Inspection Program. We also made one recommendation to improve controls over the integrity of the inspection database. Department officials agreed with most of our recommendations and indicated that actions are being taken to implement them.

This report, dated August 13, 2009, is available on our website at: <http://www.osc.state.ny.us>.
Add or update your mailing list by contacting us at (518)474-3271 or
Office of the State Comptroller
Division of State Government Accountability
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INTRODUCTION

Background

The New York City Department of Parks and Recreation (Department) operates one of the largest municipal park systems in the country. This park system covers about 29,000 acres and contains about 1,700 parks, 2,300 Greenstreet sites (green spaces filled with trees, shrubs and groundcover), and 990 playgrounds. For the fiscal year ended June 30, 2008, the Department reported expenses of \$383 million and revenues of \$97.4 million. It also reportedly had a total of 3,543 full-time equivalent employees.

In 1985, the Department initiated its Parks Inspection Program, in which it inspects different sites in the park system on a continuous basis throughout the year. It performs more than 200 inspections in each two-week inspection cycle, and as many as 5,000 inspections a year.

The inspections are performed by Department staff, who rate each site as acceptable or unacceptable for both its overall condition and its cleanliness, using criteria developed by the Department. The inspectors may also identify specific conditions that require immediate attention, either because they are hazardous or because they are offensive (e.g., obscene graffiti). Generally, such conditions are to be corrected by the end of the next inspection cycle (i.e., within two to four weeks).

The inspectors use hand-held computers to record the results of their inspections and digital cameras to photograph the inspection sites. The inspection results and photographs are uploaded to the Parks Inspection Program database and included in a summary report that is produced at the end of each inspection cycle. The report summarizes the results of the inspections for that cycle on a borough-by-borough basis. The report is distributed to the Parks Commissioners for each borough, and they are responsible for correcting the conditions requiring immediate attention and taking other appropriate follow-up action. The Commissioners are also notified separately, on a daily basis, about the conditions requiring immediate attention.

The inspection ratings are reported in the annual Mayor's Management Report and provide Department management, elected officials, and the general public with a broad indicator of the condition of New York City's parks. According to the Mayor's Management Report for fiscal year 2008, 86 percent of the park sites inspected that year were rated acceptable for overall condition, while 91 percent were rated acceptable for cleanliness.

The Parks Inspection Program is administered by the Department's Division of Operations and Management Planning. Program staff include eight inspectors and four analysts.

**Audit
Scope and
Methodology**

We audited to determine whether hazardous conditions identified during inspections of New York City Parks are corrected within the expected time frame. Our scope period was July 1, 2007 through February 11, 2009. To accomplish our objective, we reviewed the written Standards for the Parks Inspection Program and interviewed Department officials to obtain an understanding of the program. We also reviewed relevant Department records.

In addition, we reviewed a judgmental sample of 85 hazardous conditions requiring immediate attention that were identified during inspections, and followed up on these conditions to determine whether they were corrected within the expected time frame. We selected our sample from the inspections conducted during the two inspection cycles covering the period October 6 through October 31, 2008. A total of 410 inspections were conducted during this period, 58 of which resulted in an unacceptable rating for the overall condition of the site (such sites often contain one or more hazardous conditions). We judgmentally selected 25 of these 58 sites, focusing on sites with more severe hazardous conditions and ensuring that at least two sites were selected from each borough. We visited the 25 park sites and observed the conditions.

We conducted our performance audit in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objective.

In addition to being the State Auditor, the Comptroller performs certain other constitutionally and statutorily mandated duties as the chief fiscal officer of New York State. These include operating the State's accounting system; preparing the State's financial statements; and approving State contracts, refunds, and other payments. In addition, the Comptroller appoints members to certain boards, commissions, and public authorities, some of whom have minority voting rights. These duties may be considered management functions for purposes of evaluating organizational independence under generally accepted government auditing standards. In our opinion, these functions do not affect our ability to conduct independent audits of program performance.

As is our practice, we requested a representation letter from Department management. The representation letter is intended to confirm oral representations made to the auditors, and to reduce the likelihood of misunderstandings. Agency officials normally use the representation letter to assert that, to the best of their knowledge, all relevant financial and programmatic records and related data have been provided to the auditors. They affirm either that the agency has complied with all laws, rules and regulations applicable to their agency's operations that would have a significant effect on the operating practices being audited, or that any exceptions have been disclosed to the auditors. However, officials of the Mayor's Office of Operations have informed us that, as a matter of policy, Mayoral agency officials do not provide representation letters in connection with our audits. As a result, we lack assurance from Department officials that all relevant information was provided to us during this audit.

Authority

The audit was performed pursuant to the State Comptroller's authority as set forth in Article V, Section 1 of the State Constitution and Article III of the General Municipal Law.

Reporting Requirements

A draft copy of this report was provided to Department officials for their review and comment. Their comments were considered in preparing this report and are attached in their entirety.

Within 90 days after the final release of this report, we request that the Commissioner of the New York City Department of Parks and Recreation report to the State Comptroller, advising what steps were taken to implement the recommendations contained herein, and where recommendations were not implemented, and the reasons why.

Contributors to the Report

Major contributors to this report include Frank Houston, Cindi Frieder, Christine Chu, Jeffrey Marks, Jean-Renel Estime, Ryan Wendolowski, Michael D'Amico, Abe Fish, Steve Donovan and Dana Newhouse.

Audit Findings and Recommendations

Correction of Hazardous Conditions

Hazardous conditions in New York City parks can lead to injuries. For example, protruding bolts on park benches, cracks in sidewalks, or dangling tree limbs can be hazardous.

According to the Department's written Standards for the Parks Inspection Program (Inspection Standards), such hazards are to be classified as either Priority One or Priority Two hazards. A Priority One hazard presents the risk of a life-threatening or permanently-debilitating injury. A Priority Two hazard presents the risk of a slight to serious injury, or presents the risk of a more serious injury but is located in a remote area, making injury less likely. In addition, certain kinds of particularly offensive graffiti are considered Priority Two hazards.

If a Priority One or Priority Two hazard is identified during an inspection, the Inspection Standards require that the hazard be corrected by the end of the next inspection cycle. However, because of the need for additional planning and coordination, this time frame does not apply if there is a documented need for capital work or the hazard involves a site that has been designated as an official landmark. Also, particularly offensive graffiti is to be removed within 24 hours. The hazard is to be corrected by the Parks Commissioner for that borough, and the correction process is to be monitored by the Division of Operations and Management Planning.

To determine whether hazardous conditions are being corrected within the expected time frame, we selected a sample of 85 such conditions and examined the timeliness of the correction process. We selected our sample from the inspections conducted during the two inspection cycles covering the period October 6 through October 31, 2008. A total of 410 inspections were conducted during this period, 58 of which resulted in an unacceptable rating for the overall condition of the site (such sites often contain one or more hazardous conditions).

We judgmentally selected 25 of these 58 sites, focusing on sites with more severe hazardous conditions and ensuring that at least two sites were selected from each borough. A total of 110 hazardous conditions were identified at these 25 sites. We followed up on 85 of these 110 conditions to determine whether they were corrected in a timely manner; we did not follow up on the other 25 conditions because it was not feasible to do so at the time (e.g., fallen leaves covered the areas where some hazards had been identified). A total of 5 of the 85 conditions were Priority One hazards and 80 were Priority Two.

According to the Department's expectations, unless there was a documented need for capital work or an official landmark was involved, these 85 hazardous conditions should have been corrected by either October 31, 2008 or November 13, 2008 (the end dates of the "next" inspection cycles for conditions identified during the two cycles covering the period October 6 through October 31, 2008). However, when we visited the sites between November 18, 2008 and January 12, 2009, we found that many of the conditions still had not been corrected.

Specifically, we found that 41 of the 85 hazardous conditions (48 percent) had not been corrected. Moreover, at the time of our visits, the corrective actions for these 41 hazards were between 32 and 76 days overdue. Four of the 41 uncorrected hazards were Priority One hazards (only one of the five Priority One hazards had been corrected) and 37 were Priority Two. Following are descriptions of three of the uncorrected hazards:

- At the North Meadow Recreation Center in Manhattan, portions of the safety fence were missing, and as a result, there was an unobstructed drop of more than eight feet at various points above the traverse wall. This was classified as a Priority One hazard, and its corrective action was 49 days overdue when we visited the site.
- At the Williamsbridge Oval Park in the Bronx, there were multiple sharp, damaged, or splintered bench slats; there were also hazards due to deteriorated asphalt and uplifted slats. This condition was classified as a Priority Two hazard, and its corrective action was 53 days overdue when we visited the site.
- At the Dutch Kills Playground in Queens, there was extensive damage to the walls of a hockey rink, leaving rotted, splintered, jagged surfaces with sharp edges and sharp protruding bolts. This was classified as a Priority Two hazard, and its corrective action was 32 days overdue when we visited the site.

According to the officials who were responsible for taking corrective action, 7 of the 41 uncorrected hazards did not have to be corrected by the end of the next inspection cycle, because they either required capital work (six) or involved an official landmark (one). However, we determined that the officials had not initiated corrective action for these seven hazards, as there was no documentation that capital work had been requested (such work must be formally requested) and no documentation that the required approval had been sought for the work involving a landmark. In the absence of such documentation, we believe the Department's response to the seven hazards cannot be considered timely.

We also note that 2 of the 41 uncorrected hazards involved offensive graffiti that should have been removed within 24 hours of the inspections; however, this graffiti was still present when we visited the sites 42 and 67 days, respectively, after the two inspections were conducted.

We further determined that three other uncorrected hazards had previously been identified earlier in 2008 in prior inspections, but had not been corrected, and as a result, were identified again in October 2008, in two of the inspections included in our sample. We made this determination by reviewing the most recent prior inspection report for each of the 25 sites in our sample.

For example, the jagged walls in the hockey rink at the Dutch Kills Playground in Queens were also identified in the prior inspection of that site in June 2008. The same hazard was then identified again in the October 2008 inspection that was included in our sample, and was still not corrected when we visited the site on December 30, 2008, more than six months after the hazard was first identified. Similarly, a Priority Two ankle-turn hazard on a basketball court in Staten Island was identified in the prior inspection of that site in January 2008, was identified again in the October 2008 inspection that was included in our sample, and still was not corrected when we visited the site on January 12, 2009, nearly one year after the hazard was first identified.

If hazardous conditions such as these are not corrected in a timely manner, the risk of injury increases. If such hazards are left unaddressed for months at a time, there is a further risk the Department could be considered negligent if injuries were to occur. If corrective actions cannot be taken in a timely manner, we recommend an effort be made, whenever feasible, to reduce the risk of injury by either securing the area around the hazard or posting a sign to warn the public of the hazard. While Department officials told us they frequently take such precautions, none were observed for any of the 41 uncorrected hazards in our sample.

In addition, when we followed up on hazards identified in the most recent prior inspections of the 25 sites in our sample, we found some of those hazards were not identified when the sites were inspected again in October 2008, even though the hazards had yet to be corrected and were still present when we visited the sites between November 2008 and January 2009. For example, a hazard involving splintered slats in a playfield in Manhattan was identified in the prior inspection of the site in February 2008, but was not identified when the site was inspected again in October 2008, even though the hazard was still present when we visited the site on December 10, 2008.

We identified a total of five such hazards. We recommend the Department determine why these five hazards were not identified when the sites were inspected again in October 2008, and take any actions that are needed to improve the thoroughness of the inspection process.

According to the Inspection Standards, the Division of Operations and Management Planning (Division) is supposed to monitor the correction of the hazardous conditions identified during inspections. Division officials told us they monitor the correction process on a biweekly basis at meetings with the officials who are responsible for each borough. However, at the biweekly meeting that we attended, the discussions were general and lacked details.

For example, while there were discussions about the overall rate of correction for the hazards that had been identified in each borough, individual hazards were not addressed on a case-by-case basis. Division officials told us that individual hazards were discussed on a case-by-case basis during more informal meetings, however, when we asked Division officials to provide us with documentation for their monitoring of the 41 uncorrected hazards in our sample, they were unable to provide us with any such documentation.

We recommend the Division establish a formal monitoring process. We note that such a process was being developed by the Department. In this process, any hazards identified during inspections would be recorded on a new intranet-based tracking system. The hazards would then be flagged if they were not corrected within the expected time frame. The system would be used by the Division and the officials who were responsible for making the corrections. At the time of our audit, the system was being tested, but its development was not yet complete.

If this system functions as intended, it could help the Department improve the timeliness of its corrective actions. However, Division officials must actively use the system to monitor the correction process and follow up with responsible borough officials when hazards are not corrected within the expected time frame. We also note that there are no written procedures at the borough level for following up on hazardous conditions identified during inspections. We recommend such procedures be established in conjunction with the development of the new system.

In their response to our audit findings, Department officials stated that, as of March 13, 2009, they had corrected 40 of the 41 uncorrected hazards in our sample. They stated that the remaining hazard could not be corrected quickly, because an extensive amount of work was required. (In response to

our draft report, Department officials stated this condition was corrected on May 15, 2009.) They noted that the delays in correcting the hazards were caused primarily by the following three factors:

- The materials for some repairs were not readily available.
- Unfavorable weather and winter conditions did not permit some hazards to be resolved in a timely manner, especially on safety surfaces, paved surfaces or sidewalks. These types of repairs are typically performed in warmer spring conditions.
- Some of the damages were so extensive that they either required more than four weeks to repair or required additional capital funding.

We acknowledge that Department officials responded quickly to our audit findings. We believe the Department's initial responses to the hazards could have been more timely if it had a formal system for tracking the responses in place.

Recommendations

1. Formally track the status of all hazardous conditions identified during park inspections, and follow up with the responsible officials when the conditions are not corrected within the expected time frame.
2. Develop written procedures at the borough level for following up on hazardous conditions identified during inspections.
3. Ensure that the remaining uncorrected hazard from our sample is corrected as expeditiously as possible.
4. When hazardous conditions cannot be corrected in a timely manner, reduce the risk of injury by either securing the area around the hazard or posting a sign to warn the public of the hazard.
5. Determine why the five previously identified, uncorrected hazards were not identified again when the sites containing the hazards were inspected again in October 2008, and take any actions that are needed to improve the thoroughness of the inspection process.

**Parks
Inspection
Program
Database**

Inspection results and photographs are uploaded to the Parks Inspection Program database before they are included in the summary inspection reports that are produced at the end of each inspection cycle. Since the Department relies on the accuracy and completeness of the information in this database, we tested its accuracy and completeness and evaluated the controls over the integrity of the data.

To test the accuracy and completeness of the database and confirm that reported inspections were actually performed, we selected a random sample of 25 inspections from the 3,264 inspections that were reportedly conducted during the year ended June 30, 2008 and determined whether the inspection results and photographs from these inspections were on the database. For each of the 25 selected inspections, Department officials were able to provide supporting inspection reports, and, often photographs of the site conditions observed during the inspections.

However, when we evaluated the controls over the integrity of the data, we identified the following weaknesses:

- System documentation for the database had not been produced. Such documentation would explain how the database functions, and should be produced for all computer systems as it supports the continued operation and integrity of database if the employees responsible for maintaining the database were to leave the Department.
- Changes in system functionality and data should be documented in appropriate logs. We found that some such changes were appropriately documented, but others were not. As a result, unauthorized changes could be made and not be detected. We note that formal procedures had not been developed for documenting such changes.

- Recommendation**
6. Develop appropriate system documentation for the Parks Inspection Program database as well as formal procedures for documenting changes in the database's functionality and data.

AGENCY COMMENTS



City of New York
Parks & Recreation

The Arsenal
Central Park
New York, New York 10021

Adrian Benepe
Commissioner

July 2, 2009

BY FAX AND MAIL

Ms. Cindi Frieder
Audit Manager
Office of the State Comptroller
Division of State Government Accountability
123 William Street - 21st Floor
New York, NY 10038

Re: Draft Audit Report on Correcting Hazardous Conditions Identified by the Parks Inspection Program (2008-N-18)

Dear Ms. Frieder:

Thank you for the opportunity to review and comment on your draft report before its public release. We also appreciate the fact that the draft report takes our comments from the exit conference into consideration.

This letter represents the City of New York Department of Parks & Recreation's ("Parks") response to the draft of the audit report on "Correcting Hazardous Conditions Identified by the Parks Inspection Program."

The division of Operations and Management Planning (OMP) oversees the Park Inspection Program (PIP). Launched in 1984, PIP is charged with independently inspecting, tracking, and monitoring the conditions of New York City's parks. In FY09, OMP conducted over 5,000 inspections of Parks properties ranging from City parks (small and large) and greenstreets to beaches, playgrounds and comfort stations. PIP plays a pivotal role in guiding agency decisions including personnel and material allocation, the identification of capital renovation needs, and ensuring that the cleanliness, safety, landscaping, and structural conditions of New York City's parks are held to the highest of standards. PIP employs an innovative approach to municipal park performance measurements that serves as a national and international model for park management; there is no park system anywhere in the world with a performance measurement system of the sophistication and scope of PIP.

After carefully reviewing the draft report, the Parks Department is concerned that the audit falls short of giving a full and fair review of the Parks Inspection Program (PIP) as described above. The material presented in the report is focused narrowly on "Correcting Hazardous Conditions Identified by PIP" and not on the full breadth and goals of the program. We believe that reporting on just one aspect of PIP

neither provides a full assessment of the program as discussed initially at the entrance conference with your office, nor does it reflect the full extent and context of PIP's work. The auditors originally represented to Parks officials that the audit was to be a review of PIP; subsequently the auditors changed their scope and almost the entire audit focus.

*
Comment
1

It is imperative that the audit demonstrate that its review is of only one component of a much larger program charged with the *inspection, reporting and tracking* parks conditions. While the draft audit briefly mentions this point on page 9, Parks believes that the final audit should expound on the scope of PIP's responsibilities to avoid any misunderstanding with respect to the extent and accomplishments of the Program.

*
Comment
2

It is Parks' determination that the audit's methodology narrows the perspective of an already limited scope analysis, namely, "Correcting Hazardous Conditions Identified by PIP".

PIP inspects for 17 features divided into three standards: *cleanliness* (glass, graffiti, ice, litter, weeds), *structural* (benches, fences, paved surfaces, play equipment, safety surface, and sidewalks) and *landscape* (athletic fields, horticultural areas, lawns, trails, trees, and water bodies). Immediate Attentions (IAs) found with benches, paved surfaces, sidewalks, and safety surfaces, all categorized under *structural* features, are the most difficult IAs to resolve because they are often labor- and time- intensive, need more resources and may require long-term capital improvements.

The auditors' "judgmental sample" (Draft Audit; page 10) of sites selected focused on parks that had "unacceptable rating(s) for the overall condition" and "more severe hazardous conditions" (Draft Audit; Page 10). Specifically, 38 of the 41 or 93 percent of the outstanding Immediate Attentions (IAs) the auditors identified had structural feature IAs in benches, paved surfaces, sidewalks, and safety surfaces. These, as mentioned earlier, typically require the most time to resolve. Accordingly, this sample does not depict the range of IAs that PIP reports on and the agency must resolve on a regular basis. Of the 366 IAs that were reported during the audit period from October 6, 2008 to October 31, 2008, only 172 or 47 percent were IAs with more severe structural features. It is important to note that securing the area around or posting a sign to warn the public of these hazards has always been required of Parks Borough Operations staff (as elaborated in response to *Section 1, Recommendation 4*).

The audit's "judgmental selection" of IAs results in the selected IAs being more complicated and generally requiring capital work. For example, as mentioned on page 17 of the draft audit, many of the hazardous conditions targeted in this audit were related to safety surfaces, paved surfaces and sidewalks, which, by and large, require warm and dry weather conditions before the full completion of repair work. A random sample of hazardous conditions would have more accurately reflected the realities facing the program and shown a much higher percentage of IAs resolved within their allocated timeframe.

*
Comment
3

Response to Section 1, Recommendation 1: Formally track the status of all hazardous conditions identified during the park inspections, and follow up with the responsible officials when the conditions are not corrected within the expected timeframe.

Parks agrees with this recommendation. Parks *has* had a comprehensive system in place to formally track hazardous conditions for a number of years. Under this system, the Office of Management Planning (OMP) analysts sent a list of the IA hazards identified on that day to the Parks Borough Chiefs of Operations and the First Deputy Commissioner of Parks. If applicable, every two weeks, the Assistant Director of OMP followed up with the Borough Chiefs with a list

of IAs that were not reported as resolved within the allocated timeframe. An OMP analyst updated a spreadsheet listing the status of the IAs. Follow-up inspections were conducted periodically to confirm that the hazards were indeed corrected.

In early Calendar 2008 (prior to the beginning of this audit), Parks was developing enhancements to its IA tracking system by placing them on Parks' internal web portal. A Daily Immediate Attention report (DIA), was in a testing phase when the audit began and was officially launched in early Calendar 2009. DIA allows for all Parks staff to view IA hazards by borough and district with corresponding photos and location descriptions. The new system is now in full operation.

Borough Operations use DIA to update their own internal IA tracking system and issue work orders. Borough staff are required to report a resolved IA on DIA (specifying the date the IA was resolved). In the interest of greater accountability, DIA also captures a record of who certifies that the work has been completed. Based upon the data that is entered into this system, OMP is now preparing to conduct numerous follow-up inspections this year.

In addition to individual case tracking, IAs are also monitored on a central basis. The Director of OMP presents a summary of charts depicting IA trends to the Deputy Commissioners, Borough Commissioners and Chiefs of Operations every Wednesday. Parks deems the review useful and the amount of detail as adequate and strongly disagrees with the audits assessment of it as "general" and "lack[ing] detail" (Draft Audit, Page 16). Reviewing the hazards on a case by case basis is not practical in this weekly forum, which already lasts an average of 2 ½ hours.

On a weekly basis, the Director of OMP speaks to the Chiefs of Operations regarding any outstanding hazards. Staff from the Office of the Deputy Commissioner of Management and Budget follow-up with Borough Operations staff, who are expected to provide a uniform spreadsheet of outstanding IAs with a detailed explanation and current status for each hazard. Finally, an OMP staff analyst combines all responses to update a master spreadsheet of outstanding IAs each week.

*
Comment
4

Response to Section I, Recommendation 2: Develop written procedures at the borough level for following up on hazardous conditions identified during inspections.

Parks disagrees with this recommendation. It should be emphasized that the tracking system currently in place is both adequate and comprehensive. In addition, the DIA was already implemented in the early Calendar 2009.

*
Comment
5

Response to Section I, Recommendation 3: Ensure that the remaining uncorrected hazard from our sample is corrected as expeditiously as possible.

Parks agrees. This recommendation has been implemented. The remaining IA at John Jay Park & Pool was resolved on 5/15/2009.

Response to Section I, Recommendation 4: When hazardous conditions cannot be corrected in a timely manner, reduce the risk of injury by either securing the area around the hazard or posting a sign to warn the public of the hazard.

Parks agrees with this recommendation covering activities which have been a standard practice for many years. Securing the area around or posting a sign to warn the public of a hazard when it cannot be addressed in the specified timeframe has always been required of the Boroughs. The requirement was emphasized and formalized in the most recent update of the PIP Manual. When

a hazardous condition cannot be corrected in a timely manner, not only must the Director of OMP approve all time extension requests from Borough Operations by email, Borough Operations must "utilize any and all possible temporary resolutions to lessen the severity of the hazard and prevent access to the hazard by the public" (Page 15; Addendum to the Parks Inspection Program Manual, issued April 21, 2009). OMP looks for these measures as part of their regularly scheduled IA hazard follow-up inspections.

Response to Section 1, Recommendation 5: Determine why the five previously identified, uncorrected hazards were not identified again when the sites containing the hazards were inspected again in October 2008, and take any actions that are needed to improve the thoroughness of the inspection process.

Parks partially agrees with this recommendation. One of the five hazards that the auditors identified as not being reported in the October 2008 inspection, were, in fact, reported in the October 2008 inspection:

1. Manhattan Beach Zone 3 (B251-ZN03) – Damaged picnic table slats and protruding nails in picnic tables were reported in both the May 13, 2008 and October 28, 2008 inspections. In fact, the October inspection cited more hazards than the May inspection (18 bench/picnic table violations as compared to eight).

*
Comment
6

For the remaining sites, Parks requires its inspectors to conduct thorough assessments of the sites and mark conditions it deems unacceptable. Several factors may have contributed to the unreported hazards in the October inspections that the auditors should take into consideration.

1. Isham Park (M043-ZN02) – The hazard identified on January 31, 2008 was caused by the deterioration of a temporary asphalt patch on the stairs. The condition was remedied by removing the loose asphalt from the stairway previous to the October inspection, and could have recurred at any time due to continued usage and wear.
2. The Mall & Rumsey Playfield (M010-ZN12&13) – Please note that the prior inspection was reported on 2/20/2008 and *not* on 2/2/2008. The inspection on 2/20/2008, mentioned that the lawns were more than 4 inches off the level of the surrounding Paved Surfaces as part of the structural category. The area in question is a location that is subject to heavy water flow and erosion. This hazard may have been remedied by placing more soil at the edge of the paved surface which could have been subsequently washed away in a heavy rain before the October 30, 2008 inspection.
3. Williamsbridge Oval (X104) – The inspection conducted on October 23, 2008 identified four Priority Two and one Priority One IAs causing the site to be rated *Unacceptable* for paved surfaces. The paved surface hazard noted in the inspection of February 14, 2008 may have been interpreted as a lawn condition when inspected on October 23, 2008. In any case, the site failed and five IAs were reported in the subsequent inspection.

*
Comment
7

Response to Section 2, Recommendation 6: Develop appropriate system documentation for the Parks Inspection Program database as well as formal procedures for documenting changes in the database's functionality and data.

Parks agrees with this recommendation. OMP will develop appropriate system documentation for the PIP database in collaboration with MIS. However, it should be noted that Parks has *already* established a formal procedure for changes in the PIP database, complete with a mandatory sign-

* See State Comptroller's⁴ Comments on Page 25

off by the OMP Director. The OMP Analysts do not have the capacity to change the selection for the inspection of Parks Properties, nor do they have ability to change the data elements of the system. OMP Analysts can request MIS to make adjustments to the structure and/or code of the database. However, these changes must have prior approval from the Director of OMP before MIS has the authority to make any data modifications. For example, if someone needs to change a site that is un-ratable to ratable or vice versa, prior approval must come from the Director of OMP.

The continued improvements and upgrading of the Parks Inspection Program have played a key role in the increase in the City's quality of life over the past twenty years. PIP uses an original and innovative approach to municipal park performance measurements that serves as a national and international model for park management. PIP's achievements were recently lauded by a visiting team of delegates from the Amsterdam Parks Department, and OMP frequently fields inquiries about PIP practices from local governments all across North America. Additionally, the Nassau County recently purchased the PIP system from NYC Parks and the National Recreation and Parks Association (NRPA) is considering purchasing it for distribution to all member city, town and county park systems.

In conclusion, Parks strongly recommends that to fairly depict PIP, the audit should give full context as to the scope of PIP's work. PIP is continuously and proactively refined to ensure that it is using the most accurate performance measurements possible so New York City parks are safe and clean.

We thank you for your review and look forward to the modification of the final report to incorporate our concerns.

Sincerely,



Jun Lee
Director
Operations and Management Planning

cc: Robert Garafola
David Stark
Frank D'Ercola
David Cerron

STATE COMPTROLLER'S COMMENTS

1. At the opening conference with Department officials, the audit team clearly discussed the objective of the audit. The audit report reflects this objective, as well as the scope and the methodology used to conduct the audit. The methodology included focusing on sites with more severe hazardous conditions.
2. The report title, as well as the scope and methodology sections of the report, clearly conveys the audit scope.
3. The report clearly states the criteria for the judgmental sample - which included focusing on sites with more severe hazardous conditions. Nonetheless, the Department's requirement that hazards be corrected within the allocated timeframe applies.
4. Many of the protocols described in the Department's response are part of its new tracking system. This system was not operational at the time of our audit and, therefore, was not included in our examination.
5. As the new tracking system was not operational at the time of our audit, we did not examine whether it obviates the need for written procedures at the borough level.
6. Regarding Manhattan Beach Zone 3, the October 2008 inspection did cite more hazards than the May 2008 inspection, however, the specific hazardous condition we observed was not identified in the October 2008 inspection.
7. The October 2008 Williamsbridge Oval inspection report did not identify the hazard as a lawn condition.