

CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON ENVIRONMENTAL PROTECTION

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December 18, 2017

Start: 2:37 p.m.

Recess: 2:45 p.m.

HELD AT: 250 Broadway - Committee Rm.  
14<sup>th</sup> Fl

B E F O R E: COSTA G. CONSTANTINIDES  
Chairperson

COUNCIL MEMBERS: Stephen T. Levin  
Rory I. Lancman  
Donovan J. Richards  
Eric A. Ulrich

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

1 COMMITTEE ON ENVIRONMENTAL PROTECTION 3

2 [sound check, pause] [gavel] [background  
3 comments]

4 CHAIRPERSON CONSTANTINIDES: [gavel]

5 Alright, good afternoon. I am Costa Constantinides,  
6 Chair of the Environmental Protection Committee, and  
7 today the committee will hear and vote on Intro 54-A,  
8 Intro 717-A, Intro 880-A, Intro 8978-A, oh, 978-B,  
9 Intro 1629-A, Intro 1632-A and Intro 1653-B, an  
10 omnibus (sic) package of pollution reduction bills.  
11 Environmental laws are enacted to protect public  
12 health and the environment. This committee has a  
13 long history of enacting some of the most  
14 progressive and innovative laws in the country. The  
15 package—package of environmental bills to be voted on  
16 today are consistent with the work this committee has  
17 done over a number of years. Intro 54 sponsored—  
18 well, my bill, leads the way to the future by  
19 requiring the analysis of alternative fuels and the  
20 use of alternative fuels and technologies in the city  
21 ferry fleet. Intro 717-A, amends the Administrative  
22 Code by strengthening idling violation citizen  
23 enforcement penalties and procedures for diesel  
24 trucks and buses. Intro 880-A amends the  
25 Administrative Code by requiring the study of

2 subsequent use of biofuels in the New York City  
3 buses—school buses. Intro 978-B amends the  
4 Administrative Code with respect to mold assessment,  
5 mold abatement and mold remediation in certain New  
6 York City buildings. Intro 1629-A also sponsored by  
7 myself amends the Administrative Code by requiring  
8 periodic consideration, adoption of a more stringent  
9 energy efficiency requirement for city building.  
10 Intro 1632-A amends the Administrative Code by  
11 requiring energy efficiency scores and grades for  
12 certain buildings and posing them in a visible place,  
13 and finally Intro 1653-B amends the Administrative  
14 Code as it pertains to responses to noise complaints,  
15 and measures to reduce noise pollution in New York  
16 City. Each local law proposed for enactment  
17 addresses pollution impacts on our air quality, our  
18 quality of life and our commitments to subsequent  
19 generations pursuant to our 80 x 2050 mandate to  
20 protect public health and the environment now and in  
21 the future. With that, I'll ask the sponsor of Intro  
22 1653-B, Ben Kallos to give some remarks on his bill.

23 COUNCIL MEMBER KALLOS: New York City may  
24 be the city that never sleeps, but shouldn't be  
25 because of after hours construction noise waking you

2 up. In fact, noise is the top complaint in New York  
3 City with booming construction surrounding residents  
4 who complain only to see their concerns go  
5 unaddressed for days or met with a small fine paid by  
6 developers as a cost of doing business. After hours  
7 noise will be targeted with new rules for responding  
8 when noise is still happening or likely to happen  
9 again, turning down the volume on after hours  
10 construction noise in residential neighborhoods over  
11 the next two years and empowering the Department of  
12 Environmental Protection to shut down equipment that  
13 is too loud. I want to thank DEP who helped improve  
14 this legislation as well as Environmental Committee  
15 Chair Cost Constantinides, and I urge the committee  
16 members to vote yes.

17 CHAIRPERSON CONSTANTINIDES: Thank you,  
18 Council Member Kallos for your leadership, and I'll  
19 next call on the sponsor of or Intro 1632-A, Council  
20 Member Dan Garodnick for his remarks.

21 COUNCIL MEMBER GARODNICK: Thank you, Mr.  
22 Chairman for holding the vote today on 1632-A, which  
23 is a bill requiring large buildings to post their  
24 energy efficiency scores and associated grades near  
25 their public entrances. New York's buildings account

2 for two-thirds of the energy that our city consumers  
3 and our biggest contributors to global warming.

4 Since we passed Local Law 84 in 2009, a law that I'm  
5 proud to have authored, New York City buildings over  
6 a certain size have been required to annually measure  
7 their energy and water consumption in a process  
8 called benchmarking. The law standardized this

9 process by requiring building owners to enter their  
10 annual energy and water use in the U.S. Environmental  
11 Protection Agency's online tool, Energy Start

12 Portfolio Manager and to use the tool to submit data  
13 to the city. The scores generated by this tool

14 indicate how efficient a building is relative to  
15 comparable buildings. Originally, the requirement  
16 applied only to buildings over 50,000 square feet.

17 Last year I led the effort to expand the universe of  
18 buildings subject to benchmarking requirements and  
19 Local Law 133 extended benchmarking requirements to  
20 midsize buildings that is over 25,000 square feet.

21 With Intro 1632 we are taking the next step. Going  
22 forward buildings will be assigned a letter grade  
23 based on their energy score, and will be required to  
24 post that grade along with the energy score in a  
25 conspicuous location near their public entrances.

2 This will make information about building energy use  
3 easily available to tenants and visitors including  
4 perspective tenants and building purchases, and  
5 presented in the easily understood form of a grade.  
6 This transparency initiative will promote interest in  
7 and better understanding of energy use by our city  
8 buildings. Tenants and buyers who value energy  
9 efficiency will push building owners to improve.  
10 They will reap the financial benefits, and all of us  
11 will reap the environmental benefits. I'm pleased to  
12 help New York move toward a more sustainable future  
13 and I hope you all will join me in supporting this  
14 legislation. Again, Mr. Chairman thank you very much  
15 for moving the bill and for the opportunity to say a  
16 few words today.

17 CHAIRPERSON CONSTANTINIDES: Thank you,  
18 Council Member Garodnick, and thank you for your  
19 leadership on the environment over the last 12 years.  
20 You'll be definitely missed in the Council and thank  
21 you for all of your great work. We also want to  
22 recognize members of the committee that are here  
23 today, Council Member Lancman and Council Member  
24 Ulrich. With that, I'll as the Clerk to call the  
25 roll.

2 CLERK: William Martin, Committee Clerk,  
3 roll call vote Committee on Environmental Protection.  
4 All items are coupled. Chair Constantinides.

5 CHAIRPERSON CONSTANTINIDES: I vote aye.

6 CLERK: Lancman.

7 COUNCIL MEMBER LANCMAN: Aye.

8 CLERK: Ulrich.

9 COUNCIL MEMBER ULRICH: Yes.

10 CLERK: By a vote of 3 in the  
11 affirmative, 0 in the negative and no abstentions,  
12 all items have been adopted by the committee.

13 CHAIRPERSON CONSTANTINIDES: This being  
14 our last committee hearing of the year, I really want  
15 to extend a blessed convening of the session. I want  
16 to really extend a thank you to our legislative  
17 attorney. She's been a rock star for the environment  
18 for her entire time here at the Council. Thank you  
19 Samara Swanston. We love you. Thank you for all the  
20 great work that you do. You've made New York City a  
21 greener and more sustainable place, and we can never  
22 repay the debt to you. So, thank you, Samara, and to  
23 Nadia Johnson and to our Finance Analyst John  
24 Seltzer, really I want to extend a thank you for all  
25 of your hard work. It's been a great time here as



2 chair and really want to thank our Speaker Melissa  
3 Mark-Viverito for her leadership on the environment,  
4 and all of our committee members who have been great  
5 champions as well. Thank you. It's been a pleasure  
6 with you all, and my Legislative Counsel Nick  
7 Wazowski. With that, I will gavel this committee  
8 hearing closed. [gavel]

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C E R T I F I C A T E

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



Date January 10, 2018