

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON STATE AND FEDERAL LEGISLATION

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June 8, 2016
Start: 10:27 a.m.
Recess: 10:47 a.m.

HELD AT: Committee Room - City Hall

B E F O R E: KAREN KOSLOWITZ
Chairperson

COUNCIL MEMBERS: Inez E. Dickens
Brad S. Lander
Rafael L. Espinal, Jr.
Ben Kallos
Alan N. Maisel
Antonio Reynoso

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

Harry Nespoli, President
Local 831 IBT

Jim Slavin
Uniformed Firefighters

2 [sound check, pause]

3 CHAIRPERSON KOSLOWITZ: --Federal--

4 Federal Legislation is now in order. Good morning
5 and welcome to today's hearing. My name is Karen
6 Koslowitz, and I am the Chairwoman of the State and
7 Federal Legislation Committee. On today's agenda we
8 will be considering four state legislative
9 resolutions. First, I would like to introduce the
10 members of the committee that are present at this
11 time. We have Council Member Inez Dickens, Council
12 Member brad Lander and Council Member Antonio
13 Reynoso. The first State Legislative Re--Resolutions
14 [background comments] and before we continue Council
15 Member Ben Kallos. The first state Legislative
16 Resolution this committee will be considering and
17 voting on today is Senate Bill S.8015 and Assembly
18 Bill A.10567. This bill is an act to amend the
19 retirement and social security law in relation to
20 disability benefits for certain members of the New
21 York City Fire Department Pension Fund, and to amend
22 the Administrative Code of the City of New York in
23 relation to the powers, duties and responsibilities
24 of the Board of Trustees of the New York City Fire
25 Department Pension Fund. As well as authorizing the

2 Board of Trustees to draw upon the assets of the fund
3 to pay expenses.

4 The second state legislative resolution
5 is Senate Bill S.5859-B and Assembly Bill A.8120-B an
6 Act to authorize the Commissioner of Parks and
7 Recreation of the City of New York to enter into a--
8 an agreement for the operation of a children's
9 program known the Bronx Children's Museum in a
10 portion of the building located in Mill Pond Park in
11 the borough of the Bronx.

12 The third state legislative resolution is
13 Senate Bill S.6388-A and assembly bill A.9161, an act
14 to amend the general city law in relation to
15 certificates of occupancy for unmapped streets in the
16 city of New York. This bill clarifies that certain
17 conditions must be met before the Standards of
18 Appeals process will be waived to expedite the
19 certificate of occupan--occupancy process and
20 encourage the residential building in these unmapped
21 street areas.

22 The final state legislative res--
23 resolution is Senate Bill S.6035 and Assembly Bill
24 A.6083, an act to amend the general municipal law in
25 relation to providing a special accidental death

2 benefit to employees of the Department of Sanitation
3 of the city of New York. At this moment, I would
4 like to open the hearing to any of our commend--
5 committee members who want to make a statement.
6 Anybody want to make a statement? Okay, we'll now
7 own the hearing to witnesses, and the first witness
8 is Harry Nespoli from Local 831 IBT, President.

9 [banging door]

10 CHAIRPERSON KOSLOWITZ: God bless you.

11 [pause] We've also been joined by Council Member
12 Allen Maisel. Okay.

13 HARRY NESPOLI: Okay. First of all, I'd
14 like to thank the--the committee for giving me the
15 opportunity to come here and speak on my widow's--the
16 widows that for the past--for the past three times
17 I've been here, I never got--it never got passed up
18 in Albany, and my--my document there I'm not going to
19 wear you out reading the document. What I'm going to
20 do is I just want to talk about a meeting that I had
21 with my widows that we realized that we had 17 widows
22 since 1996 and they realized that this bill will not
23 help them, but they're looking at the future widows
24 of the Department of Sanitation or the husbands.
25 That now that we have men and women working on the

2 truck, it's been the longest widows had to turn
3 around and actually leave New York City because of
4 not being--have the full benefit of what every single
5 uniformed force has in the city of New York. We are
6 the only one that does not have the full benefit, and
7 some of the things that they told me that they had to
8 do to carry on after they lost the member of the
9 Department of Sanitation was outstanding, and their
10 family was affected. They know that--again, they
11 know that they did not--this bill does not help them.
12 So they called my legislator, and my self and we got
13 together and we sat down. And I really honestly feel
14 that there was an injustice done many years ago when
15 they eliminated the Department of Sanitation with the
16 full bill that--that should be able to turn around
17 and cover the families of the people that put into
18 their pensions the full amount of pension. Why
19 should they--why should their beneficiaries receive
20 anything less than any of the uniform force? There
21 was--there was a mention of--I'm not going to get
22 into bringing out the names of the 17 people, but
23 they're all in the document. All I could ask you to
24 do is--is to really, really--it's no-brainer. That's
25 what it is. It's a no-brainer. If you're--you're

2 somebody that gets up every morning, goes to work and
3 is expected home at the end of the day, and doesn't
4 come home, it affects the lives of your children and
5 for many, many years and for also the widows. I have
6 to turn around and just say put yourselves in the
7 position of not having one of the main supporters of
8 the house to turn around to return home especially
9 for the service of what they do for the city of New
10 York. I could get into Sandy, what the--what this
11 workforce did during Sandy, 12 hours--12-hour shifts.
12 They went out there to do one thing, was to take that
13 bad memory away. Take it off the steps of their
14 homes, the houses. The men and I walked into garages
15 at 3 o'clock in the morning. I saw the women take
16 off their boots and they had yellow on their feet
17 from being wet out there. That we didn't have the
18 proper gear to go out there, and to help the people
19 in New York City, but we kept on going. I don't
20 think there's any New York in the city of New York
21 that could turn around and say that they weren't
22 impressed with the Sanitation workers at that time.
23 I knew--I knew people on the trucks that pull in
24 after--after a 12-hour shift, went back out again
25 without getting paid to help their neighbors, and to

1 really try to pull the city back together again. To-
2 -not to have this full benefit is a disgrace.

3 That's--that's my testimony, and before I leave, I
4 just want to recognize what the Council did for these
5 men and women recently that they went out and they--
6 they put money into making women's facilities. Our
7 garages were unprepared for women, and yet I see the
8 faces here that helped us, and the work is getting
9 done, and women found a job now, a decent job. Like
10 I said, many of my women are single parents. They
11 rely on this job. They're the ones that get the
12 kids, get them out to school, come to work and do it.
13 I say thank you to you for recognizing the women on
14 this job. Also, thank you for trucks that were well
15 needed. If we don't have the material to go out
16 there and work, we can't do the job, and we're
17 getting the trucks now. In the winters we're getting
18 better and better at handling the snow because we had
19 the equipment to do it. We spoke about small
20 equipment right there to the key man. He got it. He
21 went out and he got our small equipment so that the
22 public can cross the street. You got to understand
23 something, the same people that are picking up the
24 garbage in the street, and plowing the streets,
25

2 picking up the recycling. This is the same agency.
3 This is the same force that's doing this, and to be
4 down here for a benefit that that's important--so
5 important to its vendor, and to society. It's just
6 the--just the right thing to do. It's a shame. We
7 thank you for having--for all being here today. I
8 really appreciate it. If there's any questions, I'll
9 take whatever you want. [pause]

10 COUNCIL MEMBER REYNOSO: Thank you for
11 being here, Harry. I could have easily waited for
12 the vote to--to have a made comment, but I just want
13 to say thank you for being here. To a lot of folks
14 it's out of sight out of mind when it comes to trash,
15 right? If you don't see it you're happy.

16 HARRY NESPOLI: [off mic] You've got it.

17 COUNCIL MEMBER REYNOSO: I said--I told
18 you once before you should just leave this trash out
19 in the streets for a day, and you'll get anything you
20 want.

21 HARRY NESPOLI: [laughs]

22 COUNCIL MEMBER REYNOSO: But it's a--
23 that's joke. It's on the record it's a joke. But,
24 Harry, well deserved. This is a long time coming.
25 Hopefully the folks in Albany get it the way we get

2 here in the city of New York, and I'm glad that in
3 the short amount of time we've been able to in this
4 council and this terms we've been able to do a lot
5 for Sanitation and then virtually seeing Sanitation
6 actually do an amazing job getting people back to
7 work in two days, which I don't think a lot of people
8 are happy about. But we were ready to go back to
9 work in less than two days, and that's a--feat given
10 this is the magnitude of our most recent winter storm
11 and all the work that you did and timely as well. So
12 I want to thank you, and when it comes up to vote,
13 I'm actually going to voting yes, but on written.
14 (sic) Right, thank you.

15 HARRY NESPOLI: Thank--thank you very
16 much.

17 CHAIRPERSON KOSLOWITZ: I want to
18 recognize Council Member Epsinal. With that, I'm
19 going to call on Jim Slavin Uniformed Firefighters.

20 JIM SLAVIN: I'm hoping it shows, but
21 that's it.

22 FEMALE SPEAKER: That you're leaving.
23 (sic)

24 JIM SLAVIN: Yep.

25 [background comments, noise, pause]

2 JIM SLAVIN: Okay, okay. Good morning,
3 Madam Chairwoman and members of the Committee. Thank
4 you for the opportunity to testify in support of this
5 important piece of legislation for New York City
6 Firefighters. I think over the past couple of years,
7 you've--you've seen our spirit and--and tenacity in
8 trying to get this bill passed, but, you know, it
9 just goes to show how important this is to our
10 members, and all these firefighters that currently
11 have no real disability benefits, and hopefully with
12 this legislation getting passed, that will be fixed.
13 Because there is nothing more important for a
14 firefighter running into a burning building
15 protecting the citizens and people in New York City
16 that they know if they get seriously injured they are
17 going to be protected, their family will get--be
18 protected and they'll have the proper benefits. This
19 legislation I think rectifies most of the issues that
20 we were dealing with. It's not everything you're
21 looking for, but I think it's a good piece of
22 legislation that we were able to all come together,
23 and work on and get something that's going to take
24 care of our new firefighters. And we're hopeful that
25 we will get the full support of this committee and

2 the Council, and then hopefully we can get it through
3 expeditiously up in Albany. We have a new class of
4 over 300 firefighters getting sworn in on June 27th,
5 and we're hopeful that this will be passed prior to
6 that, and signed by the Governor, that they'll
7 automatically be protected. These current members
8 that do not have the protection, they'll--they will
9 have time to opt into the plan, and we're optimistic
10 that they will all see what benefits are in this
11 package, and they will take advantage of that and opt
12 in. So I want to thank everyone here for their
13 support, and look forward to protecting all of our
14 newer members. Thank you.

15 [banging door]

16 CHAIRPERSON KOSLOWITZ: And thank you for
17 all that you do. With that, Brad.

18 COUNCIL MEMBER LANDER: I just really
19 want to thank you for working with here. Obviously,
20 we're in a much better place than we were a year ago
21 at this time, and that though never an easy process I
22 think in this case has been a good one obviously the
23 members of the Council on behalf of the people of
24 this city have enormous gratitude for the work that
25 your members do. And I'm really glad that, you know,

2 working together we're able to get the best solution
3 that helps make sure they the protections--that any
4 new members have the protections that they need. So
5 thank you very much for working with us to help make
6 that happen and to everybody here as well.

7 JIM SLAVIN: Thank you, thank you.

8 CHAIRPERSON KOSLOWITZ: Ben.

9 COUNCIL MEMBER KALLOS: I just want to
10 thank the firefighters for everything that you do
11 every day to keep every New Yorker safe. There are
12 very few jobs where when there is a danger,
13 individuals will have to run in--into that danger or
14 just save lives. And even if there isn't anyone in
15 that building, making sure that you're protecting
16 that one building so that it doesn't spread to
17 others. There are places in the country where fires
18 go for days, months, and that's not the case here
19 because we don't have that choice. I'm glad that you
20 as Council Member Lander noted that you and the
21 firefighters have been able to work with us over the
22 past months and year to come to a resolution, and I'm
23 look forward to supporting our members so that they
24 know that if they should ever become disabled or have
25 to make a sacrifice that they and their loved ones

2 will be cared for in a way that is more generous than
3 had been the case. And just thank you so very much.
4 This is one of the things I ran for office to fix.
5 I thank you.

6 JIM SLAVIN: Thank you for your support.

7 CHAIRPERSON KOSLOWITZ: Anyone else?

8 With that, we're going to take a vote so Carlos can
9 run to Albany today and bring the bills there. So
10 with that, the roll.

11 CLERK: William Martin, Committee Clerk.

12 Roll call vote the Committee on State and Federal
13 Legislation. Preconsidered SLRs. All items are
14 coupled. Chair Koslowitz.

15 CHAIRPERSON KOSLOWITZ: I vote aye.

16 CLERK: Dickens.

17 COUNCIL MEMBER DICKENS: Permission to
18 explain my vote?

19 CHAIRPERSON KOSLOWITZ: Go ahead.

20 COUNCIL MEMBER DICKENS: I just want to
21 thank the phenomenal men and women of the Sanitation
22 Department and the Fire Department who daily put
23 their sweat, the lives on the line to maintain our
24 city, and its residents. I happily and I'm proud to
25 vote in the affirmative for this legislation that

2 provides badly needed benefits that are long overdue.

3 Thank you and I vote aye.

4 CLERK: Lander.

5 COUNCIL MEMBER LANDER: [off mic] Aye on
6 all.

7 CLERK: Espinal.

8 COUNCIL MEMBER ESPINAL: I vote aye.

9 CLERK: Kallos.

10 COUNCIL MEMBER KALLOS: Aye on all.

11 CLERK: Maisel.

12 COUNCIL MEMBER MAISEL: Before I tell you
13 I'm going to support this legislation, I just want to
14 point out that when I was in the State Assembly
15 almost never did we ever get any kind of
16 communication from the city of New York City Council
17 indicating that they were supporting legislation. I
18 brought that up almost the day I got here as a
19 Councilman. I hope that we have an effective way of
20 letting all the members of the Senate and the
21 Assembly know that this is the position of the City
22 Council, and with that, yes on both.

23 CLERK: Reynoso.

24 COUNCIL MEMBER REYNOSO: I vote aye on
25 all.

2 CLERK: By a vote of 7 in the
3 affirmative, 0 in the negative and no abstentions,
4 all items have been adopted.

5 CHAIRPERSON KOSLOWITZ: Okay. Carlos is
6 on his way. [laughs]

7 COUNCIL MEMBER MENCHACA: And thank you.

8 CHAIRPERSON KOSLOWITZ: Okay, this
9 meeting is adjourned.

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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 June 27, 2016