

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON ECONOMIC DEVELOPMENT

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February 17, 2021
Start: 10:06 a.m.
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HELD AT: Remote Hearing (Virtual Room 3)

B E F O R E: Paul Vallone
CHAIRPERSON

COUNCIL MEMBERS:
Inez Barron
Robert Cornegy, Jr.
Mark Gjonaj
Peter Koo
Brad Lander
Farah Louis
Keith Powers
Ben Kallos

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

Adam Lomasney, Director of Aviation
Economic Development Corporation

Jervonne Singletary, Assistant Vice
President for Asset Management
Economic Development Corporation

Bianca Sosa, Assistant Vice President for
Asset Management
Economic Development Corporation

Keith Kerman, Chief Fleet Officer
Department of Citywide Administration
(DCAS)

Rob Wiesenthal
Blade

Joel Silversmith, Attorney
KMA Zuckert

Jeff Smith
Eastern Region Helicopter Council

Tom McCormick
Eastern Region Helicopter Council

Emma Chandler
Friends of Governor's Island

Arlene Bronzaft, New York City Resident

Eric Katzman, Board Member
Stop the Chop

Lara Birnback, Executive Director
Brooklyn Heights Association

Jeffrey Starin, President
NextGenNoise.org

Lo Van der Valk, President
Carnegie Hills Neighbors

Ajit Thomas, New York City Resident

Albert Mirashi, New York City Resident

David Murphy, Member
Stop the Chop

Marie Timell, New York City Resident

Melodie Bryant, New York City Resident

Stephen Fox, New York City Resident

Charles Komanoff, New York City Resident

Larry Goldhirsch,

Robert Ackerman, New York City Resident

2 SERGEANT-AT-ARMS: Excellent. All right.
3 Mr. Polite, if you could take us off.

4 SERGEANT-AT-ARMS: Backup is rolling.

5 SERGEANT-AT-ARMS: Thank you.

6 SERGEANT-AT-ARMS: Okay. Thank you. Good
7 morning and welcome to the remote hearing on the
8 Committee on Economic Development. Will Council
9 members and staff please turn on their video at this
10 time? Once again, will Council members and staff
11 please turn on their video at this time? Thank you.
12 To minimize disruptions, please place all cell phones
13 and electronics to vibrate. You may send your
14 testimony at testimony@Council.NYC.gov. Once again,
15 that is testimony@Council.NYC.gov. Chair, we're
16 ready to begin.

17 CHAIRPERSON VALLONE: Thank you,
18 gentlemen. Good morning, everyone.

19 [gavel]

20 CHAIRPERSON VALLONE: We're going to
21 start our committee hearing on EDC. [inaudible
22 00:00:49] had a wonderful Valentine's Day and
23 everyone has been safe and, unfortunately, get the
24 shovels ready for one more snowstorm tomorrow. I
25 think it's the last one. My back is done. The kid

2 is back in college and I've got no help anymore. So,
3 we have been joined by Council members Kallos,
4 Gjonaj, and Louis and as other Council members come
5 in, we will announce them and give them a chance to
6 speak to today's hearing on Oversight and Helicopter
7 Legislation. It's a good day because it's been years
8 in the making and I would like to thank everyone that
9 is going to participate today, testify, especially
10 with all the hard work the EDC has done and joining
11 with us on this topic that we have gotten to us
12 today. So, good morning. Today is Wednesday,
13 February 17th. I am Council member Paul Vallone,
14 Chair to the Committee on Economic Development and I
15 want to start off by thanking the members of our
16 committee. As I mentioned, we have Kallos, Gjonaj,
17 and Louis with us today and there will be others
18 coming. Today we will be hearing three important
19 pieces of legislation that we hope will mitigate
20 helicopter noise and safety concerns for all New
21 Yorkers while working collaboratively with an
22 industry that provides jobs in the [inaudible
23 00:01:55]. Helicopter noise is a persistent,
24 aggravating issue for so many residents of our city
25 for many districts-- especially my district in

1 Northeast Queens to the west side of Manhattan. And
2 we need to do more to get things under control with
3 the limited tools that we have at our disposal. We
4 have seen a massive surge in helicopter noise
5 complaints over just this past year. In November,
6 the city published an analysis of helicopter noise
7 complaints to 311. They found that complaints had
8 been increased by more than 130 percent over the past
9 year compared to 2019. This increase can be
10 attributed to many factors including people being
11 more aware of noise while working from home, an
12 increase in flights in New Jersey, and a use of NYPD
13 helicopters during the protests in June. Whatever
14 the reason, the fact of the matter is New Yorkers are
15 still having their quality of life diminished by
16 incessant noise from helicopters. Because I always
17 like to know a little bit of background before we get
18 into the hearing, there are currently three publicly
19 owned heliports in the city that are available for
20 public use. The downtown Manhattan heliport, DMH,
21 the East 34th Street heliport, and the West 30th
22 Street heliport. They work as a system. DMH focuses
23 on tourist flights, the East 34th Street focuses on
24 corporate traffic, and the West 30th Street focuses

2 on charter and corporate traffic. The city has made
3 efforts to regulate the helicopter industry in New
4 York all the way back to the Giuliani administration
5 when the city put restrictions on flights out of the
6 34th Street heliport and commenced a heliport and
7 helicopter master plan study in 2016, after our very
8 same Council hearing on the issue. EDC and the
9 helicopter industry came together to work out a newer
10 [inaudible 00:03:33] to significantly reduce the
11 impact of tourist helicopters flying from city
12 heliports. Among other things, this new agreement
13 banned tour flights from DMH on Sundays, reduced the
14 amount of tour flights by 50 percent, banned tour
15 flights over Governor's Island, required monthly
16 reporting on tourist flights and air quality, and
17 required concessions to actively research technology
18 to mitigate helicopter noise, reduce emissions, and
19 promote fuel efficiency and implement that technology
20 as it becomes available. That agreement is still in
21 effect today. In recent years, we have also seen new
22 technological developments in the helicopter industry
23 that will eventually make helicopters quiet. In
24 2014, the FAA issued regulations that required all
25 new helicopter designs to meet stage three noise

2 levels. The most quiet standard yet. There is also
3 exciting work being done on development of electric
4 helicopters which, like electric cars, are very quiet
5 and environmentally friendly. That brings me to the
6 three bills I am sponsoring that we will be hearing
7 today. Intro number 2026 would establish regulations
8 pertaining to noise emission for helicopters using
9 city owned heliports. Specifically, all helicopters
10 taking off and landing at city owned heliports would
11 be required to meet stage three noise emission
12 standards as established by the FAA. Introduction
13 number 2027 would require DCAS to conduct a study on
14 the safety and feasibility of replacing the city's
15 helicopter fleet with electric powered vehicles.
16 Finally, Intro 2067 would require the EDC to collect
17 certain safety and route information regarding
18 helicopters operating on city property and submit the
19 information to the Council on an annual per request
20 basis. A lot of work has gone to get us where we are
21 today and I am looking forward to discussion of these
22 bills as well as the next phase, the helicopter noise
23 mitigation in our city. This litigation will help us
24 better control workers in and out of our heliports
25 and I also want to recognize the limitations. We do

2 not have control of the helicopters coming into our
3 airspace from places like New Jersey. We must work
4 with sister jurisdictions to mitigate this noise that
5 are problems for everyone in this region. That is
6 something we will bring up in today's hearing. So,
7 many of the current complaints, because our partners
8 here have worked so well to voluntarily get us where
9 we are. There are a lot of folks who are not doing
10 that and they are not coming from New York City. A
11 lot of work has gone into that and I am very proud of
12 everyone. We have representatives from EDC and DCAS
13 here today, as well as a wide range of advocates and
14 industry boys says that I am eager to hear from, as
15 well as everyone who has took the time to send an
16 email, call me at the district office, or just
17 overall vent-- and there has been a lot of venting
18 over the years I have been Chair over this. So,
19 before I turn it over, would like to take a moment to
20 thank committee staff, legislative counsel Josh
21 Kingsley, policy analyst Emily Forgione, and finance
22 analyst Aaliyah Ali for all their hard work putting
23 this hearing today. With that, I would like to turn
24 it over to my colleague, Council member Ben Kallos,

2 to make an opening statement as he is joining in on
3 today's hearing. Council member Kallos?

4 COUNCIL MEMBER KALLOS: Thank you to that
5 Economic Development Committee Chair, Paul Vallone,
6 for your leadership and offering legislation to take
7 on helicopter noise. When I saw Introduction 2026, I
8 was moved to sign on as the second cosponsor to set
9 strict limits on the noise generated by helicopters
10 that take off from New York City. Helicopter noise
11 is such a big problem that it might better be called
12 as just Noise York City. If everyone one is any
13 indication, residents are tired of all the noise. In
14 fact, they started groups like Stop the Chop. When
15 Trump was elected and the 57th Street commercial
16 corridor became a no fly zone, all air traffic ended
17 up following a new route over residential
18 neighborhoods in the east and west 80s and 90s where
19 hundreds of thousands of people live, including me.
20 Helicopters almost so frequent and so allowed that
21 when they fly over my home and neighborhood, my
22 daughter learned how to say copter before car. Just
23 let that sink in. That helicopters were more present
24 in her environment than cars or buses or trains that
25 her first words, among them were before anything

2 else. Complaints to 311 about helicopter noise are
3 hovering above New York soared last year by more than
4 130 percent over 2019 and that includes the four
5 month. Where helicopter flight tours were banned in
6 New York City and I just have to say that it has
7 gotten so loud that I have even installed an app
8 because I couldn't actually believe that the
9 helicopters were following the laws, so I actually
10 installed flight radar 24 on my phone. And let me
11 just see that-- you can literally see a helicopter
12 right now over Manhattan. It just doesn't ever stop.
13 We worked on this issue with borough president Gail
14 Brewer on the helicopter task force. We have also
15 been working with the EDC, FAA, Helicopter Council,
16 Hudson River Trust. I want to thank our Congress
17 members Maloney and Nadler and I am just so
18 supportive of this legislation and I hope that we
19 will pass Introduction 2026 as soon as possible.
20 Thank you very much and thank you, Chair Vallone.
21 Let's get it done.

22 CHAIRPERSON VALLONE: Thank you, Council
23 member Kallos. And I think that flight app
24 downloads just went through the roof, especially if
25 it is helping our little words to track these flights

2 that are, basically, pillaging through our
3 neighborhoods. And you are right. We have had a
4 federal, state, and local support on this. So,
5 Council member Kallos, I know you and Helen Rosenthal
6 and Margaret Chin in the first charm worked very hard
7 to get the original pieces of legislation and
8 agreements done. Then Congressman Maloney and Nadler
9 and, in my neck of the woods, Tom Swansea, who got
10 the FAA to sit down and actually change the flight
11 route at over the northeast coast to minimize and
12 mitigate it over all the boroughs, which is all we
13 really ask. We want to make sure we can [inaudible
14 00:10:18]. I would like to turn it over to our
15 legislative counsel, CJ, for some procedural and
16 swearing in. CJ, it is all you.

17 COMMITTEE COUNSEL: Thank you, Chair.
18 I am CJ Murray and I will be serving as committee
19 counsel for today's hearing. Before we begin
20 testimony, I want to remind everyone that you will be
21 on mute until you are called on to testify, at which
22 point you will be on muted by the host. I will be
23 calling on panelists to testify. Please listen for
24 your name to be called. The first panelists to
25 testify today will be EDC aviation director, Adam

2 Lomasney, and DCAS chief fleet officer Keith Kerman.

3 In addition, from EDC, assistant vice president

4 Jervonne Singletary and assistant vice president of

5 asset management, Bianca Sosa, will be available to

6 answer questions. Panelists, I will call on you when

7 it is your turn to speak. During the hearing, if

8 Council members would like to ask a question of a

9 specific panelist, please use the zoom raise hand

10 function and I will call on you in order. We will be

11 limiting Council member questions to five minutes

12 which includes the time it takes the panelists to

13 answer your questions. Please note that, for ease of

14 this virtual hearing, there will not be a second

15 round of questioning outside of questions from the

16 committee Chair. All hearing participants should

17 submit written testimony to

18 testimony@Council.NYC.gov. Before we begin

19 testimony, I will administer the oath. To all

20 members of the administration who will be offering

21 testimony or will be available for questions, please

22 raise your right hands. I will call on each of you

23 individually for a response. Do you affirm to tell

24 the truth, the whole truth, and nothing but the truth

25

2 before this committee and to respond honestly to
3 Council member questions? Director Lomasney?

4 DIRECTOR LOMASNEY: I do.

5 COMMITTEE COUNSEL: Chief fleet officer
6 Kerman?

7 KEITH KERMAN: I do.

8 COMMITTEE COUNSEL: Assistant vice
9 president Singletary?

10 JERVONNE SINGLETARY: I do.

11 COMMITTEE COUNSEL: Assistant vice
12 president Sosa?

13 BIANCA SOSA: I do.

14 COMMITTEE COUNSEL: Thank you.

15 Director Lomasney, you may begin your testimony.

16 CHAIRPERSON VALLONE: Quickly, I want to
17 note that we have been joined by Council member
18 Barron. Good morning, Council member Barron, I hope
19 your husband is well.

20 DIRECTOR LOMASNEY: Well, thank you,
21 everyone. Good morning, the Chairman Vallone, and
22 members of the Economic Development Committee. My
23 name is Adam Lomasney and I serve as the assistant
24 vice president of transportation, as well as the
25 director of aviation for NYC EDC. Today I am joined

2 by Jervonne Singletary, assistant vice president in
3 our government and community relations division, and
4 Bianca Sosa, assistant vice president for asset
5 management. I am pleased to testify on Intro 2026
6 and 2067 which seek to address helicopter issues in
7 the city. After my testimony, I will be glad to
8 answer any questions that you might have. As
9 Chairman Vallone spoke and as you may know, the city
10 has three public use heliports in operation, to which
11 are owned by the city: East 34th Street heliports and
12 that downtown Manhattan Heliport, known as DMH. And
13 the third heliport on West 30th Street is managed by
14 the Hudson River [inaudible 00:13:17]. These three
15 public use heliports in Manhattan are critical
16 components of our city's transportation
17 infrastructure. They operate as nodes that plug into
18 a larger transportation system with the East 34th
19 Street heliports and West 30th Street heliport
20 focused on charter and corporate traffic. DMH
21 focused on tourism. East 34th Street heliport is
22 open from 8 AM to 8 PM on weekdays and is closed on
23 weekends. The downtown facility is open for tourists
24 from 9 AM to 7 PM, Monday through Saturday. No tour
25 flights are allowed on Sunday. Corporate and charter

2 flights are allowed from 9 AM to 5 PM, but they
3 represent a small percentage of overall traffic
4 downtown. The downtown Manhattan heliport is also
5 unique in that it is the only facility that can
6 accommodate military helicopters used for
7 presidential business because of the size and
8 physical layout. EDC's role with the heliports is
9 pursuant to the maritime contract between the city
10 and EDC. The city has retained EDC to engage in
11 various activities intended to promote the economic
12 development of the city's waterfront property and
13 related transportation facilities which includes the
14 two city-owned heliports. It is for that reason that
15 EDC oversees the heliport facilities and, therefore,
16 acts as a contract administrator through the
17 concession agreements which are entered into between
18 New York City Department of Small Business Services,
19 SBS, and concessionaires. The day-to-day management
20 of heliport operations is handled by our
21 concessionaires. Atlantic Aviation at East 34th
22 Street and Saker Aviation at the downtown Manhattan
23 heliport. The concession agreements define the terms
24 and conditions of how each facility may operate.
25 Each agreement defines matters such as hours of

2 operation, maximum annual flight volumes, insurance
3 levels, reporting requirements, and terms of payment,
4 among other items. In its role of promoting economic
5 development and waterfront activation, EDC has always
6 sought to balance the need of maintaining the is
7 critical pieces of infrastructure and the negative
8 noise impacts that helicopters can cause. In 2016,
9 Mayor de Blasio, the City Council, and EDC worked
10 with the local helicopter industry, the downtown
11 Manhattan teleport operator, flight companies, and
12 the federal aviation administration to
13 collaboratively reduce the number of tour flights
14 operating out of DMH by approximately 50 percent.
15 This agreement also limited tour flights over land,
16 including Governors Island, Staten Island, and the
17 route to Yankee Stadium over northern Manhattan.
18 This agreement also [inaudible 00:15:39]. As a
19 result, these efforts have eliminated approximately
20 50,000-- excuse me. 30,000 tour flights annually.
21 This agreement also requires a consultant to monitor
22 complaints from the 311 system that may be related to
23 the tour flights originating out of the downtown
24 Manhattan heliport. Through this effort, larger
25 helicopter complete data received through 311 has

1 been analyzed on a monthly basis and categorized by
2 likely origin such as NYPD flights, tour flights
3 originating out of DMH, tour flights originating
4 outside of New York City, and other types of flights.
5 EDC also tracks, through the 311 system, complaints
6 made about helicopters. Most of the complaints the
7 city receives tend to reference helicopters that are
8 hovering over or flying over other areas of the city,
9 not around the two city-owned heliports and not
10 identified as originating out of either city-owned
11 heliports. Due to the pandemic, flights dropped to
12 less than five percent of the previous year at DMH
13 and less than 20 percent at East 34th Street since
14 spring 2020. They are now at about 10 percent and 40
15 percent of 2019 levels for both heliports,
16 respectively. However, with more people staying
17 home, we have seen an increase in 311 complaints. In
18 2018, the previous agreement for East 34th Street
19 heliport was nearing its expiration date. Upon
20 notification and various consultations with Council
21 member Vallone, community Board six and the Manhattan
22 borough president's office, as prescribed by the
23 applicable procurement rules, EDC commenced the
24 solicitation process for a new concession agreement.
25

2 After proposal of valuations, interviews, and
3 negotiations, the city, with EDC is contracted
4 administrator, entered into a new concession
5 agreement with Atlantic aviation in 2019 for a. Of
6 up to 10 years. Through the agreement, Atlantic is
7 responsible for capital improvements, maintaining the
8 heliport in a safe and clean manner, monitoring air
9 quality of the heliport, reporting on flight
10 operations, complaints received in any office hours
11 flights. Additionally, Atlantic is responsible for
12 ensuring compliance with any FAA standards and
13 regulations including regular safety reporting and
14 sharing any FAA filings with EDC. They have also
15 committed to work directly with the Manhattan borough
16 president's office task force and other city agencies
17 on noise mitigation and community concerns. It is
18 important to note that, while EDC strives to be a
19 partner in addressing noise mitigation issues, we
20 ultimately have limited control in regulating or
21 incentivizing the industry at large. That is because
22 the FAA has the sole authority to regulate US
23 civilian airspace and therefore, establishing rules
24 and restrictions for its use. This means that the
25 FAA has the sole authority, not states and

2 localities, to approve matters such as aircraft
3 design standards, safety procedures, flight paths,
4 and altitudes, as well as the designation of airports
5 and heliports. The authority also extends to air
6 [inaudible 00:18:25]. Aircraft noise is categorized
7 by various stages which are determined
8 internationally by the international civil aviation
9 organization, ICAO. Adopted nationally by the FAA,
10 and ultimately applied towards an aircraft on
11 acquiring its airworthiness certificate, these
12 standards require that the aircraft meet or exceed
13 designated noise thresholds. For helicopters, three
14 different stages of noise exist: stage one, stage II,
15 and stage III. Stage III is the most recent standard
16 after being created by the ICAO and adopted by the
17 FAA on March 4, 2014. Newly designed helicopter
18 models certified after that date must meet the
19 quieter Safe Street standards. Aircraft is currently
20 operating at our heliports are almost entirely stage
21 II helicopters. While stage III is quieter and would
22 significantly address the noise concerns that
23 communities have, these types of helicopters are,
24 unfortunately, not widely commercially available at
25 this time, nor has the FAA published any formal plans

2 for the phaseout of stage I and stage II helicopters
3 from operation.

4 So, going to the legislation, Intro 2026
5 would prohibit stage I and stage II charter
6 helicopters from landing and taking off at the city
7 managed heliports. We have concerns about the
8 practicality of this bill. First, the vast majority
9 of helicopters currently in operation are categorized
10 as stage one and stage II and this bill would
11 effectively banned them from using the city's public
12 use heliports. Moreover, as I mentioned a few
13 moments ago, FAA regulations prescribed the
14 procedures and limitations for states and localities
15 that seek to adopt noise mitigation restrictions.
16 Intro 2067 would require EDC to collect airworthiness
17 certificates, air registration certificates, recent
18 aircraft inspection reports, origin route, and plan
19 destinations. Under the East 34th Street heliport
20 concession agreement, EDC already receives monthly
21 flight logs from the following information.
22 Operations that detail and aircraft tail or
23 registration number, make and model, the operator of
24 the aircraft, if known, number of passengers on
25 board, the date and time in and out, and origin and

2 destination, if known. Pilots are already required
3 to present airworthiness certificates to the FAA upon
4 request and, as it pertains to the heliports, the
5 collection and storage of documents by EDC such as
6 airworthiness certificates or aircraft inspection
7 reports does not seem appropriate because EDC is not
8 a federal aviation Authority, but rather a contract
9 administrator [inaudible 00:20:46]. Regarding the
10 air registration certificates, the operator does
11 report aircraft tail or registration number
12 indicating each aircraft is registered. Regarding
13 routes taken and planned routes, pilots are not
14 required by the FAA to file flight plans prior to
15 takeoff and, therefore, we believe the requirement be
16 unenforceable by NYC EDC. As a matter of course, we
17 report to the City Council and community boards and
18 borough presidents on the operations of heliports.
19 For the downtown Manhattan heliport, we send a
20 monthly report that details a number of allowed and
21 actual tour flights in addition to a report that
22 details the type of 311 complaints receive. For the
23 East 34th Street heliport, we send a quarterly report
24 that details the total number of flights and
25 complaints received by the operator. To date, we

2 have partnered with several of your offices and will
3 continue to work within these conversations about
4 [inaudible 00:21:34]. We recently participated in a
5 Manhattan Borough Presidents Helicopter Taskforce and
6 we were truly encouraged by the level of
7 collaboration that included representatives from the
8 FAA, Easter Region Helicopter Council, elected
9 officials from across the Hudson, and communities
10 that discuss the ways to address the issue.
11 Moreover, EDC is committed to being a partner in this
12 effort and is available to participate in any working
13 groups that might be convened with the FAA on this
14 issue. Thank you for your attention today and I'm
15 happy to answer any questions that you might have.

16 COMMITTEE COUNSEL: Thank you,
17 Director. I will now turn it over to questions from
18 the Chair. Panelists from the administration, please
19 stay on muted if possible during this question and
20 answer period. A reminder to Chair Vallone, you will
21 be in control of meeting and un-muting yourself
22 during this period. Chair Vallone, please begin.

23 CHAIRPERSON VALLONE: Just checking, did
24 you want DCAS to testify now or after questions? I'm
25 understanding that DCAS is going to testify now?

2 Would you like that? I think that kind of makes
3 sense. Most of the questions, I think it would be
4 okay if Department of Citywide Administrative
5 Services testified now or would you like just to
6 question EDC now? I think we should put them
7 together. Is DCAS on now? Do they want to do
8 testimony? I believe I see them. So why don't we
9 unmute DCAS so that they can testify? Hang on one
10 second. Hang in there, Keith. As soon as we get you
11 unmuted.

12 CHIEF FLEET OFFICER KERMAN: Hello. Can
13 you hear me?

14 CHAIRPERSON VALLONE: Yes. There you go.

15 CHIEF FLEET OFFICER KERMAN: Okay. Great.
16 Thank you, Chair Vallone. Thank you to the
17 committee. Glad to be here with you today. My name
18 is Keith Kerman and I am a deputy commissioner at the
19 Department of Citywide Administrative Services and
20 New York City's Chief Fleet Officer. Thank you for
21 allowing me to testify and discuss Intro 2027
22 regarding the study of the Electric Vertical Takeoff
23 and Lift sector, EVTAL, or, in simple language,
24 electric helicopters. In February 2020, Mayor de
25 Blasio signed Executive Order 53, committing New York

2 City to transition to an all electric fleet by 2040.

3 We are already making important progress with over

4 2800 plug-in units and over 1000 electric chargers.

5 Just recently, DCAS announced the completion of phase

6 1 of our fast charging initiative with 61 fast

7 chargers now complete for city fleet units, including

8 three with public access. Midland Beach and ocean

9 breeze facility in Staten Island and Randall's Island

10 Park in Manhattan. We hope to open more of those.

11 We already have sedans, SUVs, minivans, crossovers,

12 off-road, and other fleet units with plug-in capacity

13 and DCAS will be establishing contracts for many

14 additional types of vehicles in 2021, including small

15 garbage trucks for parks, electric, electric pickups,

16 electric vans, and electric small work trucks. We

17 will also be working to test and develop electric

18 units for policing, sanitation, and fire. In time,

19 we also want to see our aviation units join in this

20 clean energy fleet transition. New York City

21 currently operates nine helicopters. The NYPD has

22 seven helicopters, four of which are used for patrol,

23 two for air and sea rescue, and one for training.

24 These are operated by the NYPD aviation unit

25 operating out of Floyd Bennett Field in Brooklyn. DEP

2 and Health also have aviation units with both
3 currently operating one aircraft. The health
4 department uses their helicopter in disease control
5 operations such as West Nile virus management, while
6 the DEP unit is used for law enforcement in the
7 upstate reservoirs. The health department unit is
8 located in Suffolk County--- in basin Suffolk County
9 and the DEP unit in Dutchess County New York.
10 Upstate. The city uses over 185,000 gallons of jet
11 fuel annually, procured through DCAS, to power the
12 existing helicopter fleet. There has been, as it was
13 mentioned, early market research testing and
14 development of electric aviation units, both manned
15 and unmanned. DCAS looks forward to researching
16 these options further, meeting with vendors and
17 regulators in this area, and reporting our findings
18 as the state of the market, battery charging issues,
19 and regulatory concerns. EVTAL holds the promise of
20 zero emissions and low noise aviation units and other
21 related developments including possible autonomous
22 operations. Advances in electric battery capacity
23 and density will be critical to the successful
24 introduction of these options. We look forward to
25 exploring this new area of electrification with you

2 while continuing to grow our vehicle electrification
3 efforts in the fleet side, as well. Thank you for
4 inviting us to join you today and we are happy to
5 answer any questions.

6 CHAIRPERSON VALLONE: Okay. Thank you
7 for that. So, since you just testified, you mind if
8 we just start real quick with some questions for you
9 to so we can clarify? So, I love the ending where it
10 holds the promise of zero emissions and low noise
11 aviation units. I just wanted to get like where we
12 are today versus when we envision that happening.
13 So, how many total helicopters are in the fleet that
14 DCAS manages [inaudible 00:27:27].

15 CHIEF FLEET OFFICER KERMAN: So, the city
16 fleet, like I mentioned, has nine helicopters. Seven
17 of them are-- I'm sorry?

18 CHAIRPERSON VALLONE: You only have nine
19 helicopters?

20 CHIEF FLEET OFFICER KERMAN: We-- Yeah.
21 That's it. Seven helicopters in the police
22 department and, of course, that's a police, you know,
23 emergency operation that is managed by the police
24 department. You know, DCAS is not involved in the

2 day to day, you know, security and policing services
3 relating to--

4 CHAIRPERSON VALLONE: So, who purchase--
5 did DCAS purchase the NYPD's helicopters or is that
6 the wrong budget bill?

7 CHIEF FLEET OFFICER KERMAN: No. We
8 purchased the health and-- So, health and DEP go
9 through DCAS contracts. The police department does
10 the procurement directly because they are doing
11 that-- that spec is completely exclusive to the
12 police department and, of course, as in vehicle
13 fleets, there are different specification
14 requirements for policing helicopters have much more
15 extensive requirements at an operational level and an
16 engine level than civilian helicopters. So DCAS has
17 been doing the procurement for the civilian
18 helicopter fleet which is really DEP and health and
19 then the police department has been doing the
20 specifications and procurement directly for their law
21 enforcement fleet.

22 CHAIRPERSON VALLONE: So, or any of those
23 helicopters stage III or is there a plan at some
24 point to upgrade them?

2 CHIEF FLEET OFFICER KERMAN: I would need
3 to check in on that issue because there were no--
4 the civilian helicopters would-- and one of them was
5 recently procured. So, would adhere to the up-to-
6 date standards. I would check in on the policing.
7 There are sometimes that I'm just not certain because
8 we do not do the specs for these. They are sometimes
9 law enforcement exemptions. I'm not aware that there
10 is one, but I'm not sure there isn't, so we can check
11 on that on the stage III issue for the helicopter
12 fleet.

13 CHAIRPERSON VALLONE: Yeah. That would
14 be helpful. I certainly don't want to get in the way
15 of what is required for the helicopter for the NYPD
16 to keep us safe. I'm sure they have different levels
17 of protection on their helicopters versus a civilian
18 one. So, the maintenance of those helicopters, does
19 that also go through DCAS or is that handled
20 individually by [inaudible 00:29:37] or--

21 CHIEF FLEET OFFICER KERMAN: On all done--
22 For NYPD, everything is out of Floyd Bennett Field.
23 You know, that is a very contained operation. It's
24 been in Floyd Bennett Field for decades and, you
25 know, obviously, aviation is a very specialized

2 field, so we are not doing the-- those are not city
3 mechanics. That is not part of the automotive repair
4 operation and that is really--

5 CHAIRPERSON VALLONE: So, how do you get
6 updates of reporting on whether that maintenance is
7 done to assess acceptable standards or that they are
8 up to date? Do we have any recording coming out of
9 that? That would seem to me to be something that I
10 would want.

11 CHIEF FLEET OFFICER KERMAN: Again, we
12 would have to-- you know, I am very confident in the
13 police departments, you know, maintenance program. I
14 mean, we obviously work with the Police Department
15 maintenance program across their 10,000 fleet pieces.
16 That is a very specific, specialized operation
17 locating out of Floyd Bennett Field. So, we would
18 have to go to the police department for maintenance
19 records. That is, again, very contained operational
20 unit from everything else we do, right? So DCAS
21 works with the police department every single day for
22 all of the 10,000 vehicles and trucks and emergency
23 service trucks. However, the helicopter unit is
24 very, very contained and defined and managed
25 directly.

2 CHAIRPERSON VALLONE: Well, you also
3 ended the testimony, you know, by the promise of
4 hopefully going more green as we go forward in the
5 future, whether it is electrification or through
6 different stages. What, in your vision, would a
7 timeline like that look like? Is there a contract or
8 a time for when the city fleet is due to be revamped
9 and repurchased? Like how long is a city helicopter
10 life in the city before it is replaced and we
11 purchase another one and, when we do replace that, at
12 that point, can we then replace it with the next
13 stage or in electrification model?

14 CHIEF FLEET OFFICER KERMAN: You know, it
15 depends on the development of this marketplace and
16 that is true of electrification in general. So, I
17 mean, the good news is we have seen an extraordinary
18 development in electrification in general, right?
19 Just 15 years ago in 2006, they literally wrote a
20 movie that said, who killed the electric car? And it
21 was a nice documentary and an extraordinarily
22 premature obituary. Now we are seeing
23 electrification explode. We are seeing electric
24 cars, electric trucks. We are seeing extraordinary
25 commitments. President Biden just committed for the

2 entire city federal fleet, 600,000 vehicles, to move
3 to electric. We are also seeing the early aspects of
4 that in vertical and take off vehicles. And, you
5 know, some of that is developing and looks like an
6 electric helicopter and there have been tests. About
7 five years ago, I believe, in California was the
8 first United States test of a viable electric
9 helicopter. Limited range, but successful test.
10 There is a lot of development that is structured on
11 the concept of drones. On multi rotor equipment--

12 CHAIRPERSON VALLONE: Those sound
13 interesting for our future and I would totally be
14 ready for that implementation and I appreciate that
15 and I think that that is a nice topic for how we can
16 transition to a different and less intrusive
17 technologies, so I thank you for that. And thank you
18 for clearing up the current city fleet and the
19 contracts. I would like to switch over to Adam now,
20 EDC, for your testimony. So, Adam, it has been a
21 good journey over the years together working with
22 your team and EDC. I would have to-- we used the
23 term wild wild West way back in 2015 and 2016 because
24 there really wasn't anything in place than it was, I
25 think, quite shocking to all of us that we, as the

2 city, as the ultimate landlord, were just saying that
3 the FAA is in control and we didn't have it. That
4 changed. In 2016 we had the first Genesis of this
5 hearing and there was work together that we worked
6 with the contracts and those who are operating their
7 fleets and the helipad's and we worked with city and
8 we worked with the FAA to get that 50 percent
9 reduction in the tourism industry. And now we have
10 been trying to continue that with the charter
11 industry and that is why we've talked about city
12 [inaudible 00:33:58] flights because, for the average
13 citizen in New York, we don't know, unless you have
14 the Ben Kallos On which helicopters flying over. We
15 just know that there is noise. So, that is probably
16 one of the top three complaints that I have gotten in
17 my district office in the eight years, that is why I
18 am very happy that we have got to today's place where
19 we have these three additional bills. I just want to
20 take you to your testimony. And you say, which is
21 important to everyone to understand that the day-to-
22 day management of heliport operations is handled by
23 the concessionaires. And you list the three.
24 Atlantic Aviation, Saker Aviation, and Downtown

2 Manhattan Heliport. EDC enters into those concession
3 agreements with them, correct?

4 DIRECTOR LOMASNEY: Correct.

5 CHAIRPERSON VALLONE: So, you are
6 drafting the concession agreements that bind the
7 three operators?

8 DIRECTOR LOMASNEY: Yes. And, just to
9 clarify, it is the two operators. It is Saker at
10 downtown Manhattan heliport.

11 CHAIRPERSON VALLONE: Saker at. That's
12 right. Because 34th Street is [inaudible 00:35:04].

13 DIRECTOR LOMASNEY: Uh-hm.

14 CHAIRPERSON VALLONE: That has always
15 been my starting point at the hearings because I
16 don't like to just, especially for those listening
17 in, say it is an FAA situation because it is and it
18 isn't. And that is where we got to today. If I am
19 the city and I am charging EDC to enter into
20 contracts with these heliports that fly over our
21 jurisdictions, then it is EDC and that is why-- and
22 that is where we have gotten to change the
23 conversation a little bit to say that we are
24 responsible because we are the ones handing out those
25 concessions. So, on the concession agreements, can

2 you give me an update with the two that we have with
3 Saker and downtown Manhattan? Where are we in the
4 kind of timeline of-- I know there might've been an
5 extension with each one. What is left in the current
6 operating unit and when it is due for a new one?

7 DIRECTOR LOMASNEY: Sure. And, you
8 know what? I'd actually like to defer to my
9 colleague, Bianca Sosa, who is the asset manager who
10 can give you a decent answer on that.

11 CHAIRPERSON VALLONE: Sure. All you,
12 Bianca. Good morning. I think we just have to get
13 you on muted there. I still see the red microphone.
14 If we can unmute Bianca. And, by the way, I see--
15 just the clarification. Council members Barron,
16 Gjonaj, Koo better with us. Also this. And, if any
17 of the Council members want to ask questions right
18 after these questions with EDC, we will jump right to
19 Counsel members because this is relevant and so many
20 other districts. Are we good to go with Bianca?
21 Not yet. So, if we can get Bianca on muted. Let's
22 see. I will wait-- Oh. There she goes.

23 BIANCA SOSA: Got it. Thank you so much
24 and good morning, everyone. So, yes. Four E. 34th
25 Street, we did-- the city just entered into a new

2 concession agreement in 2019, so that concession
3 agreement is up to 10 years. The expiration date
4 would be September 2028 and then the downtown
5 Manhattan heliport currently the extension or the
6 expiration is April 2022 and there is one option your
7 left on that agreement.

8 CHAIRPERSON VALLONE: So, we've got not
9 one has 2023 is a maximum date and the other one is
10 2028?

11 BIANCA SOSA: Correct.

12 CHAIRPERSON VALLONE: In those
13 agreements, we were able to work together to get a
14 lot of the concessions that we have today. Can we
15 look forward to or can we have a conversation on that
16 on the next round on negotiations that these pieces
17 of legislation are at least the standards that are
18 being developed in the industry? Can we look forward
19 to those being a part of the new concessions
20 agreement so that we can-- in the RFP, that, at
21 least-- we always had a good guy clause [inaudible
22 00:37:55] that some of the operators may voluntarily
23 give us these additional concessions so that they
24 would get the contract. I'm just hoping that that is
25 something that we can continue so that we can

2 mitigate what's happening in [inaudible 00:38:05].

3 Is that something that you can maybe see what you
4 envision with the next round?

5 BIANCA SOSA: Yes. I think we would
6 definitely be more than happy to work with you all.
7 In our last procurement in 2019 and 2018 with East
8 34th Street, we worked with that Counsel to include,
9 you know, different requests of additional
10 information into that new concession agreement.

11 CHAIRPERSON VALLONE: So, with the
12 existing concession agreements, then, what is the
13 revenue that is generated for EDC out of both
14 heliports?

15 BIANCA SOSA: Sure. Combine it is about--
16 Well, during Covid it has been less, but about 2 to 3
17 million per year.

18 CHAIRPERSON VALLONE: And I think prior
19 to Covid it was about 5 million. Is that correct? I
20 remember from last year. That was the number that
21 stood out.

22 BIANCA SOSA: Sir, could you repeat the
23 question? I didn't hear.

24 CHAIRPERSON VALLONE: So, pre Covid
25 revenue generation--

2 BIANCA SOSA: Yes.

3 CHAIRPERSON VALLONE: I believe was about
4 5 million, but--

5 BIANCA SOSA: Correct.

6 CHAIRPERSON VALLONE: So it's been cut in
7 half. And how many of those flights, I guess,
8 today-- it's a little tough in the Covid world, but
9 how many flights can you have records of how many
10 flights now are coming out of those two helipads
11 versus pre Covid?

12 BIANCA SOSA: Sure. So, in 2020, the total
13 number was just around 6000 flights which represents
14 about a 90 percent drop from 2019 which was about
15 35,000 flights.

16 CHAIRPERSON VALLONE: Okay. So, based on
17 those numbers, has the amount of flights and noise,
18 when we start to emerge back out of the Covid world
19 we're in, I would hope towards the end of the year,
20 we would expect to go back to those previous numbers?

21 BIANCA SOSA: I think it's kind of a
22 function of, you know, different external factors.
23 You know, the economic recovery towards people
24 traveling again, but I would imagine just as their

25

2 tourism industries or, rather, you know, airline
3 industries, when they recover, they--

4 CHAIRPERSON VALLONE: [inaudible
5 00:40:18] but I'm having a little trouble hearing
6 you, so if you could, you know, maybe with the mic or
7 maybe just a little--

8 BIANCA SOSA: Sure. Sure. I think we
9 would expect it to follow similar recovery timeline
10 as, you know, the general aviation industry.

11 CHAIRPERSON VALLONE: So, with those
12 flights that are coming in and out, you know, do you
13 know how many of those helicopters are stage III
14 helicopters? Is that just through a voluntary basis
15 or is that through-- per the concession?

16 BIANCA SOSA: So, our understanding is
17 there's only one or two helicopters that fly around
18 New York City that are stage III.

19 CHAIRPERSON VALLONE: Well, when you say
20 fly around New York City, what does that mean?

21 BIANCA SOSA: Right. That land at the
22 city-owned heliports.

23 CHAIRPERSON VALLONE: Okay. And when
24 those city-owned helic-- well, when those

2 helicopters are landing, like what are they providing
3 to you on the [inaudible 00:41:06]?

4 BIANCA SOSA: I'm sorry? Can you repeat
5 the question?

6 CHAIRPERSON VALLONE: When a helicopter
7 lands in one of our two helipads that are contracted
8 from EDC, what data are you receiving from the
9 helicopter industry on a daily basis that tells you
10 how many flights are landing, leaving, and what
11 standards they are complying with? Is any
12 information being provided to you?

13 BIANCA SOSA: So, the heliport operators,
14 they kind of take record of, you know, which
15 helicopter is landing. As, I think, Adam had stated
16 in his testimony, we know the time that they land,
17 the passengers, the type of aircraft it is, the
18 owner, if known, and the tail number. And those are
19 just daily records.

20 CHAIRPERSON VALLONE: Is any of that
21 based on requirements that come from EDC or are you
22 just following FAA guidelines?

23 BIANCA SOSA: In the concession agreement
24 for the new-- for East 34th Street and the
25 concession agreement. That was negotiated through

2 feedback from Council that they provide that
3 information to EDC. Those daily flight logs. So
4 that was something that we worked together to
5 receive.

6 CHAIRPERSON VALLONE: And now we can
7 track that [inaudible 00:42:26]. Is that real time
8 tracking option that we can see what is coming in on
9 a daily basis?

10 BIANCA SOSA: We received the reports after
11 the month is over.

12 CHAIRPERSON VALLONE: and I believe we
13 have also implemented a tracking [inaudible 00:42:40]
14 which has been quite helpful for folks to see who and
15 what is flying [inaudible 00:42:47]. But something
16 you said there is important. That is through the
17 last concession agreement, through the contractual
18 conversations, that is something that is agreed-upon.
19 And I also would like to give a shout out to the
20 folks that are going to testify after. A lot of this
21 at has been voluntarily being provided at this point
22 based on whether it is a piece of legislation that is
23 coming forward or the negotiation of a contract. You
24 know, a lot of the victories that we have gotten into
25 today have gone through that negotiation process.

2 So, I am never one to sit back and say that it is an
3 FAA situation because, yes, we can't say what is
4 happening over our airports, but I would be damned if
5 somebody tells me what can happen over the skies here
6 in New York City without us telling them what it is.
7 And that is exactly what has happened. So, for those
8 who are learning and wanting to know what that
9 process is, it has been negotiated and been
10 voluntarily mitigated to get to the point we are
11 today. These three pieces of legislation will now
12 memorialize that and take it further and mandated on
13 an annual basis because, prior to 2016, we weren't
14 getting anything. It was just a pie-in-the-sky
15 request. Maybe we got information and I have nothing
16 to bring the people of the district. [Inaudible
17 00:44:03]. I would like to give our committee
18 counsel a chance to acknowledge any of the Council
19 members with their hands up who would like to speak
20 at this point. There are some. I know Council
21 member Barron and Council member Chin want to do so.
22 Is there anyone now that would like to ask their
23 questions?

24 COMMITTEE COUNSEL: Thank you, Chair.

25 I will now call on Council members in the order they

2 have used the zoom raise hand function. Council
3 members, if you would like to ask a question and you
4 have not yet raised your hand, please do so now. You
5 will have a total of five minutes to ask your
6 question and receive an answer from the panelists.
7 The sergeant-at-arms will keep a timer and will let
8 you know when your time is up. Once I have called on
9 you, please wait until the sergeant has announced
10 that you may begin before asking your questions.
11 Chair Vallone, I'm not seeing any hands raised at
12 this time, so if you would like to continue your
13 questioning.

14 CHAIRPERSON VALLONE: Well, that's odd.
15 Leave it to me to do all the questions. All right.
16 Not a problem. I know we are going to have the Stop
17 the Chop and the advocates on later. So, we have
18 questions for them. And also the helicopter industry
19 has also provided some of those and, as a committee,
20 we will post online. I know [inaudible 00:45:13]
21 given the presentation of some of the current maps
22 that are being used which are quite helpful to see
23 the footprint over the skies of New York City. What
24 is actually happening. I think I would like EDC to
25 kind of sum up, again what steps on your side would

2 you like to see be the next steps for the concession
3 agreements and for the next evolution of green
4 initiatives and safety in our skies? Because,
5 obviously, New York City is not happy with the noise.
6 We are not generating an income from this industry
7 that mitigates the quality of life impact versus what
8 we are getting as revenue to and when you balance
9 that, then it becomes, then why are we even doing it
10 in the first place? So, it is tough to go back to
11 folks in our communities saying, look at the great
12 benefit that we are getting as a city. I don't see
13 that. I have never seen it. I don't see the income
14 that is being generated to allow it. But to allow
15 that industry to continue, where do you envision the
16 helicopter industry going in the next contract, and
17 the concessions that are coming up, and what you can
18 voluntarily mitigate for [inaudible 00:46:30]?

19 DIRECTOR LOMASNEY: Sure, Council
20 member. We certainly appreciate the question. I
21 mean, certainly, you know, we want to see the
22 greening of the industry and recognize that the
23 issues that there are, so were supportive of, you
24 know, all efforts, including our friends at DCAS, of
25 trying to green the fleet overall. So that is one

2 thing we do want to say we are supportive of. One of
3 the things we wanted to point out also that you were
4 mentioning is, you know, the partnership that we have
5 had over the past with the Council and the industry
6 to have the existing agreements we do today that
7 allows us a certain level, you know, for lack of a
8 better word, control over the tour operators that,
9 you know, now are limited to, you know, certain
10 flight paths versus some of the other heliports that
11 are not in New York City like say across New Jersey
12 or other places that don't have similar restrictions.
13 So, the benefit of having them here allows us to have
14 those negotiations and concessions and exert some
15 control, you know, other than, you know, what that
16 FAA can do.

17 CHAIRPERSON VALLONE: Well, that is
18 unfair. I think just to cycle that for a second
19 about outside jurisdictions, we've also come to
20 realize that a lot of this percentage of the bad
21 players are not our heliports. It is one's coming
22 from New Jersey and neighboring jurisdictions that we
23 have absolutely, apparently, no control over. How do
24 we attack that? How do we work with New Jersey to
25 say stop allowing tourist helicopters flying with the

2 doors off taking pictures flying around Manhattan,
3 cutting across the no fly zone and going back to New
4 Jersey with these idiots taking pictures and saying,
5 is what a great day I had over New York City, which
6 completely destroys the quality of life when we are
7 doing right by our air skies and our contracts and we
8 allow the sister jurisdiction to just come on over.
9 Is there some type of parallel legislation in other
10 jurisdictions that we can look to? Is there some
11 type of compromise we can do to say, hey, listen.
12 We're not flying over Hoboken with our doors off
13 taking pictures of what is left in New Jersey, so you
14 guys should do the same. No disrespect to Jersey,
15 but I don't see any helicopters flying over New
16 Jersey with doors off to take pictures.

17 DIRECTOR LOMASNEY: no. I mean,
18 absolutely. What we've seen recently with
19 particularly the Manhattan borough president Gail
20 Brewer's task force on [inaudible 00:48:48] is it
21 appears to be very effective because it is engaging
22 all the right players. So, not only just the FAA,
23 but federal elected offices in New York, but also
24 their participants from across in New Jersey that is,
25 as well, in tackling this. So, you know, as we all

2 know, there are certain limitations from a regulatory
3 perspective that the city has, but we believe this is
4 best accomplished by, you know, convening with
5 members from across the river and federal elected's
6 and the FAA with the industry. And that is something
7 that is happening and so we support that working
8 group and, you know, I would like to see fruits of
9 that labor happened. Of course EDC would be, you
10 know, happy to continue participating.

11 CHAIRPERSON VALLONE: Adam, that might be
12 something we need to do and something we can do in a
13 time to gather is to reconvene those tri-state
14 conversations as to that this is something that is
15 not going to and unless tragedy and there actually
16 was from the heliport path that came in from New
17 Jersey that crashed in our waters and there was a lot
18 of concern and safety regulations that came from that
19 and how that could have been and it turned out,
20 again, it is from helicopter [inaudible 00:49:58]
21 right over the border. Right over the Hudson River.
22 So, we will have some conversation about that. And
23 before we and with this panel, I believe Council
24 member Lander did raise his hand. So, before we and
25 the first panel, I would like to give Council member

2 Lander a chance to ask his question. Brad, are you
3 there?

4 SERGEANT-AT-ARMS: Time starts now.

5 CHAIRPERSON VALLONE: And we have also
6 been joined by Council member Powers and Peter Koo,
7 just so that everybody knows.

8 COUNCIL MEMBER LANDER: Thank you, Chair
9 Vallone. Yes. I just wanted to thank you for
10 convening this hearing and asked to be signed on to
11 all three of the bills as a cosponsor. You know, we
12 have had this hearing so many times before in various
13 formats. Obviously, these are three new bills, but,
14 you know, the just what I have said it many of them I
15 am just going to repeat again. You know, we have not
16 done a good job on this issue to. Coming up with a
17 way of evaluating the economic benefits of the
18 helicopter industry, which I believe are quite
19 modest, against the human misery impact that
20 helicopters cause, which I believe are quite large.
21 And I honestly can't remember which EDC Chair it was
22 going back many EDC Chairs, all of whom have been,
23 you know, good public servants and many of them
24 friends where I asked like do you have a measure of
25 human misery? Like is there a point at which you

2 would conclude that the suffering of New Yorkers as a
3 result of the noise and harm and environmental health
4 impacts of helicopters was greater than the benefit
5 to the city in terms of a relatively modest number of
6 jobs and small tax revenue. And, unfortunately, EDC
7 has not conducted that, to my knowledge. I mean, I
8 guess I will make this a question, but, you know,
9 will start with a statement. I mean, to my
10 experience, you know, I believe it is a pretty small
11 economic benefit and a very large human harm-- more
12 to some people than others. There are people who are
13 kind of able to block out the noise and some people
14 who it is just in their heads. And those people are
15 miserable and I don't feel that we have surveyed them
16 or come up with a measure of human misery to inform
17 this question. We just say that there is some
18 economic benefit and we don't weigh the harm. So, I
19 support these three bills. You know, Chair, I
20 appreciate you for leading on this, but I guess I
21 will just ask that as a question. Like does EDC have
22 a way of measuring the misery caused and evaluating
23 whether or not that is worth the modest economic
24 benefit that is gained?

2 CHAIRPERSON VALLONE: A new misery
3 analysis. I like it.

4 COUNCIL MEMBER LANDER: Done. We represent
5 New Yorkers and their misery should matter to us.

6 CHAIRPERSON VALLONE: Ben, by the way,
7 Brad, prior to you jumping on, the first thing I did
8 was recognize the work that you ON Margaret and Helen
9 and so many folks did out of Manhattan prior to this
10 because this has been really a battle--

11 COUNCIL MEMBER LANDER: Absolutely. And
12 you have been on this a long time and picked it up.
13 You know, none of this is, you know-- we are all
14 frustrated in our inability to push action forward
15 here.

16 CHAIRPERSON VALLONE: I know. At least
17 we have got three bills here today that it looks like
18 we are going to push through.

19 COUNCIL MEMBER LANDER: I am signing on.
20 So, counsel, if you want to add me to the bill.

21 CHAIRPERSON VALLONE: So, EDC, if you
22 could respond to Council member--

23 COUNCIL MEMBER LANDER: But I don't mean it
24 facetiously. You know, EDC, I think, does care about
25 the well-being of New Yorkers. So, you know, I will

2 genuinely ask that question. How do you think about
3 weighing the benefits between-- you know, there are
4 modest-- I agree. The economic benefits are not
5 zero. I think they are pretty modest in terms of
6 jobs and tax revenue, but they are pretty modest.
7 And do you have any way that you weigh that against
8 the misery that is caused?

9 DIRECTOR LOMASNEY: No. Thank you,
10 Council member, for the question. We appreciate
11 that. So, first I will ask if my colleague,
12 Jervonne, could also be on muted just because I know
13 she has some history here and might what the comment.
14 But, I will start by responding, you know, and first
15 our contractual duty with the heliport since, you
16 know, laid out in the maritime contract to make sure
17 the heliports are functioning and in a safe manner.
18 So, you know, that is mainly our scope and that is
19 how I will answer from, but I think that, to your
20 broader question, is there an analysis for, you know,
21 the suffering war misery, as he put it, of the
22 residents? Can we don't have that and I think that
23 is beyond the scope of EDC to do that because it does
24 speak to all larger public health concern. And so,
25 if something was to be done, we would certainly like

2 to work with other agencies to have expertise in that
3 type of thing to do that. Jervonne, if you would
4 like to add anything from your time working on these
5 issues, too.

6 JERVONNE SINGLETARY: Sure. Thank you,
7 Adam. Thank you, Council member Lander. And we
8 genuinely do understand the new since that
9 helicopters cause. We are New Yorkers ourselves.
10 Many times during my own meanings helicopters have
11 come across my window and I've had to unmute myself.
12 But we fundamentally feel that having EDC retain some
13 control over the heliports is critical to just city
14 operations. As you would know, if we were to just
15 stop tour operations out of downtown Manhattan, that
16 wouldn't stop the New Jersey and Westchester tour
17 operations which would then fly overlay and at much
18 more frequent intervals. And so we do consider what
19 the community goes through. We are members of the
20 community, but this is a really fine balance. Our
21 ability to control a lot is limited. The things that
22 we do control, we look to partner with the Council
23 and continuously do that to make sure that we are
24 servicing New Yorkers in the best way possible.

2 COUNCIL MEMBER LANDER: Thank you for those
3 answers. In my time is up, but, maybe, Chair, we
4 should actually teach you will have been like put it
5 another bill that will try to like actually required
6 the city and some partnership between EDC and DOHMH
7 to try to measure the suffering that is caused here.

8 SERGEANT-AT-ARMS: Time expired.

9 COUNCIL MEMBER LANDER: I don't believe are
10 currently getting the balance right. Thank you.

11 CHAIRPERSON VALLONE: Totally agree and
12 something that is-- Brad, we have had the benefit
13 analysis of this to, when we deal with our
14 constituent phone calls and what is happening in the
15 city, it never comes to the level of the income that
16 is generated. So, getting to the point of regulating
17 and controlling the new concession agreement
18 contracts to get to the point where we, A, don't even
19 offer them, or, B, minimize what it is that is
20 allowed out of the helipad-- and now we are finding
21 out that this battle we are going to have with New
22 Jersey because they are just coming over our sky zone
23 regularly and that is going to be something-- So, I
24 think are there any other Council members that I have
25

2 missed before we dismiss the first panel? CJ, do you
3 see anybody else?

4 COMMITTEE COUNSEL: No other hands are
5 raised, Chair.

6 CHAIRPERSON VALLONE: Okay. Great. So,
7 then I would-- You. If you could continue with the
8 next panel. Thank you to those who just testified.
9 Thank you.

10 COMMITTEE COUNSEL: Okay. Thank you,
11 Chair. We will now turn to public testimony. I
12 would like to remind everyone that, unlike our
13 typical Council hearings, we will be calling on
14 individuals one by one to testify. Due to the large
15 number of witnesses who have signed up to testify
16 today, we will be limiting each panelist speaking
17 time to two minutes. Please begin once the sergeant
18 has started the timer. Council members who have
19 questions for a particular panelist should use the
20 zoom raise hand function and I will call on you after
21 that panelist has completed their testimony. For
22 panelists, once your name is called, a member of our
23 staff will unmute you and the sergeant-at-arms will
24 set the timer and give you the go-ahead to begin.
25 Please wait for the Sgt. to announce that you may

2 begin before delivering your testimony. I would now
3 like to welcome Rob Wiesenthal to testify followed by
4 Joel Silverman and then Jeff Smith. Rob Wiesenthal,
5 you may begin upon the sergeant's announcement.

6 SERGEANT-AT-ARMS: Time starts now.

7 CHAIRPERSON VALLONE: You have to
8 physically unmute yourself. Can you do that? Is it
9 giving you the option to unmute or are you-- because
10 it starts off muted. All right. Your time is not
11 diminishing as you are figuring it out, so don't
12 worry.

13 ROB WIESENTHAL: Chair Vallone, can you
14 hear us?

15 CHAIRPERSON VALLONE: I can. Yes.

16 ROB WIESENTHAL: Okay. Thank you for
17 your time, Chair Vallone and fellow Council members.
18 Just a brief introduction about Blade. We are a
19 technology powered global air mobility company. Our
20 name is not Blade Helicopters for a reason because of
21 the same transition you have been talking about two
22 electric. Zero mission helicopters-- zero omission
23 verti-craft, as you been talking about earlier. Our
24 goal is to provide cost-effective and time efficient
25 alternatives to the ground transport income just

2 stood roots. We operate predominantly in the United
3 States and Indiana. Additionally, the company is the
4 leading air transport or of human organs for
5 transplant surgery and we service every New York City
6 hospital, as well. We do not conduct any towards
7 whatsoever in New York City or anywhere. You have a
8 presentation in front of you. Some of you it is
9 available by public record. Unfortunately, I cannot
10 share it. In terms of the transition to electric
11 vertical aircraft, there are essentially five reasons
12 why this is important. They are quieter. They are
13 safer. They are greener. They are affordable. And
14 they are flying already in Singapore, China, New
15 Zealand, and we expect them to be here by 2024 so we
16 can have this transition. In terms of the current
17 New York City helicopter landscape, as you've heard
18 earlier, flights are down over 90 percent for
19 charter. Flights are down over 95 percent for
20 tourism and the few remaining charters are flying
21 over noise abatement routes. At the same time, as
22 you've heard, noise complaints have skyrocketed over
23 130 percent, I was told on this call. So where's the
24 noise coming from? The noise is coming from non-
25 New York City helicopters flying over Manhattan for

2 Torres, predominantly from New Jersey from Fly NYON,
3 but now from Westchester from Wings Air and there are
4 even operators coming from Florida to do tours over
5 Manhattan. And I believe Council member Barron said
6 to download the Flight Radar app. Absolutely. I
7 think all of you should to see exactly the tail
8 numbers and who are the actors here. These
9 helicopter operators from New Jersey are hovering
10 between buildings in New York City. They're
11 preventing auto rotation safety procedures and the
12 passengers are on board these helicopter with doors
13 off leaning out of aircrafts to take photos. And
14 these photos are for social media. As you probably
15 know, posting the most thrilling photos gets people
16 lots of excitement and energy in social media and
17 that's why these things have grown. Just to give you
18 an example, just last Saturday, there were 26 flights
19 over Manhattan over the cityscape in between
20 buildings, creating an echo chamber of noise, by one
21 company: Fly NYON. We have given you the times and
22 the tail numbers and this is in freezing temperatures
23 with doors off during a pandemic shutdown. You also
24 have, in the testimony, flight paths for a number of
25 the operators who are from out of state who are

2 flying over Manhattan. It's important to note that
3 there are absolutely no flights, practically-- maybe
4 one or two-- coming from EDC on the lower west side.
5 They have largely been stopped and they only fly over
6 water. As Blade only departs from their operations
7 from waterfront heliports to outside destination
8 barring all noise abatement routes. So, how do we
9 reduce our impact on the community? We have already
10 implemented voluntary flight restrictions for point
11 to point flights, including noise abatement routes,
12 voluntary temporary flight restrictions, including
13 for Shakespeare Over the Park for the past five
14 years, and we will not work with any operator who
15 does not follow New York City rules with respect to
16 tourism. We do not work with anyone who flies over
17 the New York City cityscape. 80 percent of our
18 flights use the quietest in class Bell 407
19 helicopters. What we would like to propose terms of
20 the--

21 SERGEANT-AT-ARMS: Time expired.

22 ROB WIESENTHAL: in terms of the
23 legislation is that we upgrade noise barriers at
24 heliports, we further our work towards
25 electrification, and we have potential amendments to

2 the legislation. We first need to point out there is
3 no such thing as a stage III helicopter. Period.
4 And we can work-- I'm sure Jeff Smith will tell you
5 that, as well. Thus, the proposed legislation will
6 effectively end all helicopter air mobility--
7 destroy the air mobility industry and not allow us to
8 transition to electric. We have given some proposals
9 of things that we could do. One thing we can do is
10 to stop any operator who flies over Manhattan
11 cityscape from landing in the New York City heliport.
12 I have spoken with all the heliport managers. They
13 are willing to abide by this. So, it is important to
14 note that the legislation here will lead to the
15 shutdown of New York City heliports jeopardizing the
16 infrastructure necessary for the imminent arrival of
17 electric aircraft. And also if we really want to
18 become city 2.0, not unlike Singapore, not unlike
19 Tokyo, not unlike other cities or mirror city in Los
20 Angeles, it is important that we remain to this
21 infrastructure because there will not be built again.

22 CHAIRPERSON VALLONE: Thanks, Rob. I
23 will reserve questions for the completion of the
24 entire panel. So, CJ, who also is with Blade on this
25 panel?

2 COMMITTEE COUNSEL: I believe we have
3 Joel Silversmith followed by Jeff Smith.

4 CHAIRPERSON VALLONE: So, then let me--
5 you know what, since it is pertinent to what we just
6 said, let me just-- Rob, you can unmute and come
7 back. I am not comfortable with, we are not the bad
8 guys, other people are. And, you know, the net
9 result of these legislations and an end of an
10 industry that no one-- that is coming on after us
11 really cares about, then we are in a tough spot
12 because the people who are [inaudible 01:04:19]
13 don't want it anyway. So, if a lot of this is going
14 to come through voluntary concessions and steps to
15 make the industry as safe and quiet as possible, and
16 that is the only way to avoid the end of that
17 industry is through that. Two things we have. We
18 have, from what you are testifying, the average
19 jurisdiction bad guys and then we have what is
20 through our own heliport industry. And how is
21 Blade-- I think we kind of got lost there. So,
22 Blade doesn't own the actual helicopters. You are
23 only the middleman that is actually contracting the
24 routes?

2 ROB WIESENTHAL: We arrange helicopter
3 flights on behalf of operators. Not for tours. Only
4 two depart Manhattan-- depart New York City and,
5 again, flying over noise abatement routes to places
6 up to 200 miles away.

7 CHAIRPERSON VALLONE: So, if I am making
8 that choice, it is up to you, then, which helicopter
9 columns for that service. Is that correct?

10 ROB WIESENTHAL: in terms of there are no
11 stage III helicopters, then we specifically use Bell
12 407's because they are the quietest helicopter
13 currently available.

14 CHAIRPERSON VALLONE: So, it would seem
15 to me that you would have a large say in this process
16 if it is mandated that the only helicopters that you
17 would choose for the service were of the safest,
18 greenest, most economical and environmentally
19 friendly as possible. They would either have to
20 comply with that or they would no longer partner with
21 Blade.

22 ROB WIESENTHAL: And that is--

23 CHAIRPERSON VALLONE: You have--

24 ROB WIESENTHAL: And that is our goal is
25 to facilitate our operators and to work with them and

2 to help them for the rapid transition to electric.
3 That is why we have had a partnership with Air Bus
4 and other manufacturers for many years now. To
5 accelerate this adoption.

6 CHAIRPERSON VALLONE: Well, you have to
7 understand that rapid transition is something that we
8 want to be seeing-- and it's not-- I see numbers of
9 2025. I get 2030. That is, obviously, not in my
10 political lifetime and it is not something that I can
11 bring back to folks in College Point, Whitestone,
12 Northeast Queens, in the city of New York saying,
13 hang in there, folks. We will get there. It's
14 just--

15 ROB WIESENTHAL: Yeah. Well, but two
16 things. I would also say that we are carbon neutral
17 today. We fund projects in the Bronx to actually
18 deal with methane collection. So, with what we have
19 today, we are carbon neutral and also, remember.
20 These aircraft are flying today. Some of the
21 earliest certification dates that have been proposed
22 over as early as 2022. We are being conservative by
23 saying 2024-2025.

24 CHAIRPERSON VALLONE: Well, you are also
25 saying that we use noise abatement routes and we take

2 efforts. Those are things that happened because this
3 committee came in with everyone that is on and
4 watching-- and thank you [inaudible 01:06:55].

5 There are a bunch of people out there that have taken
6 the time to be at today's hearing because we drew a
7 line a few years ago saying that we can't just say
8 that it is not our responsibility. It is the FAA.

9 We have to take these steps. And one of those steps

10 where the helicopters are flying directly over the

11 same damn route time and time again and until we

12 complained and they were like, oh, we can mitigate

13 that. We can go a little bit this way. We can go a

14 little bit that way. We can find the least impactful

15 way over residential or folks that are actually

16 underneath these flight paths. And that was the

17 first step to seeing some relief. That only happened

18 through voluntary concessions. So, it is so

19 important that that dialogue-- now, you gave some

20 right at the end of the testimony. You gave some

21 ideas of soundproofing. What were some of the other

22 ideas that, while we are dealing with today, that we

23 can take immediate steps to get some relief to New

24 Yorkers?

2 ROB WIESENTHAL: Well, I think one of
3 the-- Obviously, the first and most important thing
4 is, you know, this prohibition on stage III
5 helicopters which currently do not exist, according
6 to the FAA. That shuts everything down. So, I think
7 we can think about some type of timeline two, once
8 electric is available, to be able to switch. And for
9 us to help all the operators as one community to do
10 that.

11 CHAIRPERSON VALLONE: So, are all stage
12 II helicopters the same?

13 ROB WIESENTHAL: Certain have lower
14 decibel levels, but, you know, the very insiders and
15 they very in noise. I can't give you honest
16 testimony right now of the facts that I don't have in
17 front of us, but there are no stage III helicopters.

18 CHAIRPERSON VALLONE: Well, to my
19 knowledge-- helicopter aviation skills, I'm sure not
20 all stage II helicopters are created equally and I am
21 sure--

22 ROB WIESENTHAL: That is correct.

23 CHAIRPERSON VALLONE: and I am sure---

24 ROB WIESENTHAL: [inaudible 01:08:41]

2 CHAIRPERSON VALLONE: stage III, the
3 mandate of using the most recent 2021 brand-new just
4 like when I go get a card want to get every option on
5 it, and every helicopter that is going to be used
6 through Later anywhere in the city is going to make
7 sure that they have A, B, C, D, and he and that it
8 has the top five possible-- until we get to stage
9 III. But we haven't-- we, those drafting the
10 legislation and protecting New York, I would be given
11 any of that to say, well, here are some helicopters
12 that are amazingly green and quiet that we can use
13 until we get to stage III, but--

14 ROB WIESENTHAL: Well, as I said in my
15 testimony, 80 percent of the-- 80 percent of the
16 helicopter flights that we arrange are in Bell 407
17 helicopters which, by certain jurisdictions, have
18 been deemed not noisy helicopters. They are clearly
19 quieter than others, but, again, there are a variety
20 of different helicopters out there. We do our best
21 to use the quietest helicopters that we can use. The
22 second point, Chair Vallone, in terms of the
23 potential amendments to the legislation is that we
24 believe, through our Counsel, that we can prohibit
25 landings a New York City heliports by operators that

2 violate EDC mandated city tourism roots and noise
3 abatement routes for operating in an unsafe manner.
4 And that is something--

5 CHAIRPERSON VALLONE: And what do you
6 mean do that-- What tool-- We would definitely
7 agree to something like that, but if we have the
8 ability to stop the landing or not allow the route in
9 the first place because they are not compliant, we
10 want to make sure that we all have--

11 ROB WIESENTHAL: Many of these companies
12 elsewhere still, at times, use, for charter business,
13 our local heliports in Manhattan. While we cannot
14 prevent someone from taking off or from busing people
15 from Manhattan to New Jersey to then fly over and
16 disrupt neighborhoods in Manhattan, flying in between
17 the cityscape, we can prevent them from landing in
18 New York City heliports. And that is something I
19 have spoken to each of the managers of the heliports
20 in New York City and they seem interested and willing
21 to discuss it and they--

22 CHAIRPERSON VALLONE: That might be
23 something we immediately have to discuss and amend
24 it. So, preventing anyone from landing on one of our

2 heliports and having one of these joy rides over our
3 city that came from another jurisdiction.

4 ROB WIESENTHAL: Yes. Correct.

5 CHAIRPERSON VALLONE: that's something
6 that I would certainly like to have in place by
7 tomorrow, basically.

8 ROB WIESENTHAL: Correct, sir. The third
9 potential amendment is an industry abundant watchdog
10 group. We are willing to take a leadership position
11 of that. If so the Council would like that, the
12 track paths to ensure compliance with noise abatement
13 routes and altitudes and that operators that violate
14 these routes would lose their landing privileges at
15 New York City heliports and Played would no longer
16 work with them. And I think that is important
17 because, you know, you have seen the technology.
18 Like flight radar 24, that the Council member
19 released, this is very important. It gives you the
20 time, the altitudes, and the tail numbers and you can
21 see--

22 CHAIRPERSON VALLONE: Well, I think you
23 and I can probably have a very good conversation for
24 a long time, but I have a lot of respect for the
25 people that are waiting. But thank you.

2 ROB WIESENTHAL: Understood.

3 CHAIRPERSON VALLONE: But I do think you
4 for those because those are important and those are
5 real changes that can be made immediately and that is
6 something that is our responsibility to give to the
7 folks in the city of New York and say that these are
8 the changes that are happening. As a result of these
9 bills, our camaraderie, legislation, the committee
10 hearing, the joint participation, that is so
11 important. So, let's continue on with our next
12 panelist.

13 COMMITTEE COUNSEL: Thank you, Chair.

14 I would now like to welcome Joel Silversmith to
15 testify followed by Jeff Smith and then Tom
16 McCormick. Joel Silversmith, you may begin upon the
17 sergeant's announcement.

18 SERGEANT-AT-ARMS: Time starts now.

19 ROB WIESENTHAL:

20 CHAIRPERSON VALLONE: and, again, if any
21 Council members want to jump in during these panels,
22 please let us know.

23 JOEL SILVERSMITH: Thank you very much. My
24 name is Joel Silversmith. I am an attorney with the
25 firm of KMA Zuckert which specializes in aviation law

2 and am speaking a little bit out of order since Jeff
3 Smith will be speaking to the helicopter industry
4 more directly and how it attempts to work with the
5 city to address issues of concern, but the ER HC has
6 asked me to speak briefly on some of the legal
7 issues. As background and, as I imagine, many of the
8 members of the committee now, aviation is a federally
9 regulated industry and Congress, of course, and the
10 FAA have very deliberately left little room for local
11 regulation. And although the UM not going to
12 specifically address Mr. Wiesenthal's remarks, I do
13 have to disagree with him. I do not believe there is
14 an opportunity for Manhattan heliports current
15 operators I would like to just briefly mentioned the
16 three basic principles that are of a concern. The
17 first is the Airport Noise and Capacity Act of 1990
18 which was briefly referenced by the EDC director.
19 This was adopted by Congress very deliberately to
20 prevent local noise and access restrictions from
21 being adopted. It does provide a very narrow path
22 for the adoption of local restrictions, but the
23 current bills do not follow the requirements of that
24 statute, so we believe that ANCA prohibits the
25 restrictions in the two proposed bills, 2026 and

2 2067. Secondly, there is a long-standing prohibition
3 on what Congress calls exclusive rights at airports
4 that have ever received federal aid in, New York,
5 this includes at least two of the three heliports.
6 Essentially, exclusive rights has been interpreted to
7 mean that one group of operators cannot be favored
8 over the expense of another. We believe the two
9 proposed bills also have a problem because of the
10 exclusive rights prohibition. The third issue is
11 preemption. There are two types of preemption. I
12 won't get into the illegal technical details. But,
13 essentially, preemption is intended to generally
14 ensure that only the federal government sets rules
15 for the operation of aircraft, not municipalities.
16 We don't believe the two proposed bills mediate
17 either of these requirements.

18 SERGEANT-AT-ARMS: Time expired.

19 JOEL SILVERSMITH: I would, obviously, to
20 be certainly happy to take any questions about this
21 and, of course, engage further. We assume we will be
22 having continuing conversations with the committee
23 after today.

24 CHAIRPERSON VALLONE: I would be happy to
25 talk to you about the FAA limitations and what we can

2 do and if I had to sit back and wait for the FAA to
3 help the folks in New York City, and nothing would
4 ever be freaking done around here. So, what we've
5 done is voluntarily get these things done with brand
6 of different finds, stopping of contracts, and
7 regulation. And if that is the only way we can get
8 relief in New York City, we will continue to do that.
9 Okay. Next.

10 COMMITTEE COUNSEL: Thank you, Chair.

11 I would now like to welcome Jeff Smith to testify
12 followed by Tom McCormick and then Emma Chandler.
13 Jeff Smith, you may begin upon the sergeant's
14 announcement.

15 SERGEANT-AT-ARMS: Time starts now.

16 JEFF SMITH: Thank you, Chair Vallone, and
17 the other committee members and everybody that
18 participated today. Out of the 36 New York City
19 committees, I believe the economic development
20 committee is the right place to have this discussion
21 because, as we talk about low were noise levels, zero
22 missions, more affordability for more New Yorkers to
23 travel by air, this bill, with the stage III,
24 completely eliminates that dream. The three
25 heliports will not be able to sustain themselves past

1 this legislation. There is one helicopter that is
2 actually considered stage III. It is a very
3 expensive helicopter. It is not meant for the
4 smaller amounts of people. It is a heavier carrier.
5 Currently, as you've already heard, the helicopter
6 industry has been wiped out over the last year due to
7 the pandemic and other reasons. Up to 90 percent.
8 What we are seeing now is, because of the migrating
9 out of Manhattan, that there is much more of a
10 commuting traffic that people are coming from their
11 secondary homes and coming into Manhattan to work and
12 then traveling back, even making it more important
13 for the heliport infrastructure. The one thing that
14 we have heard throughout the beginning of this
15 testimony is noise overflights in New York City. The
16 current legislation will have zero effect on that.
17 We will shut down the three heliports and the noise
18 will continue. I have been in this process for over
19 15 years. I have been through the 2010 air tour SOP
20 that was developed by the EDC and the ER HC with the
21 five commercial operators. I have seen that 2016
22 decision about the 50 percent reduction of air--

23
24 SERGEANT-AT-ARMS: Time expired.

2 JEFF SMITH: all of those things were
3 always prefaced by supply and demand. If you make
4 these kinds of decisions, that demand will find the--
5 that supply will find the demand somewhere else and
6 that is exactly what has happened with New York City
7 losing control of the air tour and the commercial air
8 tour business and what routes they fly is because
9 they found some other place to do it without that
10 control. Thank you.

11 CHAIRPERSON VALLONE: Thank you and I do
12 acknowledge the problem of outside jurisdictions, so
13 we have to be very cognizant. It is one thing to
14 close our borders. It doesn't stop the problem. So,
15 we are going to have to work with our state and
16 federal brothers and sisters [inaudible 01:18:01].
17 Thank you.

18 COMMITTEE COUNSEL: Thank you, Chair.
19 I would now like to welcome Tom McCormick to testify
20 followed by Emma Chandler and then Arlene Bronzaft.
21 Tom McCormick, you may begin upon the sergeant's
22 announcement.

23 SERGEANT-AT-ARMS: Time starts now.

24 TOM MCCORMICK: Good morning, Chair
25 Vallone and other committee members. I want to thank

2 you for inviting the Eastern Region Helicopter
3 Council to speak with you all today. We have enjoyed
4 a wonderful relationship with the city Council that
5 goes back to 1977 and the Council has enjoyed the
6 relationship with the helicopter industry since its
7 very beginning. I don't know if many of you know,
8 but I am sure some of you know that the first
9 military helicopter training center in the US during
10 World War II was at Floyd Bennett Field for the Navy,
11 Coast Guard, Army air Corps, and British Royal Air
12 Force. That same location where NYPD operates from
13 today is where they developed the first rescue waste
14 which allowed the very first lifesaving mission with
15 a helicopter from battery Park off the shore of New
16 Jersey to go to the assistance of the US naval
17 warship. Since that time, you have had West 30th
18 open in 1956. The downtown heliport opened in 1960,
19 and the east side opened in 1972. As was pointed out
20 earlier today, the downtown heliport is the only
21 heliport in New York City and quite possibly the
22 country that can support the presidential helicopter
23 flight detail that includes the V22 Osprey. The east
24 side, which Rob Wiesenthal mentioned, is a key
25 player. That opened in 1972 and that is a key player

2 in the organ transport process that supports the
3 various local hospitals. So, just to further the
4 conversation that began earlier, these
5 recommendations won't stop the noise. They will and
6 the economic viability of the heliports and I would
7 argue that the economic viability of the heliports
8 extends well beyond the point of sale and the jobs it
9 creates at the local level and the point of
10 embarkation and departure. It impacts the entire
11 economy of--

12 SERGEANT-AT-ARMS: Time expires.

13 TOM MCCORMICK: and just a follow-up on
14 the DCAS fleet, none of those aircrafts were
15 certified under the stage III requirements. None of
16 the aircraft that the city operates today meet the
17 stage III requirements either. And that is all I
18 have to share with everyone. I am happy to answer as
19 many questions on the topic as you would like. I am
20 pretty well-versed in it.

21 CHAIRPERSON VALLONE: Tom, we are
22 amending the bills as you speak to include the DCAS
23 fleets and will be figuring out tomorrow morning how
24 to comply with all of this. And I also do want to
25 say that, yes. We have had our struggles together in

2 the past, but a lot of the things that have been
3 achieved through you voluntarily working with the
4 pilots to either fly higher or fly different routes,
5 and a lot of that can only be done-- so we have to
6 continue that dialogue because if we sit back and
7 say, it is FAA or it is LaGuardia, Ports Place, or
8 JFK airport space, then we are left with nothing else
9 to do but legislation because there is no one working
10 on this. So, unless we continue that, these are the
11 bills that are the result of not working out the
12 situations. Otherwise, we have no [inaudible
13 01:21:29]. And I think we have about a dozen folks
14 left to go. So, were going to keep that time and
15 keep everyone [inaudible 01:21:35]. Thank you.

16 COMMITTEE COUNSEL: Thank you. I would
17 now like to welcome Emma Chandler to testify followed
18 by Arlene Bronzaft and then Eric Katzman. Emma
19 Chandler, you may begin upon the sergeant's
20 announcement.

21 SERGEANT-AT-ARMS: Time starts now.

22 EMMA CHANDLER: Thank you. Thank you
23 for the opportunity to testify today in favor of the
24 proposed legislation. My name is Emma Chandler. I
25 represent the Friends of Governors Island. We are an

2 independent nonprofit that works to ensure the
3 islands continued growth and accessibility as a
4 vibrant resource. The Friends has long advocated for
5 a full ban on all nonessential helicopter flights
6 from city-owned heliports. In 2015 and 2016, working
7 with community members and elected officials, we
8 organized public rallies in support of counsel
9 proposed legislation to ban tourist helicopter
10 flights, of which there were 59,000 in 2015 alone.
11 While this bill is ultimately shelved in favor of a
12 concession agreement that we did not support, we
13 continue to view any legislation that works to curb
14 nonessential helicopter traffic as a step in the
15 right direction. The noise from helicopter traffic
16 is a huge issue on Governors Island. At any given
17 moment, between the hours of 7 AM and 7 PM, you will
18 find several helicopters taking off, landing,
19 hovering in the air space adjacent to the island and
20 now, with the increase in local tourist flights from
21 both New Jersey and Westchester, which do not abide
22 by the city's prohibition of flights over Governors
23 Island, many of them can be observed hovering
24 directly above us for minutes at a time. The
25 unending din of helicopter traffic is the most

2 frequent complaint that we received from our
3 visitors. It not only destroys peaceful enjoyment of
4 our outdoor spaces, but also makes it impossible to
5 hear tour guides, programmers, performers, and the
6 like or even carry on a conversation with the person
7 next to you. And it is not just Governors Island,
8 but parks across our entire city, as evidenced by the
9 massive increase in helicopter noise complaints
10 reported by 311 this year. In the past decade, the
11 city has been easily \$1 billion improving its
12 waterfront resources and building an incredible green
13 necklace of spectacular open spaces. During the
14 Covid 19 pandemic, these parks and open spaces have
15 been more critical than ever as a public health
16 resource to provide both physical and mental health
17 benefits. It is a waste of public resources to
18 destroy the public experience of these parks--

19 SERGEANT-AT-ARMS: Time expired.

20 EMMA CHANDLER: sensory a song
21 nonessential helicopters. We urge the Council to put
22 its full support behind federal legislation and would
23 prohibit all nonessential flights over densely
24 populated areas by endorsing the safe and quiet skies

2 act proposed by representatives Nadler, Maloney, and
3 Velasquez. Thank you.

4 CHAIRPERSON VALLONE: Thank you, Emma.

5 COMMITTEE COUNSEL: Thank you. Next, I
6 will welcome Arlene Bronzaf to testify followed by
7 Eric Katzman and then Lara Birnback. Arlene
8 Bronzaf, you may begin upon the sergeant's
9 announcement.

10 SERGEANT-AT-ARMS: Time starts now.

11 ARLENE BRONZAF: Thank you to the Chair
12 and members of the committee. I have listened to
13 people speak and they have talked about diminished
14 quality of life for those people exposed to noise.
15 For over 40 years I have done research and written on
16 the adverse effects of noise to health, so I would
17 like to underscore the fact that the literature is
18 full with studies that link noise to health impacts.
19 And so, I rather not speak to the quality of life. I
20 would not say that people are miserable. What we are
21 noticing is that people say they are miserable and
22 unhappy-- and I have read newspaper articles written
23 during the pandemic addressing that. Let me stress
24 that noise is harmful to health and as far as costs,
25 I have heard people talking about the cost will be

2 impacted if we cannot have people who own helicopters
3 and rent helicopters. That is critical. Well, let
4 me tell you what one of the major costs in the United
5 States is and that is to health and the studies in
6 the United States and abroad have shown that if we
7 continue to expose people to noise, the cost of
8 medical bills will be high. So, let me stress when
9 you talk about industry and how cost is important to
10 them, I'm going to tell you all people living in the
11 United States will have to pay the cost for health of
12 the people who are admitted to hospitals because of
13 noise. And as far as diminished quality of life,
14 yes, that is true, but that is just a phrase. What I
15 want you to hear is that noise pollution is harmful
16 to health. Thank you.

17 SERGEANT-AT-ARMS: Time expired.

18 CHAIRPERSON VALLONE: Thank you, Arlene,
19 and thank you for always contacting our office.
20 Thank you.

21 ARLENE BRONZAFT: Thank you.

22 COMMITTEE COUNSEL: Thank you. I would
23 now like to welcome Eric Katzman to testify followed
24 by Lara Birnback and then Jeffrey Starin. Eric

2 Katzman, you may begin upon the sergeant's
3 announcement.

4 SERGEANT-AT-ARMS: Thank you.

5 ERIC KATZMAN: Thank you. Committee
6 Chair Vallone, and other distinguished committee
7 members, my name is Eric Katzman. It is my pleasure
8 as a board member of Stop the Chop New York New
9 Jersey to join you today to discuss the important
10 bills. For those of you not familiar, Stop the Chop
11 is a nonprofit grassroots organization formed in 2014
12 to advocate for and educate everyday citizens of all
13 five boroughs and the surrounding area whose quality
14 of life and safety is severely and negatively
15 impacted by the nonessential helicopter industry.
16 The fight to safely regulate this industry goes back
17 many decades, yet conditions have not gotten better.
18 In 2016, the helicopter industry agreed to limit the
19 number of flights. Indeed, the industry did not live
20 up to the spirit of the agreement and, thus, it is
21 questionable if they will do so in the future. As I
22 assume you are aware, our federal congressional
23 delegation has introduced legislation to ban all
24 nonessential helicopter flights over New York City.
25 Stop the Chop supports HR 4880 which was originally

2 introduced in late 2019. The issues surrounding the
3 nonessential helicopter industry are fairly complex
4 and I don't have time to talk to all of them today.
5 The current bills are a step in the right direction
6 and Stop the Chop supports all of them, but we don't
7 believe they go far enough. In terms of economics,
8 Stop the Chop believes the only argument the industry
9 can make to sustain their profit making industry is a
10 week one and, in several prior hearings before the
11 Council, the industry's claims were debunked. Stop
12 the Chop believes the negative economic externalities
13 of nonessential helicopters overwhelms whatever
14 modest claims the industry suggests it delivers to
15 New York City. These economic externalities, which
16 we believe the EDC needs to consider and incorporate,
17 including environmental and health costs along with
18 safety. Stop the Chop asks this committee to pass
19 the legislation to terminate helicopter--

20 SERGEANT-AT-ARMS: Time expired.

21 ERIC KATZMAN: lease is on New York
22 City owned land and work with the board of the Hudson
23 River RF trust to do the same thing for the West 30th
24 Street heliport. If it is not possible then Stop the
25 Chop would like to see a dramatic reduction in the

2 number of flights allowed from these helicopters and,
3 again, lastly, Stop the Chop would like all New York
4 City political leaders to publicly support HR 4880.
5 Thank you for your time.

6 CHAIRPERSON VALLONE: Eric, I just want
7 to also thank you. When there was no data, there was
8 just your data. When there was no way to track
9 anyone, there was your tracking and when there was no
10 sage advice or counsel on how to go forward, you guys
11 were there. So, I always wanted to thank you for
12 continuing bringing us to where we are today. A lot
13 of these pieces of legislation come from the hard
14 work that you guys have done. So, thank you.

15 ERIC KATZMAN: Thank you.

16 COMMITTEE COUNSEL: Thank you. Next we
17 will hear from Lara Birnback followed by Jeffrey
18 Starin and then Lo Van der Valk. Lara Birnback, we
19 may begin upon the sergeant's announcement.

20 SERGEANT-AT-ARMS: Time starts now.

21 LARA BIRNBACK: Thank you. Sorry. I
22 was not able to unmute myself for a moment there.

23 CHAIRPERSON VALLONE: [inaudible 1:30:27]

24 LARA BIRNBACK: problem we are all too
25 familiar with these days. So, good morning, Council

2 members, and fellow members of the public. My name
3 is Lara Birnback. I am the Executive Director of the
4 Brooklyn Heights Association as well as a board
5 member of Stop the Chop New York New Jersey. I want
6 to thank the Council for its attention and sincere
7 commitment to the problem of regulating helicopter
8 noise pollution and safety in our city, as evidenced
9 through these bills under discussion today. And I
10 want to especially thank you, Chairman Vallone, for
11 not passing the buck and throwing up your hands and
12 saying, there is nothing we can do. This is only
13 about the FAA and this is only about New Jersey. So,
14 thank you so much for focusing on what we hear in New
15 York City, can do. Although the BHA supports the
16 bills today, Intro 2026, 27, and Intro 2067, we to
17 strongly believe that these bills do not go far
18 enough to protect the millions of New Yorkers and
19 those in the metropolitan area overall suffering from
20 the noise and environmental pollution created by
21 Torres Stan commuter flights. It has been widely
22 reported this year about the 311 data, so I don't
23 need to go over that again. We have all heard that
24 multiple times. Brooklyn's waterfront communities
25 have been plagued by years-- for years by these noisy

2 and completely unnecessary intrusions into our public
3 spaces, our homes, and our peace of mind. We are
4 grateful that the city has invested in developing the
5 waterfront to add much-needed outdoor space for rest
6 and recreation, as evidenced like never before during
7 this pandemic. But we are baffled that for-profit
8 entities continue to be allowed to pollute our air
9 and harass visitors and residents alike on a daily
10 basis. The city truly should be focused on combating
11 climate, not continuing to support an industry that
12 caters to the few citizens who have a couple hundred
13 extra dollars to burn on a quick trip to the airport
14 or--

15 SERGEANT-AT-ARMS: Time expired.

16 LARA BIRNBACK: On behalf of the BHA and
17 Stop the Chop, we thank you for these preliminary
18 steps. Like Eric before me, I ask you and all other
19 local elected officials to support the house bill
20 4880, sponsored by our congressional delegation,
21 Carolyn Maloney, Jerrold Nadler, Nvidia Velasquez,
22 among others. Thank you very much for this hearing
23 today and all the work you are doing to regulate this
24 industry.

2 CHAIRPERSON VALLONE: Thank you, Lara.

3 And just so you know, we are also going to be
4 reaching out to our New York State assembly and state
5 senator partners to assist in legislation, so in
6 count to use like Westchester, and anyone else in New
7 York, they should not have the right [inaudible
8 01:33:07] New York City as just a [inaudible
9 01:33:08] just because they are flying someone from a
10 different county in New York State. So, we are going
11 to try to not just make it federal, but also state
12 laws.

13 LARA BIRNBACK: Thank you.

14 COMMITTEE COUNSEL: Next, we will hear
15 from Jeffrey Starin followed by Lo Van der Valk and
16 then Ajit Thomas. Jeffrey Starin, you may begin upon
17 the sergeant's announcement.

18 SERGEANT-AT-ARMS: Time starts now.

19 JEFFREY STARIN: Can you hear me? And
20 hello. Thank you.

21 CHAIRPERSON VALLONE: Hello.

22 JEFFREY STARIN: My name is Jeffrey
23 Starin and I am the president of NextGenNoise.org.
24 We are a Brooklyn-based organization that works to
25 implement commonsense solutions to aviation noise.

2 When I read the proposed legislation and, upon
3 listening just now to the testimony, I immediately
4 recognized the kind of what I would call in industry
5 lobbying maneuver. That is a technique that is used
6 by attorneys and their lobbying franchise and
7 politicians to delay or otherwise obfuscate the real
8 issues at hand. Of course, stage III is needed to be
9 implemented. That is just common sense. But by
10 drawing our attention only to stage III
11 technicalities and electric helicopters that are at
12 least 20 years away, only serves to divert our focus
13 away from commonsense solutions which I will present
14 shortly. Intentionally, in my view, they bog us down
15 in technicalities when, in fact, this Council has the
16 power to pass larger and bolder and farther reaching
17 legislation that is asked of it with these bills.

18 Let me bring home a transportation analogy that
19 everyone can understand. Every city in the United
20 States has regulations forbidding the conveyance, for
21 example, of 18 wheeler tractor-trailers repeatedly
22 traveling down residential streets. These
23 regulations apply to all manner of noisy, intrusive,
24 and polluting vehicles that are in place for a reason
25 for safety, foremost, but also to keep property

2 values stable and neighborhoods comfortable and
3 enjoyable and fun places to reside. In other words,
4 you just can't drive a tractor trailer down
5 residential streets simply because it is the shortest
6 distance between one warehouse to another. And, by
7 the way, the regulations apply to sightseeing buses,
8 as well. The highways and air sky above us, which
9 are hardcoded into the airspace by the FAA, are
10 nothing more than about 10 fixed helicopter routes
11 that helicopters must traverse and never deviate from
12 when traveling through New York City airspace. These
13 routes even have names just like city streets. So,
14 here is the solution.

15 SERGEANT-AT-ARMS: Time expired.

16 JEFFREY STARIN: Required these flying
17 vehicles to travel over the water that surrounds New
18 York City. I would like to ask if it is really this
19 body is responsibility to place industry profits
20 over safety, over the investments we've made in our
21 homes. Why does New York City prefer to give
22 helicopters a free pass which, because of that, will
23 ultimately drive down property values, which then
24 impact city revenue and the spiral just continues
25 downward from there. Talk about a fast race to the

2 bottom. Well, that is what we are looking at here.
3 Don't dismiss that, please. Of course, the
4 helicopter lobbyists are going to bemoan such a bold
5 regulation, but remember this. It is only because it
6 will eat into their bottom line. There is no other
7 reason. Of course, the first words out of industry
8 lobbyist mouth will be, but we don't control the
9 airspace. And they repeat correct. But are these
10 helicopters taking off and landing on to and from
11 city-owned property? Yes. They are. I believe they
12 are. Then can the city levy a hefty tax, among other
13 alternatives, on those companies that ignore
14 regulation requiring them to travel offshore? I
15 think the city can. Does the city, this
16 administration, this legislative body have the
17 willpower and, more importantly, the strength of
18 character to do what is right by the New York City
19 people? So, with all the foregoing in mind, I would
20 like to ask the city Council a simple question. Why
21 is this legislative body giving the helicopter
22 industry a free pass? The answer to that question
23 also provides the answer to the solution. Thank you
24 for your consideration.

2 CHAIRPERSON VALLONE: Jeff, I hope you
3 were listening to the whole hearing prior to those
4 comments, and I'm sure you will have questions and
5 answers very different to what we were just given.
6 We are united in opposition and you brought up the
7 commercial truck traffic. That is another batch of
8 legislation a very happy to have passed of the same
9 annoying industry that refuses to abide by our
10 residential streets. So, we are united in your
11 opposition. So, how many more-- that are waiting
12 know where they are in the line. How many folks are
13 still left to testify?

14 COMMITTEE COUNSEL: Two-- Three-- 10.

15 CHAIRPERSON VALLONE: 10. Okay. So,
16 anyone who is left to go, everyone, you've got two
17 minutes. If you can't finish just like the last
18 gentlemen, then you can submit because we pass around
19 the email post hearing and all the exhibits and
20 testimony that was submitted, so you can take your
21 time and go through them. So, make sure you send
22 that to committee counsel and they pass that along.
23 So, for the next 10 people, no, it's not too much
24 longer it will be in the next 10 people.

2 COMMITTEE COUNSEL: Thank you, Chair.

3 I would now like to welcome Lo Van der Valk to
4 testify followed by Ajit Thomas and that Albert
5 Mirashi. Lo Van der Valk, you may begin upon the
6 sergeant's announcement.

7 SERGEANT-AT-ARMS: Time starts now.

8 LO VAN DER VALK: I got it. I got it.

9 Can you hear me?

10 CHAIRPERSON VALLONE: We got you.

11 LO VAN DER VALK: Okay. Thank you. My
12 name is Lo Van der Valk. I am president of Carnegie
13 Hill Neighbors. Our catchment, we are a quality of
14 life and preservation organization. Our catchment
15 area-- we have been in existence for 50 years. Our
16 catchment area borders Central Park from 86th to 98th
17 Street and we have suffered a lot of helicopter noise
18 and it has been increasing over the last four years.
19 We applaud these three bills and we applaud Chair
20 Vallone's committee for taking this on. We think you
21 are pushing at least what can be done at the city
22 level. Maybe some people say you can do more, but at
23 least these are very good first steps. Also we
24 recognize, of course, the that the problem is far
25 greater than can currently be tackled at the city

2 level and we therefore want to say that we urge
3 everyone to support HR 4880, the bill that is
4 sponsored by Carol Maloney and Nadler and Velasquez.
5 And we think that that would be a major step and we
6 think a lot of energy should be put into seeing that
7 that bill gets passed. Thank you very much for
8 hearing us out. Thank you.

9 CHAIRPERSON VALLONE: Thank you.

10 COMMITTEE COUNSEL: Thank you. I would
11 now like to welcome Ajit Thomas to testify followed
12 by Albert Mirashi and then David Murphy. Ajit
13 Thomas, you may begin upon the sergeant's
14 announcement.

15 SERGEANT-AT-ARMS: Time starts now.

16 AJIT THOMAS: It pains me greatly to see a
17 committee focused on the economy of charter
18 helicopters while totally ignoring the well-
19 established body of scientific books on the harmful
20 effects of aviation noise. Without regurgitating
21 scientific publications entirely, aviation noise has
22 proven to negatively affect adult and child
23 cognition, increase heart ailments, and cause
24 psychological imbalance. These facts play a large
25 factor in developing quieter aircraft. Talking about

2 fixed wing aircraft engines and to mimic aircraft
3 approaches in our airports. I have recorded
4 helicopters flying over Central Park, generating in
5 excess of 95 decibels. To help framed this, large
6 trucks driving on Columbus Avenue near me generate
7 about 65 to 70 dB and ambulances with their sirens on
8 are at about 85 decibels. So, while these road
9 vehicles hit peak decibels only for a fleeting
10 second, a single helicopter noise lingers at peak
11 decibels for several minutes. You compound one
12 flight with hundreds of them in New York and one will
13 soon go mad before one dies of a heart attack. So,
14 this committee, as the EDC Chair mentioned earlier,
15 you know, might choose to ignore the health ailments
16 caused by aviation noise in adults and children
17 because creation of health ailments and the
18 tabulation of health costs is too difficult to the
19 model for an econometric model. I see that. But
20 [inaudible 1:42:09] consider that as it looks that
21 revenue-- net revenues. Now, the city offers very
22 few places of refuge for its poor and middle-class
23 residents and these helicopters are destroying the
24 little solace that we have found here. Helicopter
25 users who willingly [inaudible 1:42:26] in the

2 Hamptons or other places should not get to destroy
3 our health--

4 SERGEANT-AT-ARMS: Time expired.

5 AJIT THOMAS: We think that the city should
6 reject and the incremental revenue that helicopters
7 bring to the city, especially for those who chose to
8 stay back. We deserve a safer and healthier city.
9 Thank you.

10 CHAIRPERSON VALLONE: Thank you.

11 COMMITTEE COUNSEL: I would now like to
12 welcome Albert Mirashi to testify followed by David
13 Murphy and then Murray Timell. Albert Mirashi, you
14 may begin upon the sergeant's announcement.

15 SERGEANT-AT-ARMS: Time starts now.

16 ALBERT MIRASHI: Thank you, Chair Vallone
17 for hosting this. I mean, I have attended many
18 meetings about this and it is the same rhetoric, so
19 I've sort of lost hope.

20 CHAIRPERSON VALLONE: Don't lose hope,
21 Albert.

22 ALBERT MIRASHI: I mean, we were-- Can
23 you guys hear me?

24 CHAIRPERSON VALLONE: Yeah. I can hear
25 you. I was just saying to not lose hope.

2 ALBERT MIRASHI: I'm going to make it
3 very short because I get very frustrated hearing
4 this. I mean, as I said, I have attended many, many
5 meetings before about this. I live in Whitestone and
6 I have not seen much of a relief except when
7 Congressman Swazi redirected these flights leaving
8 Hamptons flying into the city and that was very
9 little relief, even under the pandemic. They still
10 fly over my house and it affects my work from home
11 and I think the only option here to be successful, is
12 to support the legislation that bans the use
13 nonessential helicopters altogether. Thank you.

14 CHAIRPERSON VALLONE: Thank you, Albert.
15 And, yes. Whitestone was a main reason Congressman
16 Swazi and I fought to change those routes. So, keep
17 the faith. It is changing.

18 ALBERT MIRASHI: Thank you.

19 COMMITTEE COUNSEL: We will year from
20 David Murphy followed by Marie Timell and then
21 Melodie Bryant. David Murphy, you may begin upon the
22 sergeant's announcement.

23 SERGEANT-AT-ARMS: Time starts now.

24 DAVID MURPHY: Hello. Can you hear me?

25 CHAIRPERSON VALLONE: We have you, David.

2 DAVID MURPHY: Thank you, Chair Vallone
3 and committee members. My name is David Murphy. I
4 live on Central Park West and I am a member of Stop
5 the Chop. I want to underscore what others have said
6 about the tourist helicopter companies operating out
7 of New Jersey. Our neighborhood, the West 80s and
8 90s is beset by tourist helicopters. It is much
9 worse than it was in 2016. As you know, they take
10 off from Linden or Carney, elevating the agreement
11 between the EDC and the companies that operate out of
12 New York. The biggest tourist operator being Fly
13 NYON, as I think you know, especially on Sundays.
14 They fly up the Hudson, had across Manhattan in the
15 West 80s or low 90s, then fly over Central Park, the
16 reservoir for up to two minutes. They fly low enough
17 that I can see the Fly NYON logo on the copter many
18 times. They are whap, whap, whapping. It echoes off
19 the adjacent buildings and it gets louder as the
20 copters make their turns to fly over the reservoir.
21 Then they drift down the east side and on their way
22 back they circle over Madison Square. I have seen
23 them there. They fly over Brooklyn or Governors
24 Island, as we have heard. Although Covid has
25 somewhat reduced their frequency and peak periods,

2 tourist helicopters can come over the same block
3 seven or eight times in an hour because they all fly
4 the same route. So, imagine helicopters going over
5 your house, maybe one every eight minutes and you
6 hear the noise for a good part of that eight minutes
7 before the next one comes. We have had some cases
8 where helicopter crashes-- imagine a crash on a
9 school--

10 SERGEANT-AT-ARMS: Time expired.

11 DAVID MURPHY: So, I underscore the
12 efforts made to stop this extraction of wealth from
13 New Jersey.

14 CHAIRPERSON VALLONE: David, we hear you.
15 And it's even worse than that. From Friday to
16 Sunday, it is every two minutes over the communities
17 in Northeast Queens, so we are all united in this
18 battle of quality-of-life and just constant attack on
19 our senses. So, thank you for your testimony.

20 COMMITTEE COUNSEL: Next, we will hear
21 from Marie Timell followed by Melody Bryant and then
22 Stephen Fox. Marie Timell, you may begin upon the
23 sergeant's announcement.

24 SERGEANT-AT-ARMS: Time starts now.

2 MARIE TIMELL: Thank you, Chairman
3 Vallone and all attendees. I am one of those people
4 that lives on West 88th Street. I have been using
5 flight plan or app four years. I have got 40 to 50
6 flights coming down my block a day to go over the
7 reservoir. Then you have people from Boston, Philly,
8 the Hamptons. They all want to go over the money
9 shot of the reservoir. The best thing that ever
10 happened to me was the Covid 19 shut down. As sad as
11 it was, I had three months of no helicopters. My
12 nervous system returns to normal. I had peace of
13 mind. I could meditate again. It is obscene and
14 undemocratic that if you people, their needs outweigh
15 the needs of millions of other people. This is not a
16 democracy. If Blade adds helicopters to those
17 flights, I am going to have to leave the city. The
18 Council should be very concerned about the flight due
19 to quality-of-life issues out of this town because
20 the helicopters are significant. I have been running
21 the flight plan or app. I have hundreds, if not
22 thousands of screenshots of pilots misbehaving. You
23 need to do more to study these people and not by the
24 helicopter industry. There are helicopters-- I have
25 photos of them in the sky and they are not on the app

2 because more and more they are turning the
3 transponders off so they can't be watched by the app.
4 More and more I have evidence of this. I have
5 evidence of Sikorsky was driving over my apartment at
6 165 miles an hour at 800 feet. Helicopters playing
7 chicken with each other over the reservoir. Playing
8 chicken with private planes that are meandering up
9 there. These pilots are doing whatever they want and
10 it is unsafe. It is a matter of time before a major
11 catastrophe--

12 SERGEANT-AT-ARMS: Time expired.

13 MARIE TIMELL: happens. Thank you.

14 CHAIRPERSON VALLONE: Marie, thank you
15 for that. It is those personal testimonies that have
16 resulted to how we got here today. We felt so lost
17 and having any control or any say in this industry, I
18 didn't even have phone calls that were picked up for
19 years. They didn't care. So, now the phones are
20 picking up. So, it takes that, unfortunately, level
21 of frustration and anger to be heard over these
22 communities that have to suffer the most and it just
23 has [inaudible 1:50:00].

24 COMMITTEE COUNSEL: Next, we will hear
25 from Melodie Bryant followed by Stephen Fox and then

2 Charles Komanoff. Melodie Bryant, you may begin upon
3 the sergeant's announcement.

4 SERGEANT-AT-ARMS: Time starts now.

5 MELODIE BRYANT: and thank you for taking
6 my testimony today. I will be brief. Helicopters
7 saw a real problem for New Yorkers and not just the
8 helicopters that use city heliports. This last
9 weekend, which was cold and blustery, 166 [inaudible
10 01:50:26] flew over Manhattan from New Jersey. At
11 this rate, in the summer. Shaping up to be a real
12 nightmare here. And with Blade going public and
13 announcing their stated growth plans, it is not going
14 to get any better. So, anything we can do is good,
15 but I don't understand why we are still tiptoeing
16 around the real solution. Correct me if I am wrong,
17 but to my knowledge, two of the heliports posting
18 these helicopters are on city land. Why can't the
19 city Council terminate these leases no? Pre-Covid,
20 there were 50,000 flights from city heliports
21 annually. That is 100,000 takeoffs and landings.
22 Why are we talking about noise levels and asking for
23 a study about electric helicopters which won't be in
24 use for another decade? And who says they will be
25 any quieter? And why are we catering to the wealthy

2 commuters and charter companies at the expense of the
3 health and safety of, literally, millions of New
4 Yorkers who cannot enjoy their public space along the
5 shoreline? Frankly, it stinks and who live under
6 their flight paths. Time is passing and New Yorkers
7 are suffering. Please. I am begging the New York
8 City Council to do better. If we have no power to
9 stop the ensuing flood of tourist helicopters from
10 New Jersey, at least we can reduce the pain at home.
11 Thank you.

12 CHAIRPERSON VALLONE: Thank you, Melodie.

13 COMMITTEE COUNSEL: Stephen Fox
14 followed by Charles Komanoff and then Larry
15 Goldhirsch. Stephen Fox, you may begin upon the
16 sergeant's announcement.

17 SERGEANT-AT-ARMS: Time starts now.

18 STEPHEN FOX: Thank you. Can you hear me
19 all right? Great. My name is Stephen Fox. Thank
20 you so much for the opportunity to give this
21 testimony. This is my first time ever attending a
22 city Council hearing. I am the Director of a
23 performing arts organization in New York City. I was
24 born and raised in New York City and have lived here
25 most of my life. I love this city and there is never

2 been anything that has ever made me think about
3 leaving the city. That is until the helicopter
4 problem got out of hand. Then, for the first time,
5 my wife and I started making plans to move out of the
6 city. As the New York Times rightly pointed out in
7 2016, a plague of helicopters is ruining New York.
8 Where my wife and I live on Riverside Drive in
9 Manhattan, helicopters were going up and down the
10 Hudson River all day, every day. Perhaps a little
11 bit less on Sundays or when it was raining. We
12 started to pray for rain some days. It was a
13 constant all day source of noise and disturbance,
14 worse than any quality-of-life issue we have ever
15 experienced in New York. Apparently, there was an
16 agreement in 2016 between the city and downtown
17 Manhattan heliport, but it made no difference. It
18 does not make a difference to have one helicopter
19 every two minutes, rather than one helicopter every
20 one minute. Living underneath constant helicopter
21 noise is like living in a war zone. I am not one for
22 overregulation, that if there were ever an argument
23 for regulation, it is here. You have a group of 3 to
24 4 tourists, almost all of whom are not taxpaying New
25 York City residents disturbing many, many thousands

2 of taxpaying New York City residents with one
3 helicopter joyride. It is the same for commuter
4 helicopters. Just a few people can disturb thousands
5 so they can just get to the airport a little faster
6 or get to the Hamptons a little bit faster. There is
7 no room for nonessential helicopters over a densely
8 populated cities such as New York. Where I usually
9 someone who believes in compromise, this is not an
10 area for compromise. Making helicopters slightly
11 softer or slightly less regular--

12 SERGEANT-AT-ARMS: Time expired.

13 STEPHEN FOX: in the problem. Greed cannot
14 win this battle. If it does, New York will lose so
15 many of its residents and tax revenue in order to
16 keep a relatively small industry with a big lobbyist.
17 This is a clear-cut issue. Tourists and commuter
18 helicopters need to be banned. Thank you very much.

19 COMMITTEE COUNSEL: Thank you. I would
20 now like to welcome Charles Komanoff to testify
21 followed by Larry Goldhirsch. Charles Komanoff, you
22 may begin upon the sergeant's announcement.

23 SERGEANT-AT-ARMS: Time starts now.

24 CHARLES KOMANOFF: Hello, Chair Vallone,
25 the other members of the Council, if you are still

2 here. I think you saved the best for last or at
3 least the most recent. Stephen Fox and Melodie
4 Bryant stole my fire. I'm glad that you guys did.
5 And some of the rest of my fire you can see in the
6 post that was placed on Streets Blog early yesterday
7 evening by being called don't regulate New York City
8 helicopter flights. Ban them. And that is really
9 what we should be moving towards. And I couldn't
10 agree more with both Steven and Melodie. There is no
11 meaningful distinction between commuter helicopters
12 and tourist helicopters. They are both survey is a
13 tiny, rarefied, privileged, entitled slice of the
14 population at the expense of thousands or hundreds of
15 thousands of us who have to suffer the noise. My
16 specific suggestion, Mr. Chair, is that we follow
17 your recommendation and that of your fellow committee
18 member Brad Lander and that you direct the economic
19 development commission and the Department of Health
20 and Mental Health to commission a study of the noise
21 annoyance costs of helicopters over the city of New
22 York. I have some experience in that field myself.
23 In the year 2000, I published or produced a study for
24 the noise pollution clearinghouse on the noise costs
25 of jet skis. You know, personal watercraft in

2 America called drowning in noise. It is not really
3 rocket science. There are established means of
4 translating increases over ambient noise level--

5 SERGEANT-AT-ARMS: Time expired.

6 CHARLES KOMANOFF: property values, human
7 suffering, and, as Dr. Bronzaft described, losses of
8 human health. I am available to do that work. Other
9 applied economists are, as well. We need to have a
10 counterweight to the suppose it economic benefits of
11 helicopter flights so that we can demonstrate that
12 continued helicopter flights in, too, and over New
13 York City did not pass any plausible cost benefit
14 test. Thank you.

15 CHAIRPERSON VALLONE: Thank you, Charles
16 and Melodie and Stephen everyone. And just to kind
17 of rehash the first victories back in 2016, they were
18 only over the tour is them and they didn't deal with
19 day-to-day charter flights that were happening and
20 they were actually probably a bigger plague for
21 communities like yours and mine. So, it wasn't until
22 the subsequent hearings and bills that we have tied
23 in both the tourism and the charter industries to the
24 same constraints. And now you have conversations
25 like today where we are seeing the firsthand things

2 being volunteered and offered to make our lives a
3 little bit more sane. In the Covid world that we are
4 all now, unfortunately, living in does amplify the
5 noise that we sometimes almost [inaudible 1:57:49]
6 took for granted before. So, we can hear things now
7 warm miles that we didn't hear before. So, now, when
8 you hear a helicopter flight coming over, but it is
9 100 times worse than it even was in the noise filled
10 skies that we had before. So, the even that needs to
11 be dealt with and I thank you for staying, Charles
12 and the three of you [inaudible 01:58:10] coming up
13 on two and a half hours of this hearing to give us
14 your testimony. Thank you.

15 COMMITTEE COUNSEL: next, we will hear
16 from Larry Goldhirsch followed by Robert Ackerman.
17 Larry Goldhirsch, you may begin upon the sergeant's
18 announcement.

19 SERGEANT-AT-ARMS: Time starts now.

20 LARRY GOLDHIRSCH: Mr. Chairman and ladies
21 and gentlemen, I am a personal injury lawyer at a
22 large Manhattan firm. On May 21st, 2004, a wind
23 blast from a helicopter at the 30th Street heliport
24 blew a cyclist off his bike, injuring him. He was
25 finally able to settle the case five years later. On

2 March 27, 2007, a man was bicycling past the 30th
3 Street heliport, which you may know is owned and
4 operated by Air Pegasus, when he was blown into
5 another cyclist by a gust of wind from a landing
6 helicopter. He sued Air Pegasus and was able to
7 settle his case some years later. Most recently, a
8 client of mine, a 90-year-old lady in very good shape
9 was blown off her bicycle on November 25, 2018 by the
10 downdraft of a helicopter at the heliport. She
11 suffered several fractured ribs, a punctured lung,
12 and was hospitalized for over a week. After she was
13 thrown, she tried to report the incident to the Air
14 Pegasus personnel on the tarmac, but she reported to
15 me he fled into a building and locked the door on
16 her. She was unable to report it. I filed suit on
17 her behalf in 2020. Air Pegasus replied that they No
18 records of which helicopters were involved in this
19 accident and they use food nine other helicopter
20 companies that were using the premises that
21 afternoon. The case is still ongoing. Air Pegasus
22 refuses to take any responsibility for such
23 accidents. If you were to award more business with
24 this entity by increasing routes, I urge you to
25 include some agreement whereby all heliports would be

2 responsible for any injuries caused by any
3 helicopters using their facility. Having a heliport
4 so close to pedestrian and bicycle paths, Pegasus
5 should be held strictly liable to any injured persons
6 on the ground with it being necessary for such--

7 SERGEANT-AT-ARMS: Time expired.

8 LARRY GOLDHIRSCH: to retain a lawyer, to
9 sue for injuries, which usually takes years to
10 resolve, similar to the standards that we have now on
11 international flights which pay passengers for any
12 accident that occurs. Thank you.

13 CHAIRPERSON VALLONE: Thank you, Larry.

14 COMMITTEE COUNSEL: Thank you. Robert
15 Ackerman.

16 CHAIRPERSON VALLONE: We have also been
17 joined by Council member Cornegy. Rob, I see you
18 there. Thanks for making it. If you have any
19 questions, just jump in.

20 ROBERT ACKERMAN: Yes. This is Bob
21 Ackerman. Can you hear me and see me?

22 CHAIRPERSON VALLONE: We got you, Bob. I
23 see you.

24

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2 ROBERT ACKERMAN: Thanks so much.

3 Actually, I was very busy and I just got on and you
4 called me, so I just made it in time. Thank you.

5 CHAIRPERSON VALLONE: Sometimes it works
6 out.

7 ROBERT ACKERMAN: So, you know, I'm a 52
8 year resident of Park Slope. I raised a family
9 there. I still have my home there and, you know,
10 there's so much noise pollution in the city and
11 everything has gotten so much more crowded in all
12 these years and the helicopters give us a terrible
13 experience adding to that pollution with all the
14 annoyance and loud sound and vibrations. The windows
15 stay in my house vibrate when they fly over in
16 various patterns, sometimes hovering, sometimes
17 flying by. Keeping the windows open our being in the
18 yard in the warmer weather, it creates a tremendous
19 annoyance. We can't hear ourselves talk to our
20 friends. It is just so intrusive and so much of it
21 and it begins that sometimes seven in the morning and
22 doesn't stop until the evening. It is virtually
23 every day. During Covid, things may be different,
24 that this has been going on for years and it is
25 getting worse and worse and I see no reason why this

2 is allowed at all. It is the type of recreation that
3 is not necessary. We have wonderful boats that
4 encircled the city and go up the Hudson. You can
5 walk across the Brooklyn Bridge. You can visit all
6 the wonderful things in Brooklyn. Taking the subway
7 inexpensively. And it's just a horrible insult to
8 our right to habitability. It's so distressing and
9 so annoying. And it's endless. Thank you. I'm glad
10 I got to say my peace about this. I can also say all
11 of my neighbors agree.

12 CHAIRPERSON VALLONE: Thank you.

13 ROBERT ACKERMAN: It's an outrage. You're
14 welcome.

15 COMMITTEE COUNSEL: Thank you. I
16 believe we've heard from all of our registered
17 panelists, so at this time, if your name has not been
18 called and you wish to testify, please raise your
19 hand using the zoom raise hand function. Seeing no
20 hands raised, I'll now turn it back to Chair Vallone
21 for closing remarks.

22 CHAIRPERSON VALLONE: A personal thank
23 you-- look, you've all stayed on and that's a
24 testament to your passion about this industry. And
25 so, what we need to do-- we're getting out--

2 reclaiming our skies back. When I first started back
3 in 2013, I would go to the EDC committee hearings.
4 This wasn't even a topic that was brought up. And
5 then in 2017 under Speaker Johnson, when I became
6 Chair, this became a quarterly or biannual hearing
7 where we have gotten to today. And at first we were
8 all told that there is nothing that we can do because
9 it is FAA and now we had pieces of the legislation
10 that offer direct impact. And I thank my fellow
11 Council members for signing on and the Speaker for
12 bringing these bills up today which means they will
13 be voted on at one of the upcoming stated hearings
14 and we will have the victory in our hands for
15 everyone who has suffered. And for everyone who is
16 taken the time to do it on your own and put that data
17 up and pass it around to communities who had no voice
18 to be heard, I thank you for all of that. And for
19 the folks that spent today in the industry working
20 with me to carve out and make this next step-- this
21 is an aunt. This is the next step in an industry
22 that is changing because now we are being heard. So,
23 I thank my committee members. My staff who have
24 gotten through and past and will get these bills out
25 today, I thank you very much. And my fellow Council

2 members, I look forward to even more who have signed
3 on than just today's hearing, forgetting it to the
4 next stated hearing in getting voted and passed out
5 to legislation for our brothers and sisters in New
6 York City. So, with that, we close today's hearing
7 and I think everyone for staying on.

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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 February 25, 2021