

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

COMMITTEE ON ENVIRONMENTAL PROTECTION

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January 28, 2009
Start: 10:57 am
Recess: 11:04 am

HELD AT: Council Chambers
City Hall

B E F O R E:
JAMES F. GENNARO
Chairperson

COUNCIL MEMBERS:
Bill de Blasio
G. Oliver Koppell
Domenic M. Recchia Jr.
Peter F. Vallone Jr.
Melissa Mark-Viverito
Mathieu Eugene
Elizabeth Crowley

CHAIRPERSON GENNARO: Good morning.

Are we ready to go, sergeant? Good morning. I'm Councilman Jim Gennaro, Chair of the Committee on Environmental Protection. I'm joined by Council Member de Blasio, Recchia, Eugene, and Koppell.

Today the committee is meeting to vote on Proposed Intro. 631-A and Proposed Intro. 40-A, both related to idling prevention that will reduce air pollution and advance our goals to protect public health, including the health of children around schools and improve idling enforcement. Proposed Intro. 631-A and Proposed Intro. 40-A previously had hearings on November 25, 2008 and January 26, 2009. Based upon the public testimony received and discussions with the stakeholders, the bills were revised and a vote is planned on these bills. The vote is planned for right now. New York City has had an idling prevention law since 1971, but we still have a vehicle idling problem and an air pollution problem because we have never had sufficient and adequate enforcement measures to stop vehicle idling. Numerous studies have shown a direct relationship between increased traffic density, vehicle idling and respiratory disease.

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2 Idling diesel busses emit higher concentrations of
3 pollution than when they are moving. Air
4 concentrations are highest when busses line up.
5 By contrast, air quality improvements have been
6 associated with decreased asthma attacks in
7 children. Idling also costs money, wastes fuel
8 and increases greenhouse gasses. Of all the types
9 of air pollution that we are challenged to tackle,
10 idling is one type of pollution that's completely
11 preventable. With stronger laws, improved
12 enforcement and better education about idling, New
13 York City can achieve the aims of the 1971 Local
14 Law, while protecting the health of its most
15 vulnerable citizens and the environment. I want
16 to note that we're joined by Council Member Mark-
17 Viverito. I call now for a vote on the coupled
18 bills, Proposed, Intro. 631-A and Proposed Intro.
19 40-A. Is Billy here to call the roll? Do we have
20 someone to take the vote?

21 COUNCIL MEMBER KOPPELL: Mr.
22 Chairman, if we're waiting, I just want would
23 observe.

24 CHAIRPERSON GENNARO: Sure.

25 COUNCIL MEMBER KOPPELL: I want to

1
2 thank you for having a hearing on the bill on
3 ambulance idling that moved ahead quite quickly
4 and I appreciate that. I look forward to working
5 with the staff so we can move it ahead to the
6 floor. But I appreciate the committee taking it
7 up rather quickly since we had it drafted. Thank
8 you.

9 CHAIRPERSON GENNARO: Sure. Thank
10 you, Council Member Koppell. I appreciate that.
11 I'm happy to work with you. I'll just ask a
12 rhetorical question. How did it come to pass that
13 we don't have the person who is supposed to take
14 the vote in the room? It was a rhetorical
15 question. He's here? Billy, I've just called for
16 a vote on Proposed Intro. 631-A and Proposed
17 Intro. 40-A.

18 WILLIAM MARTIN: William Martin,
19 Committee Clerk.

20 CHAIRPERSON GENNARO: Let me
21 indicate that we're joined by Council Member
22 Vallone. Council Member Rivera has asked to be
23 added as a sponsor on both bills. I will take
24 this opportunity to add myself as a sponsor of
25 both bills. With that said, Bill, if you could

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2 call the roll on the coupled vote of Proposed
3 Intro. 631-A and Proposed Intro. 40-A. Please
4 call the roll.

5 WILLIAM MARTIN: Council Member
6 Gennaro?

7 CHAIRPERSON GENNARO: Yes.

8 WILLIAM MARTIN: De Blasio?

9 COUNCIL MEMBER DE BLASIO: Yes.

10 WILLIAM MARTIN: Koppell?

11 COUNCIL MEMBER KOPPELL: Yes.

12 WILLIAM MARTIN: Recchia?

13 COUNCIL MEMBER RECCHIA: Yes.

14 WILLIAM MARTIN: Vallone?

15 COUNCIL MEMBER VALLONE: May I be
16 briefly heard?

17 CHAIRPERSON GENNARO: Sure.

18 COUNCIL MEMBER VALLONE: First of
19 all, let me commend you on this bill. There were
20 some minor problems with it. One is the fact that
21 buses which were not school buses, but were being
22 rented or leased by the school weren't technically
23 covered. I'm informed that a change has been made
24 to the committee report to indicate that it is the
25 intent of this bill to actually cover all buses

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2 used by the school, not just the ones that are
3 actually owned by the school or under contract by
4 the school for a year long contract. But if you
5 lease a bus for a school trip, they are supposed
6 to be covered by this law, correct?

7 CHAIRPERSON GENNARO: That is my
8 understanding.

9 COUNCIL MEMBER VALLONE: That's
10 what Jeff Haberman just told me also. I think
11 that's a very good amendment and I hope we keep
12 our eye on that. With that, I vote aye.

13 CHAIRPERSON GENNARO: Thank you.

14 WILLIAM MARTIN: Mark-Viverito?

15 COUNCIL MEMBER MARK-VIVERITO: Yes.

16 WILLIAM MARTIN: By a vote of six
17 in the affirmative, zero in the negative and no
18 abstentions, both items are adopted. Council
19 Members please sign the committee report. Council
20 Member Eugene?

21 COUNCIL MEMBER EUGENE: You don't
22 call me.

23 WILLIAM MARTIN: Council Member
24 Eugene?

25 COUNCIL MEMBER EUGENE: Yes.

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2 WILLIAM MARTIN: The vote now
3 stands at seven in the affirmative, zero in the
4 negative and no abstentions.

5 CHAIRPERSON GENNARO: And to make
6 it up to Council Member Eugene, the next vote we
7 have, you'll get to vote twice. I would like to
8 keep the vote open for Council Members White and
9 Crowley for a half hour. Is that what it's
10 supposed to be? If we can keep the record open
11 for one half hour to accommodate Council Members
12 White and Crowley. With that said, I thank the
13 members and there you have it. The record is
14 still open. This is Chairman Gennaro. I'd like
15 to state on the record that we received support of
16 the organization Sustainable South Bronx regarding
17 Intro. 40 and Intro. 631. They support both
18 pieces of legislation.

19 WILLIAM MARTIN: Council Member
20 Crowley?

21 COUNCIL MEMBER CROWLEY: Yes.

22 WILLIAM MARTIN: The vote now
23 stands at eight in the affirmative, zero in the
24 negative and no abstentions. Thank you.

25

C E R T I F I C A T E

I, Donna Hintze 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 _____

Date February 9, 2009