

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES
Of the
COMMITTEE ON TRANSPORTATION

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June 18, 2020
Start: 9:40 AM
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HELD AT: REMOTE HEARING (VIRTUAL ROOM 1)

B E F O R E: YDANIS A. RODRIGUEZ
Chairperson

COUNCIL MEMBERS: Fernando Caberra
Andrew Cohen
Chaim M. Deutsch
Ruben Diaz, sr.
Robert F. Holden
Peter A. Koo
Stephen T. Levin
Mark Levine
Carlos Menchaca
I Daneek Miller
Antonio Reynoso
Donovan J. Richards
Deborah L. Rose

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

1 COMMITTEE ON TRANSPORTATION

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2 SERGEANT-AT-ARMS: Good morning. Welcome
3 to the Committee on Transportation. Will all Council
4 Members and staff please turn on their videos at this
5 time? Place all cell phones and electronic devices on
6 vibrate. We are ready to begin. (pause)

7 CHAIRPERSON RODRIGUEZ: Should I begin?

8 SERGEANT-AT-ARMS: Yes, sir, you're good

9 CHAIRPERSON RODRIGUEZ: Okay. Good
10 morning and welcome to today's hearing on the City
11 Council Committee on Transportation. I'm Ydanis
12 Rodriguez the Chair of this committee. Today we will
13 be voting on Proposed Intro 1354-A and it is
14 sponsored by Council Member Holden in relation to
15 requiring certain spillage prevention equipment on
16 concrete mixer trucks. Over the last several years
17 the city and this...and this Council have made
18 pedestrian and cyclist safety a top priority. In
19 2014, the city implemented its Vision Zero plan,
20 which has resulted in the decline of more than 25% in
21 the number of traffic fatalities, but we, however,
22 have witnessed the deaths of 29 cyclists. In this
23 year so far, the number have been 7 cyclist
24 fatalities. So, it is clear the City must continue to
25 everything in its power to up with solutions to

2 prevent or reduce the number of traffic fatalities
3 involving pedestrians and cyclists. As Chair of this
4 committee, pedestrians and cyclist safety will always
5 be my top priority. While potential danger to
6 cyclists is still the concrete onto the street, and
7 concrete mixer trucks, which can harden and create
8 bumps that leads to crashes. A cost-effective way to
9 prevent this spillage is by requiring concrete mixer
10 trucks to attach a choke cluster to the end of the
11 choke on the truck. This device only costs a few
12 hundred dollars, a small investment for the
13 preventive measure that can reduce the street
14 maintenance costs, and potentially save lives and
15 prevent accidents—crashes. At this time, I would like
16 to call Council Member Holden to make a statement on
17 his bill.

18 COUNCIL MEMBER HOLDEN: Thank you Chair
19 Rodriguez for the opportunity to speak on Intro 1354,
20 which would require, like you said, concrete mixing
21 trucks to operating in New York City to be equipped
22 with chute shutters, or a similar device to prevent
23 the spillage of concrete and materials used in mixed
24 concrete by no later than June 30, 2021. The idea for
25 this legislation came from multiple constituents in

2 my district, and my work in civic associations for
3 over three decades I've noticed this problem for a
4 while. I reached out to Transportation, Department
5 of Transportation many times about these concrete
6 mounds on road beds, bike lanes, and even some
7 sidewalks. My staff and I traveled through the
8 district and parts of the city, and noticed so many
9 of these areas, and again, they are a hazard to
10 pedestrians, cyclists and motorists alike. So, Intro
11 1354 is across neutral legislation, which could
12 actually save the city money because now DOT or
13 Sanitation will not have to clean these mounds, and
14 take up valuable time and resources. They have to
15 jack hammer these mounds many times because they're
16 so deep. So, um, my staff and I, you know, over the
17 last, you know, year and a half or so we're speaking
18 to several industry professionals and trade unions
19 who all agree that this is a big problem, and all
20 agree that it's a simple fix. So, that's why the
21 legislation is going to mandate cement mixers trucks
22 have their chutes capped to prevent spillage of
23 cement, which later hardens, of course, and forms the
24 concrete mounds. You know, I noticed that once I was
25 on the BQE and a truck was going up the Kosciuszko

2 Bridge. Right in front of me it spilled, and again,
3 very dangerous, but also it creates ponding in rain
4 storms. So, I want to thank Speaker Corey Johnson
5 and his...and his Chief of Staff Jason Goldman who I
6 hounded for a while but, you know, he came through,
7 and as well as Jeff Baker and Lori Papa, and also—and
8 their support for the bill. Also, Chair of the
9 Transportation Committee, Council Member Ydanis
10 Rodriguez, and his staff Elliott Lynn, Rick Carbello,
11 Kevin Katowski for their help, and Alex Washington
12 for the legislation today...of the Legislation Division
13 who help draft this bill. And I would also like to
14 thank DOT Commissioner Polly Trottenberg, and her
15 staff for working with us on the bill. It's rare that
16 both the Council and the Administration agree on a
17 bill so early on, and I was, you know, quite
18 surprised because it never happens to me, but it
19 didn't go unnoticed that she liked the bill right
20 away. So, and finally, I want to thank my staff for
21 all the hard work on this including we did several
22 phone calls to constituents and getting city agencies
23 to remove the cement mounds. So, again, I urge that
24 all my colleagues vote aye on this bill, and

2 thank...thanks all the Council Members who signed on,
3 and supported this bill. Thank you, Chair Rodriguez.

4 CHAIRPERSON RODRIGUEZ: Thank you,
5 Council Member, and before calling—and calling the—
6 the—for the vote, I'd like to say that—that we were
7 not able to call the hearing on Transportation with
8 all the bills because the MTA refused to come to a
9 hearing that we haven't scheduled, and when DOT
10 agreed to come and MTA refused to come on time to
11 address transportation after the Coronavirus—during
12 and after the Coronavirus. I want to share with my
13 colleagues also that I've been urging the MTA to re-
14 open the train services from midnight to 6:00 in the
15 morning within that, and they said no. Our city is
16 true that we have to clean the transit station, the
17 MTA should establish what is it that that's the
18 timeline on how long the train will be closed so that
19 they do an assessment, and then they can do a—they
20 can know when will they plan to open. So, now, I'm
21 sure that we do, and also to address, to share with
22 you, too, that we will continue working to call a
23 hearing together with MTA and DOT. The other things I
24 want to share with the members of this committee is
25 that, as you know, after the state filed a rule to

2 allow the city to decide on making pedestrians—to
3 making electrical school, elective school, elective
4 (inaudible) illegal in the city of New York, I'm now
5 am open to disclose this bill and then to meet with
6 the advocates, but I will from my role as the
7 Chairman, I also need to address issues related to
8 safety before also we move those bills. So,
9 hopefully again we can—to address those issues and
10 move those bills, and—and—and—and later on get the
11 MTA to agree to come, and have a joint hearing with
12 the DOT. With that, I urge my colleagues to vote yes
13 on this piece of legislation, and I ask the Committee
14 Clerk to call the vote.

15 CLERK: Good morning. William Martin,
16 Committee Clerk, roll call vote Committee on
17 Transportation, Proposed Introduction 1354-A. Chair
18 Rodriguez.

19 CHAIRPERSON RODRIGUEZ: Aye.

20 CLERK: Cabrera.

21 COUNCIL MEMBER CABRERA: Congratulations
22 to the sponsor of the bill, Council Member Holden.
23 With that, I vote aye

24 CLERK: Cohen.

2 COUNCIL MEMBER COHEN: I, too, want to
3 congratulate the sponsor. There's something
4 incredibly satisfying at the City Council when
5 there's a bill that's your idea, that you saw a
6 problem that someone brought to your attention in the
7 community that you identified, and it's always a lot
8 of pushing to get those kind of bills through the
9 Council. So, I really want to congratulate you on
10 that. I know that it was a hard-fought battle for a
11 bill that just who is going to make the city a little
12 better. So, congratulations, and with that I vote
13 aye

14 CLERK: Deutsch.

15 COUNCIL MEMBER DEUTSCH: Aye.

16 CLERK: Koo.

17 COUNCIL MEMBER KOO: I vote aye. I also
18 want to congratulate Council Member Holden for
19 introducing this bill because we have the same
20 problem in my district. Thank you, Council Member.

21 CLERK: Levine.

22 COUNCIL MEMBER LEVINE: I vote aye.

23 CLERK: Menchaca.

24 COUNCIL MEMBER MENCHACA: I vote ayes.

25 CLERK: Miller.

1 COMMITTEE ON TRANSPORTATION

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2 COUNCIL MEMBER MILLER: Thank you for
3 this common sense legislation for a problem that
4 we've experienced for many years in Southeast Queens.
5 I vote aye.

6 CLERK: Richards.

7 COUNCIL MEMBER RICHARDS:
8 Congratulations, Councilman Holden. I vote aye.

9 CLERK: Ros.

10 COUNCIL MEMBER ROSE: I want to say thank
11 Council Member Holden for just such common sense
12 legislation. It seems like this should have been done
13 years ago. It's not like a new problem. So, I want
14 to congratulate you on just some real--well, I guess
15 it is common sense legislation. Thank you, and I vote
16 aye.

17 CLERK: Diaz.

18 COUNCIL MEMBER DIAZ: (pause) Do you hear
19 me?

20 CLERK: Yes, sir.

21 COUNCIL MEMBER DIAZ: I vote aye

22 CLERK: Thank you. Holden.

23 COUNCIL MEMBER HOLDEN: I vote aye. Thank
24 you all.

25

2 CLERK: One moment and so you, Chair.
3 Okay, by a vote of 12 in the affirmative, zero in the
4 negative and no abstentions, Proposed Introduction
5 1354-A has been adopted by the committee.

6 CHAIRPERSON RODRIGUEZ: Thank you
7 everyone. With that we close this hearing, and
8 before that I would like to, you know, congratulate,
9 of course, Council Member Holden for this bill. I'm
10 hoping that working together we at City Hall we—we
11 get this bill to be activated as soon as possible as
12 also to install the sidebar in all trucks in the city
13 owned or private ones, and for also the trucking
14 acquisitions will represent the sector 2 to continue
15 approaching the largest numbers of trucks that
16 continue to crashes on the whole city of New York,
17 and especially in the South Bronx where they also
18 have vast numbers of those trucks. With that, I call
19 this hearing—

20 CLERK: Chair, Council Member Reynoso is
21 (inaudible).

22 CHAIRPERSON RODRIGUEZ: Okay.

23 CLERK: Continuation of roll call,
24 Proposed Introduction 1354-A. Council Member Reynoso.

25 COUNCIL MEMBER REYNOSO: I vote aye.

2 CLERK: Thank you. The vote is now 13 in
3 the affirmative, zero in the negative and no
4 abstentions.

5 CHAIRPERSON RODRIGUEZ: Thank you. With
6 that this hearing is adjourned. Thank you.

7 SERGEANT-AT-ARMS: All Council Members on
8 Public Safety if you will please remain on the Zoom,
9 we're going to continue momentarily.

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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 July 6, 2020