

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON ENVIRONMENTAL
PROTECTION

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November 10, 2021
Start: 11:27 a.m.
Recess: 11:34 a.m.

HELD AT: Committee Room - City Hall

B E F O R E: James F. Gennaro
CHAIRPERSON

COUNCIL MEMBERS:
Eric A. Ulrich
Stephen T. Levin
Darma V. Diaz
Carlos Menchaca

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

2 CHAIRPERSON GENNARO: Okay. Are we
3 ready? Okay.

4 [gavel]

5 CHAIRPERSON GENNARO: Good morning. I am
6 Jim Gennaro, Chair of the Committee on Environmental
7 Protection and today we will hold a vote on important
8 legislation that will improve transparency and access
9 to water billing records. Questions about water
10 bills are not unusual, however, open access to water
11 meter records had been the norm in New York City for
12 decades through the Department of Finance. Intro
13 2168-A would require the Commissioner of the
14 Department of Environmental Protection to create a
15 searchable online database for water ratepayers and
16 for third parties-- that is anyone who registers and
17 pays a periodic subscription fee. These folks can
18 have access to these data if given consent by the
19 owners of one to three family houses. Such
20 information will go out, but not be limited to water
21 meter billing data and balances, consumption and
22 usage and technical information about the water
23 meter. This local law would take effect 120 days
24 after it becomes law except that the DEP Commissioner
25 may take such measures as are necessary for

2 implementation of this local law, including the
3 promulgation of rules before such date. Okay. I
4 crossed out a bunch of stuff in the statement that I
5 didn't think I needed to say, so let's jump down to
6 the bottom. Access to these water records had always
7 been available through the Department of Finance
8 records and by passing this bill, it will be once
9 again. Water consulting services and real estate
10 industry advocates have pointed out that open access
11 to water billing data has enabled property owners and
12 their representatives to effectively audit and
13 correct millions of dollars in overcharges and
14 billing mistakes made by DEP. Limiting access to
15 water bill data to owners and authorized delegates
16 which has been done by this administration created
17 significant complications for company who own a large
18 stock of buildings as they would be forced to request
19 access to billing data for their auditors on building
20 by building basis, meaning that a firm with 100
21 buildings would be forced to submit the same form 100
22 times to ensure their auditors have access to their
23 billing data. While the department opposed this
24 bill, it immediately reinstates the access that
25 previously existed in the Department of Finance

2 records for decades. In support of improved
3 transparency, I recommend a yes vote on this
4 legislation. Before I talk about who is here and all
5 that, I would like to thank the great committee staff
6 who has done such great work over the years. Counsel
7 Samara Swanson, policy analyst Nadia Johnson, Ricky
8 Chala, and finance analyst Johnathan Seltzer, and,
9 finally, my legislative director Nabi Cara for all
10 their great work. We are joined here today by
11 members of the committee Levin, Diaz, and Ulrich. I
12 thank them for being here for this vote. I'd like to
13 recognize Council member Brannan to say a few words
14 on his important legislation. I recognize Council
15 member Brannan.

16 COUNCIL MEMBER BRANNAN: Thank you,
17 Chair. I appreciate you shepherding this legislation
18 through. This bill is about making sure that the
19 average New Yorker has the tools they need to fight
20 their water bill and make sure they are being charged
21 properly and to ensure recourse if they are not being
22 charged properly. Every year the city overcharges
23 buildings on their water bill and a lot of it goes
24 unchecked and unnoticed which is wrong. This is
25 money that is back to the taxpayer and we believe

2 that this bill would make it easier for people to
3 fight their water bills and to get money that is owed
4 to them. We pay more than our fair share in taxes.
5 The city should not be getting an extra penny than
6 what we rightfully owe.

7 CHAIRPERSON GENNARO: Thank you, Council
8 member Brannan. I appreciate you bringing this
9 legislation forward and working diligently to get us
10 to this good day. Now, I'll ask my fellow members of
11 the committee if anyone has something to say about
12 this legislation, I'd be happy to entertain anyone
13 who wants to speak on it. I recognize Council member
14 Ulrich.

15 COUNCIL MEMBER ULRICH: Thank you, Chair
16 Gennaro. And thank you for your leadership on this
17 very important issue. I want to thank Council member
18 Brannan for introducing this bill. This is a very,
19 very important piece of legislation involving
20 consumer protection and allowing average New Yorkers
21 and then forwarding them the ability to contest their
22 skyrocketing water bills which they have been
23 experiencing over the past decade. We have to give
24 New Yorkers transparency and information regarding
25 how much water they are using in their homes so that

2 they can be billed accordingly. The city used to
3 refund over \$35 million a year back to New Yorkers
4 who were successfully able to contest their water
5 bills with the Water Board and the DEP and by taking
6 the information away from them, they were less
7 successful in being able to fight their water bills.
8 People are hurting right now in the city. We know
9 that due to COVID, due to other financial constraints
10 and the economy and the least that we can do is give
11 people a fighting chance. So I want to thank Council
12 member Brannan because he's doing a wonderful job
13 standing up for every New Yorkers' right to be
14 charged fairly and properly and to made sure that
15 they have the ability to fight City Hall and to get
16 money back if they are owed money back. So, thank
17 you, Chair.

18 CHAIRPERSON GENNARO: Thank you, Council
19 member Ulrich. Anyone else wishing to be heard on
20 this bill? Seeing none, I call upon the clerk to
21 call the role.

22 COMMITTEE CLERK: William Martin,
23 Committee Clerk. Role call vote Committee on
24 Environmental Protection. Proposed Introduction
25 2168-A. Chair Gennaro?

2 CHAIRPERSON GENNARO: I vote aye.

3 COMMITTEE CLERK: Levin?

4 COUNCIL MEMBER LEVIN: Aye.

5 COMMITTEE CLERK: Darma Diaz?

6 COUNCIL MEMBER DIAZ: Aye.

7 COMMITTEE CLERK: Ulrich?

8 COUNCIL MEMBER ULRICH: I vote aye.

9 COMMITTEE CLERK: By a vote of four in the
10 affirmative, zero in the negative, and no
11 abstentions, the item has been adopted by the
12 committee.

13 CHAIRPERSON GENNARO: Thank you, Mr.
14 Clerk. I'm wondering if I could leave the record
15 open for Council member Salamanca? I'm told that's a
16 no. So, with that, I thank-- are we sure that's a
17 no? Okay. So, with that said, this vote is
18 adjourned.

19 [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 December 6, 2021