

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

COMMITTEE ON FIRE AND CRIMINAL JUSTICE SERVICES

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September 17, 2009

Start: 10:30am

Recess:

HELD AT: Council Chambers
City Hall

B E F O R E:
JAMES VACCA
Chairperson

COUNCIL MEMBERS:
Tony Avella
Elizabeth Crowley
Mathieu Eugene
Vincent J. Gentile
Eric N. Gioia
Peter F. Vallone, Jr.

CHAIRPERSON VACCA: Good morning.

My name is James Vacca and I am Chair of the Fire and Criminal Justice Services Committee and we are considering 2 bills today that are part of a package of 12 bills that resulted from a collaborative process between the administration and the Council in the wake of the tragic August 18, 2007 fire in the former Deutsche Bank building that led to the deaths of New York City firefighters, Joseph Graffanino and Robert Beddier. Nine of those bills have already been approved.

The bills are collectively intended to improve construction, demolition and asbestos abatement procedures in the City of New York. We previously had a hearing on the bills, proposed Intro 986A and 1004A on June 2nd, at which time we heard testimony in support from the administration and from the Uniformed Fire Officers Association.

The first bill we are considering is proposed Intro 986, which is sponsored by Council Member Gentile and the Speaker, in conjunction with the Mayor and several of our colleagues. Intro 986 amends the administrative

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code in relation to hydrostatic pressure testing of standpipes and sprinklers. Such testing ensures that these systems are operational and available to the Fire Department in the event of a fire. The bill requires all new and altered sprinkler systems in buildings to undergo successful hydrostatic testing by a licensed master plumber or licensed fire suppression piping contractor, in accordance with applicable codes.

The bill also requires hydrostatic pressure testing of standpipes for new buildings under construction when the building reaches a height of 75 feet, with additional tests every 100 feet thereafter. Enlargements or additions to an existing system, every 75 feet, buildings being partially or fully demolished where stories are removed and the building is served by an existing standpipe system, prior to the commencement of work and other alterations not covered by other provisions of the bill, which must have a final acceptance test of the completed system in accordance with the Fire Code.

There is an exception that involves testing during freezing conditions, providing that

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2 an interim test with dry hydrogen or air is
3 conducted. And the test is done again when the
4 freezing conditions no longer exist.

5 The second bill we are considering
6 is proposed 1004A, which is sponsored by Council
7 Member Sanders and the Speaker and several of our
8 colleagues. Proposed Intro 1004A is a local law
9 that amends the administrative code in relation to
10 requiring air pressurized alarm systems for
11 standpipes. The bill requires the use of air
12 pressurized alarm systems for dry standpipes
13 during construction or demolition. A registered
14 design professional must apply to install the
15 alarm system and a permit must be obtained by a
16 licensed master plumber or a licensed master fire
17 suppression piping contractor.

18 Specifications for the alarm
19 system, including but not limited to, when the
20 alarm is triggered and how loud it will be, are
21 set out in the bill. The law will apply to vacant
22 buildings and structures undergoing demolition and
23 new buildings under construction reaching 75 feet.

24 The bill also allows for a planned
25 removal from service of standpipe and air

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2 pressurized alarm systems so that a new section
3 can be added to the standpipe or a section removed
4 and of other planned events. The bill specifies
5 what must happen prior to and during deactivation
6 and regulates what work can continue.

7 I believe both of these bills will
8 improve construction safety. Is Council Member
9 Gentile here? I'd like to ask him to speak.

10 COUNCIL MEMBER GENTILE: Yes.

11 CHAIRPERSON VACCA: Council Member,
12 I do think Council Member Crowley has to leave and
13 Council Member Avella. Oh, there they are. Okay,
14 Council Member Crowley. Let me make note for the
15 record that Council Member Crowley is here,
16 Council Member Avella, myself Council Member
17 Vacca, Council Member Eugene, Council Member
18 Gentile, Council Member Vallone. I would like to
19 ask permission to allow Council Member Avella and
20 Council Member Crowley to vote at this time. With
21 no objection, Council Member Crowley how do you
22 vote?

23 COUNCIL MEMBER CROWLEY: I vote
24 aye.

25 CHAIRPERSON VACCA: On both items.

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Thank you Council Member. Council Member?

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COUNCIL MEMBER AVELLA: I vote aye on all.

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CHAIRPERSON VACCA: Council Member Avella, thank you. I will now call on Council Member Gentile.

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COUNCIL MEMBER GENTILE: Thank you Mr. Chairman and certainly, as we know, Joey

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Graffanino and Robert Beddier, both firefighters,

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lost their lives in the Deutsche Bank building in

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2007 because, in part, they did not have properly

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functioning standpipes. As a result, the water

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could not get to the part of the building in which

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they were fighting the fire.

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This bill that you spoke of, 986A,

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in great detail and did it so well, will address

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that issue in requiring stand pipes to be tested

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by hydrostatic pressure when the building is going

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up or when a building is expanded or particularly

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when a building is undergoing demolition. Really

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make sure that contractors in the Department of

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Buildings provide firefighters every possible

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advantage when they rush into a burning building.

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So I believe that this bill, along

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2 with the other package of bills that we in the
3 Council are passing today and in previous days,
4 helps to address the situation so that a Deutsche
5 Bank building tragedy will not happen again. So I
6 urge a yes vote on all of these bills.

7 CHAIRPERSON VACCA: Thank you
8 Council Member Gentile. Are there any other
9 Council Members who would like to be heard on this
10 item? Hearing none, would you please call the
11 roll on both the intros.

12 CLERK: William Martin, Committee
13 Clerk, Committee on Fire and Justice Services,
14 Introduction 986A and Introduction 1004A, Council
15 Member Vacca.

16 CHAIRPERSON VACCA: I vote aye on
17 both.

18 CLERK: Vallone.

19 COUNCIL MEMBER VALLONE: Aye.

20 CLERK: Gentile.

21 COUNCIL MEMBER GENTILE: Aye.

22 CLERK: Eugene.

23 COUNCIL MEMBER EUGENE: I vote aye
24 on both and I would like my name to be added as a
25 co-sponsor. Thank you.

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2 CLERK: By a vote of six in the
3 affirmative, zero in the negative and no
4 abstentions, both items are adopted. Council
5 Members please sign the committee reports. Thank
6 you.

7 CHAIRPERSON VACCA: Thank you very
8 much, this meeting is hereby adjourned. Unless I
9 hear objection, I'm going to leave the roll open
10 for 10 minutes should further members arrive.

11 CLERK: Roll call on Fire and
12 Criminal Justice Services. Council Member Gioia.

13 COUNCIL MEMBER GIOIA: I vote yes,
14 thank you.

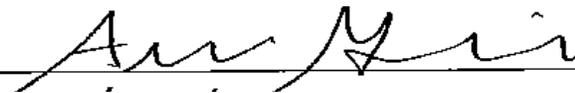
15 CLERK: The vote now stands at
16 seven in the affirmative.

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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 24, 2009