

CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

COMMITTEE OF HOUSING AND BUILDINGS

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August 14, 2008  
Start: 11:30am  
Recess: 11:35am

HELD AT: Council Chambers  
City Hall

B E F O R E: ERIK MARTIN DILAN  
Chairperson

COUNCIL MEMBERS:  
Tony Avella  
Maria Baez  
Leroy G. Comrie, Jr.  
Lewis A. Fidler  
Robert Jackson  
Rosie Mendez  
James S. Oddo  
Joel Rivera  
James Vacca

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2 FEMALE VOICE: Testing. Today's  
3 date is August 14, 2008. This is the Committee  
4 hearing on Housing and Buildings and it's recorded  
5 Yvette Molina.

6 CHAIRPERSON ERIK MARTIN DILAN:

7 Good morning everyone. My name is Erik Martin  
8 Dilan and I'm the Chair of the Housing and  
9 Buildings Committee. Today the Committee will  
10 hear two bills for the purposes of a vote that  
11 were previously heard by this Committee on July  
12 15th.

13 The first is proposed Intro 790-A  
14 and that's a local law to amend the administrative  
15 code of the City of New York in relation to  
16 enhanced site specific safety plans. The second  
17 item on the agenda is proposed Intro 783-A, that's  
18 a local law to amend the administrative code of  
19 the City of New York in relation to site safety  
20 personnel including site safety managers.

21 As I said earlier, these two bills  
22 were heard on July 15th and on that date with the  
23 Committee heard testimony from the Department of  
24 Buildings and individuals from the real estate  
25 industry and other professionals with regard to

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2 earlier versions of these two pieces of  
3 legislation. Since the initial hearing proposed  
4 Intro 790 has been amended from the previous  
5 versions by including that a requirement that all  
6 workers must have completed a ten hour course  
7 based on OSHA curriculum in industry safety and  
8 health. As well as adding a requirement that  
9 workers complete a site specific safety  
10 orientation program, including a review of any  
11 hazardous activities of the job.

12 The previous amended versions also  
13 required a review on OSHA standards and weekly  
14 meetings to be held for the performance of  
15 unusually hazardous work.

16 And Intro 783 has been amended by  
17 changing the threshold requirement for concrete  
18 site safety managers for jobs where the cost of  
19 the concrete portion of the job is above \$250,000.  
20 And that has been changed to projects that involve  
21 the pouring of a minimum of 2,000 cubic yards of  
22 concrete or another amount as the Commissioner may  
23 deem by rule.

24 An additional amendment was adding  
25 a new requirement that a concrete safety manager

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2 must complete a 30 hour course approved by the  
3 Commissioner that is sufficient to qualify the  
4 individual as a competent person under OSHA  
5 standards to oversee concrete operations.

6 The final amendment would require  
7 that the Commissioner promulgate rules regarding  
8 the registration requirements for these concrete  
9 safety managers. And I urge all my colleagues to  
10 vote in favor of both bills. At this time, I'd  
11 like to ask the clerk to couple these items and to  
12 call the roll.

13 CLERK: Introduction 783-A and 790-  
14 A. Council Member Dilan.

15 CHAIRPERSON DILAN: I vote aye.

16 CLERK: Rivera.

17 COUNCIL MEMBER JOEL RIVERA: I vote  
18 aye.

19 CLERK: Avella.

20 COUNCIL MEMBER TONY AVELLA: Mr.  
21 Chair, may I have a moment to explain my vote?

22 CHAIRPERSON DILAN: Council Member  
23 Avella to explain his vote.

24 MR. AVELLA: Thank you. I'm voting  
25 in favor of both bills. They are good pieces of

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2 legislation but as I've said in previous meetings,  
3 there are many other pieces of legislation that  
4 myself and council members have submitted that are  
5 languishing because of the lack of action by the  
6 Speaker of this Council. I have to say that in my  
7 opinion more of it relates to politics than merit.

8           And I'm just going to continue to  
9 make these remarks each and every time until we  
10 get some of the good pieces of legislation that  
11 have been sitting and just not moving ahead  
12 because of sheer politics. As I've said in the  
13 past, it's no reflection on the Chair. This is  
14 because of the Speaker of the City Council and I  
15 think it's disgraceful.

16           CHAIRPERSON DILAN: Council Member,  
17 did you cast your vote? Okay.

18           CLERK: Baez. Comrie.

19           COUNCIL MEMBER LEROY G. COMRIE, JR:  
20 Aye.

21           CLERK: Vacca.

22           COUNCIL MEMBER JAMES VACCA: Aye.

23           CLERK: Oddo. By a vote of seven  
24 in the affirmative, zero in the negative and no  
25 abstentions, both items are adopted. Members

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please sign the Committee reports. Thank you.

CHAIRPERSON DILAN: Just if I could ask the clerk to...

CLERK: Council Member Mendez?

COUNCIL MEMBER ROSIE MENDEZ: Yes.

CLERK: Vote now stands at eight in the affirmative.

CHAIRPERSON DILAN: All right we will leave the vote open for as long as the rules allow. I know there's some other members who are on a few other committees at this time. We will leave the vote open for, I believe, 30 minutes, which is what the rules allow. So that they can have an opportunity to vote on these bills and at such time this Committee will be adjourned.

CLERK: Councilman Jackson how do you vote?

COUNCIL MEMBER ROBERT JACKSON:  
Aye.

CLERK: Councilman Fidler how to you vote?

COUNCIL MEMBER LEWIS A. FIDLER: I vote aye.

CLERK: The vote now stands at nine

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in the affirmative, zero in the negative and no abstentions.

CLERK: Community of Housing and Buildings, Council Member Jackson.

MR. JACKSON: I vote aye on all.

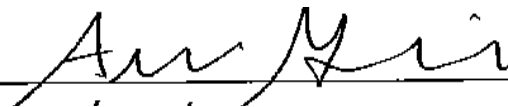
CLERK: Final vote on the Committee of Housing and Buildings now stands at ten in the affirmative, zero in the negative and no abstentions. Thank you.

CLERK: Housing and Buildings Committee meeting of August 14, 2008 is hereby adjourned.

C E R T I F I C A T E

I, Amber Gibson, certify that the foregoing transcript is a true and accurate record of the proceedings. I further certify that I am not related to any of the parties to this action by blood or marriage, and that I am in no way interested in the outcome of this matter.

Signature

A handwritten signature in cursive script, appearing to read "Amber Gibson", written over a horizontal line.

Date September 3, 2008