

COMMITTEE ON ENVIRONMENTAL PROTECTION, RESILIENCY  
AND WATERFRONTS 1

CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON ENVIRONMENTAL  
PROTECTION, RESILIENCY AND  
WATERFRONTS

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December 6, 2023  
Start: 11:18 a.m.  
Recess: 11:28 a.m.

HELD AT: COMMITTEE ROOM - CITY HALL

B E F O R E: James F. Gennaro, Chairperson

COUNCIL MEMBERS:

Jennifer Gutiérrez  
Kamillah Hanks  
Robert F. Holden  
Julie Menin  
Sandy Nurse  
Lincoln Restler

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2 SERGEANT-AT-ARMS: This is a microphone  
3 check for the Committee on Environmental Protection,  
4 Resiliency and Waterfronts. Recorded in the Committee  
5 Room on December 6, 2023, by Layla Lynch.

6 SERGEANT-AT-ARMS: Good morning and  
7 welcome to the New York City Council vote of the  
8 Committee on Environmental Protection, Resiliency and  
9 Waterfronts.

10 At this time, can everybody please  
11 silence your cell phones.

12 Thank you for your cooperation.

13 Chair, we are ready to begin.

14 CHAIRPERSON GENNARO: Thank you very much.

15 [GAVEL] Good morning. I'm Councilman Jim Gennaro,  
16 Chair of the Committee on Environmental Protection,  
17 Resiliency and Waterfronts.

18 Today we will vote on a package of noise  
19 bills sponsored by myself and Majority Leader Keith  
20 Powers, and those bills are Intro. 774 in relation to  
21 construction noise, Intro. 775 and Intro. 776 in  
22 relation to the results of noise inspections, and  
23 Intro. 778 in relation to establishing a photo noise  
24 violation monitoring device program or noise camera  
25 program for motor vehicles. That Majority Leader of

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2 ours is a legislation machine. That wasn't in my  
3 notes. I just said that. Sponsored by me is Intro.  
4 1194 in relation to the compensation awarded in  
5 certain citizen noise complaint proceedings. We first  
6 considered these bills on October 16th of this year.

7           New York City must balance the cultural  
8 and economic vibrancy of being a world-class city  
9 with the needs of everyday New Yorkers who live,  
10 work, and sleep here. To that end, New Yorkers can  
11 file noise complaints by the City's 3-1-1 system and,  
12 for certain violations, through the City's Citizen  
13 Complaint Program. While engaged New Yorkers play an  
14 important role in enforcing our City's Noise Code, we  
15 also need to make sure that residents and businesses  
16 aren't unfairly targeted. This package of bills will  
17 make it easier for New Yorkers to request noise  
18 related to construction inspections, view the results  
19 of 3-1-1 noise inspections, enhance enforcement of  
20 motor vehicle noise violations, and make sure that  
21 the focus of the Citizen Complaint Program remains on  
22 quality of life and not personal profit. Intro. 1194,  
23 which I sponsored, would cap the compensation  
24 civilian enforcers can receive when their complaint  
25 prompts proceedings under Subdivision B of Section

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2 24-244 of the Noise Code at 5 dollars for proceedings  
3 brought by DEP and 10 dollars for proceedings an  
4 enforcer brings themselves. For Citizen Complaint  
5 proceedings currently pending when this bill takes  
6 effect, the maximum penalty for violation of the  
7 Subdivision would be capped at 50 dollars. Those are  
8 for the violations that are in the pipeline right  
9 now. This would greatly reduce the financial  
10 incentive for civilians to file multiple complaints  
11 against businesses for the purposes of collecting the  
12 award money and would allow DEP noise inspectors to  
13 focus on improving the quality of life for all New  
14 Yorkers.

15 We will also vote the following bills  
16 sponsored by Majority Leader Powers. Didn't we just  
17 do this? Should I read it again? No, we didn't really  
18 talk about it; we just mentioned the numbers, right?  
19 This is all on the record for people to hear. Intro.  
20 774 by Council Member Powers which would require DEP  
21 to measure the volume of certain types of  
22 construction noise from within dwelling units upon  
23 request of an owner, lessor, or occupant; Intro. 775  
24 which would mandate that DEP publish the results of  
25 their noise inspections online within five business

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2 days after they've been completed; Intro. 776 which  
3 would require DEP and NYPD to give a copy of a noise  
4 report created pursuant to a 3-1-1 noise complaint to  
5 anyone who requests the report and provides the 3-1-1  
6 tracking number within 14 days of receipt of the  
7 request; and Intro. 778 which would establish a noise  
8 camera program to detect motor vehicles in violation  
9 of the Noise Code. Vehicles found to be in violation  
10 are subject to the civil penalty as prescribed by the  
11 law. The bill would require DEP to ensure that there  
12 are no less than five noise cameras per borough  
13 subject to appropriation and also consider input from  
14 elected officials and Community Boards in selecting  
15 locations for the noise cameras and to report on the  
16 program annually.

17 I'd like to thank the terrific Committee  
18 Staff who have done great work over the years.  
19 Committee Counsel Samara Swanston, her last hurrah  
20 here today. She will be retiring. [APPLAUSE] How many  
21 years have you been here, Samara?

22 COMMITTEE COUNSEL SWANSTON: 15 years.

23 CHAIRPERSON GENNARO: 15 years. 15 years.

24 [GAVEL] I'm just banging that to make some  
25 celebratory noise, not to quiet people down. No, no,

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2 no. We also give a round of applause too. [APPLAUSE].  
3 15 years, my god. We've been together a long time  
4 back before when I was here. We covered Samara  
5 although not nearly enough. We'll do more on the  
6 floor later, and also Counsel Claire MacLachlan who  
7 does great work, yes, Claire [APPLAUSE]. You don't  
8 get the gavel, Claire. You get this. Policy Analysts  
9 Ricky Chawla and Andrew Bourne, great guys, great  
10 people. [APPLAUSE] Financial Analysts Andrew Lane-  
11 Lawless and Tanveer Singh, and finally my own  
12 Legislative Director Nabjot Kaur, the great, for all  
13 of her hard work. [APPLAUSE]

14 I recognize the following Council Members  
15 who have joined us today. Council Member Holden,  
16 Council Members Nurse, Hanks, Restler, Gutiérrez, and  
17 Council Member Julie Menin is on Zoom.

18 This is kind of a bittersweet moment for  
19 me and I think for the Council as a Body to have  
20 Samara for as long as we've been privileged to have  
21 her and her great work, and her work doesn't just  
22 extend to New York City. People have heard of the  
23 Pine Barrens in Long Island, a critical ecosystem.  
24 She has given a lot of her time and talent to making  
25 sure that critical ecosystem that a lot of people

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2 know about but don't do much about and all the things  
3 that she's done on the environment in her great  
4 career reads like the screenplay of a major motion  
5 picture, and we all wish her well as she moves onto  
6 her next venture in life, but she is a dear friend  
7 and that will always be the case.

8 We're probably supposed to vote or  
9 something, right. Let's not forget why we're sort of  
10 all here other than to laud Samara. First priority  
11 was to laud Samara, we did that, and so the vote  
12 thing we should probably just do. I will now ask the  
13 Clerk to call the roll. The Chair recommends a yes  
14 vote on all these good items. Billy.

15 COMMITTEE CLERK WILLIAM MARTIN: Good  
16 morning. William Martin, Committee Clerk. Roll call  
17 vote Committee on Environmental Protection,  
18 Resiliency and Waterfronts. All items are coupled.  
19 Chair Gennaro.

20 CHAIRPERSON GENNARO: Aye.

21 COMMITTEE CLERK WILLIAM MARTIN: Holden.

22 COUNCIL MEMBER HOLDEN: Aye.

23 COMMITTEE CLERK WILLIAM MARTIN:  
24 Gutiérrez.

25 COUNCIL MEMBER GUTIÉRREZ: Aye.

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2 COMMITTEE CLERK WILLIAM MARTIN: Hanks.

3 COUNCIL MEMBER HANKS: Aye.

4 COMMITTEE CLERK WILLIAM MARTIN: Menin.

5 COUNCIL MEMBER MENIN: Aye.

6 COMMITTEE CLERK WILLIAM MARTIN: Thank  
7 you. Nurse.

8 COUNCIL MEMBER NURSE: I vote aye.

9 COMMITTEE CLERK WILLIAM MARTIN: Restler.

10 COUNCIL MEMBER RESTLER: Aye.

11 COMMITTEE CLERK WILLIAM MARTIN: With a  
12 vote of seven in the affirmative, zero in the  
13 negative, and no abstentions, all items have been  
14 adopted by the Committee, and, Mr. Chair, that is a  
15 full Committee.

16 CHAIRPERSON GENNARO: I'm going to let  
17 Samara gavel out the hearing. Go ahead.

18 COMMITTEE COUNSEL SWANSON: [GAVEL]

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C E R T I F I C A T E

World Wide Dictation certifies that the foregoing transcript is a true and accurate record of the proceedings. We further certify that there is no relation to any of the parties to this action by blood or marriage, and that there is interest in the outcome of this matter.



Date December 11, 2023