

CITY COUNCIL  
CITY OF NEW YORK

----- X

TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON HOUSING AND  
BUILDINGS

----- X

October 16, 2024  
Start: 10:15 a.m.  
Recess: 12:26 p.m.

HELD AT: COMMITTEE ROOM - CITY HALL

B E F O R E: Pierina Ana Sanchez,  
Chairperson

COUNCIL MEMBERS:

Shaun Abreu  
Alexa Avilés  
Tiffany Cabàn  
Eric Dinowitz  
Oswald Feliz  
Crystal Hudson  
Farah N. Louis  
Lincoln Restler

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

AnnMarie Santiago  
Deputy Commissioner of the Office of Enforcement  
and Neighborhood Services at the New York City  
Department of Housing Preservation and  
Development

Gus Sirakis  
Deputy Commissioner for Development and Technical  
Affairs for the New York City Department of  
Buildings

Tarek Khalil  
Assistant Commissioner for Central Inspections  
for the New York City Department of  
Buildings

Bessie Kimelfeld  
Parent of child who died from radiator  
malfunction

Alexander Kuransky  
Parent of child who died from radiator  
malfunction

Ann Martinez  
President of Tenant Association for Ambrose  
family

George Bussolino  
Master Plumber's Council

Terrence O'Brien  
Association of Contracting Plumbers

April McIver  
The Plumbing Foundation

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

John Sullivan  
Plumbers Local One

Melissa Barbour  
Mechanical Contractors Association of New York

Oksana Miranova  
CSS NY

Barbara Manu  
No affiliation

Brett Thomason  
Steamfitters Local 638

1  
2 SERGEANT AT ARMS: Quiet please. Good morning  
3 and welcome to the New York City Hearing on Housing  
4 and Buildings. Please silence all electronic devices  
5 at this time. Please also at no time, please do not  
6 approach the dais. If you have any questions, please  
7 raise your hand and one of us, the Sergeant at Arms  
8 will kindly assist you. Thank you very much for your  
9 kind cooperation. Chair, we are ready to begin.

10 CHAIRPERSON SANCHEZ: [GAVEL] Good morning and  
11 thank you Sergeant. I am Council Member Pierina  
12 Sanchez, Chair of the Committee on Housing and  
13 Buildings. Thank you for joining us today for our  
14 hearing on Intro. 429. Can you hear me? Oh, okay.  
15 Bronx, we tend to want to be louder. Okay, thank you  
16 for joining us today for our hearing on Intro. 429 by  
17 me and Intro. 925 by Council Member Louis. I would  
18 like to thank all of my colleagues who are present  
19 today, Council Member Louis and others who will join.

20 In December 2016, an unspeakable tragedy occurred  
21 when a radiator steam leak claimed the lives of two  
22 sisters in the Bronx, one year old Scylee Vayoh  
23 Ambrose, and two year old Ibanez Ambrose. At the  
24 time, the tragedy was described as a freak accident  
25 that was a result of a series of coincidences. There

1  
2 was not much done to prevent such a tragedy from  
3 repeating and now another family who will be joining  
4 us today bears the pain that resulted from this  
5 inaction.

6 On the morning of January 19<sup>th</sup> of this year 2024,  
7 eleven-month old Binyomin Zachariah was sleeping in  
8 his families apartment in Brooklyn when suddenly  
9 steam erupted from a near by radiator. He was found  
10 unconscious and pronounced dead after many efforts to  
11 revive him. Alarmingly, the Department of Housing  
12 Preservation and Development had conducted an  
13 inspection of the steam radiator in December of 2022  
14 but found that there was no violations that was  
15 warranted despite visible decay in the form of  
16 peeling and flaking paint in the radiator.

17 No parent should ever have to fear that when they  
18 lay their child to sleep, something like this could  
19 happen to them. It is essential that the City  
20 Council continues to fight for the right of all New  
21 Yorkers to have a safe and dignified place to call  
22 home.

23 To that end, today we are hearing Intro. 925  
24 sponsored by Council Member Farah Louis in relation  
25 to requiring inspection of steam radiators in

1 multiple dwellings. As we strive to green our city  
2 to meet environmental goals, this is also an  
3 important question that exists. How safe are the  
4 systems that we trust to keep us warm in winter, keep  
5 food on our table through out stoves and to deliver  
6 our water?  
7

8 Additionally, to ensure that all plumbing work is  
9 conducted to the highest of standards, we will be  
10 hearing Intro. Number 429, sponsored by me in  
11 relation to periodic inspection of gas piping  
12 systems, ordinary plumbing work, re-establishing the  
13 plumbing and fire suppression, piping contractor  
14 license board, piping systems, emergency work, fire  
15 suppression, piping work and seizures.

16 In 2016, the City Council, previous City Council,  
17 passed ten gas safety bills and there has been  
18 ongoing advocacy around additional modifications  
19 needed to Local Law 152. I want to thank the Master  
20 Plumbers Council Local 1, the plumbers from Local 1  
21 and the Plumbing Foundation for your ongoing advocacy  
22 around Intro. 429.

23 I would also like to thank my Chief of Staff  
24 Samantha Cardenas, my Director of Policy, Land Use  
25 and Budget Ben Ratner and the Housing and Buildings

1  
2 Committee Staff Taylor Zelony, Austin Malone, Jose  
3 Conde, Andrew Bourne, Dan Droop and Rachel Conte for  
4 your work on today's hearing.

5 I will now turn it over to Council Member Farah  
6 Louis to say a few words about her bill.

7 COUNCIL MEMBER LOUIS: Thank you Chair Sanchez  
8 for your support and for holding this hearing today  
9 to work towards safeguarding our homes against  
10 preventable dangers within them. I also want to  
11 thank Alex and Bessie Kuransky from Midwood in my  
12 district for joining us today to testify. I know how  
13 difficult reliving this tragedy is for you both and I  
14 appreciate your dedication to advocating for change  
15 in our city laws on behalf of your son.

16 On the morning of January 19<sup>th</sup> of this year, these  
17 two parents experienced the unimaginable loss of  
18 their eleven-month old son Binyomin Zachariah, who  
19 was found unconscious after being burned alive in a  
20 room filled with steam from a faulty radiator in  
21 their apartment. Despite all efforts to save him,  
22 Binyomin was tragically pronounced dead due to the  
23 steam inhalation and thermal burns.

24 As we know, this incident is not isolated,  
25 echoing a similar heartbreaking event from seven

1 years ago in the Bronx where two toddlers lost their  
2 lives due to scaffolding heat from a defective  
3 radiator. These repeated tragedies are not just  
4 isolated incidents. They reflect a broader issue  
5 within our city's aging housing stock that demands  
6 immediate attention.  
7

8 We must act now to ensure that no more innocent  
9 lives are lost due to such preventable circumstances.  
10 My bill, Intro. 925 mandates the owners of multiple  
11 dwellings to conduct annual inspections of all steam  
12 radiators in their units and common areas and require  
13 potential defects and damages to be assessed within  
14 seven days by a professional. These measures are  
15 imperative to provide for the safety of tenants,  
16 residents, families, and impose penalties on  
17 neglectful now landlords who fail to address any  
18 identified issues. All families deserve to live in a  
19 safe and secure environment and it is our  
20 responsibility as legislators to enforce standards  
21 that protect the most vulnerable among us.

22 The passage of this bill would be a crucial step  
23 towards ensuring that no family in our city has to  
24 endure the pain and loss of that the Kuransky family  
25 and others have suffered.



1  
2 I urge my colleagues to support Intro. 925, which  
3 is now called Bin Z's law. Thank you Speaker Adams  
4 for that. To honor the memory of Binyomin Zachariah  
5 and ensure we protect all families from such  
6 affordable and heartbreaking tragedies. I also want  
7 to thank Chair Sanchez for her leadership and support  
8 to ensure that this bill moved forward and I want to  
9 thank the esteemed members for their support as well  
10 for working through this bill with us. Thanks.

11 CHAIRPERSON SANCHEZ: Thank you Council Member  
12 Louis. I'd now like to turn it over to Committee  
13 Counsel to administer the oath.

14 COMMITTEE COUNSEL: Please raise your right hand.  
15 Do you affirm to tell the truth, the whole truth, and  
16 nothing but the truth and to answer all Council  
17 Member questions honestly? Thanks you may begin.

18 ANNMARIE SANTIAGO: Good morning, Chair Sanchez,  
19 Council Member Louis and members of the Housing and  
20 Buildings Committee. My name is AnnMarie Santiago,  
21 and I am the Deputy Commissioner of the Office of  
22 Enforcement and Neighborhood Services at the New York  
23 City Department of Housing Preservation and  
24 Development. Thank you for the opportunity to  
25 testify today about Intro. 925, which seeks to amend

1 the administrative code of the city of New York in  
2 relation to requiring the inspection of steam  
3 radiators in multiple dwellings.  
4

5 We are here today talking about this bill because  
6 of the events of January 2024, in which an eleven-  
7 month old boy died after suffering severe burns from  
8 a malfunctioning steam radiator. This tragedy  
9 highlights the importance of understanding how we can  
10 protect our children from the dangers that many of us  
11 don't think of often, those within our homes, and HPD  
12 is committed to working with the City Council to  
13 explore strategies to prevent such tragedies in the  
14 future.

15 HPD's primary enforcement goal each and every day  
16 is to ensure that tenants live in safe housing that  
17 complies with New York City and New York State  
18 housing codes. Our Housing Inspectors respond to  
19 hundreds of thousands of complaints, inspecting for  
20 health and safety issues including potentially life-  
21 threatening conditions such as a lack of heat or  
22 electricity. On every inspection, a Housing  
23 Inspector proactively checks for ten health and  
24 safety issues, which left unaddressed, can expose  
25 tenants particularly children, to serious risk of

1 death or injury, including missing or improperly  
2 installed window guards, non-functioning or missing  
3 self-closing doors and missing or defective smoke  
4 detectors. We dedicate resources to housing court  
5 actions both with and on behalf of tenants, emergency  
6 repairs when landlords fail to fulfill their  
7 responsibilities to correct the most immediately  
8 hazardous conditions, and landlord and tenant  
9 education. We invest heavily in enhanced enforcement  
10 against landlords whose buildings grossly fail to  
11 meet the standards our city has set for safe and  
12 healthy housing.  
13

14 As part of our inspection work, HPD responds to  
15 complaints regarding defective radiators. In Fiscal  
16 Year 2024, HPD received almost 6,400 complaints  
17 regarding radiators in several categories including:  
18 air valve broken or missing; radiator loose,  
19 disconnected or missing; radiator cracked or leaking;  
20 and shot off valve broken. Either in response to  
21 these complaints or as observed in their line of  
22 travel, inspectors issued more than 1,600 violations  
23 related to radiators during that time. Approximately  
24 450 of those violations were considered to be  
25 immediately hazardous and received follow up from our

1  
2 emergency repair program. We strongly encourage any  
3 tenants experiencing issues with their radiator,  
4 whether the radiator is leaking or there is steam  
5 escaping, to report the condition to the landlord  
6 first and then, if the owner is unresponsive, to file  
7 a complaint with HPD by calling 311 or using 311 on  
8 line to file an apartment maintenance complaint.

9 Intro. 925 requires property owners to inspect,  
10 make repairs and report on radiator inspections and  
11 repairs. Under the proposed bill, property owners of  
12 buildings with steam radiator systems would be  
13 required to identify whether a child under six  
14 resides in the apartment, have an annual inspection  
15 of steam radiators performed by a licensed master  
16 plumber in dwelling units where a child under six  
17 resides, and file a report with the department  
18 annually regarding the results of these inspections.  
19 A civil penalty will be established for owners who  
20 fail to file. Obtaining civil penalties requires HPD  
21 to go to Housing Court to obtain the penalty. Should  
22 a licensed master plumber find a problem either as a  
23 result of the inspection or in response to any  
24 complaint made to the owner or to HPD throughout the  
25 year, immediate repairs would be required and the

1 department would have to be notified. Failure to  
2 have inspections conducted or to remediate damage,  
3 defects or hazardous conditions would also be subject  
4 to a civil penalty obtainable through Housing Court  
5 action. These requirements would likely affect more  
6 than 100,000 buildings citywide.  
7

8 Implementing this bill would be time and resource  
9 intensive for HPD. The agency will have to establish  
10 a public portal and manual process for the submission  
11 of annual reports and reports of defects related to  
12 steam radiators. Under the best case scenario,  
13 creating such a portal and process takes multiple  
14 years to implement. We must identify and contract  
15 with the vendor to build a portal with specific  
16 administrative functionality necessary to support our  
17 enforcement process. Functionalities of the system  
18 must include accepting and processing reports to  
19 ensure proper submission, including rejecting reports  
20 that are not complete as well as interfacing with our  
21 existing technology to generate, track and close  
22 violations. In addition to new technology specific  
23 to this mandate, new staff will be required to manage  
24 the process and perform duties such as handling  
25 inquiries, doing data entry related to manual

1  
2 submissions, addressing ongoing technology issues,  
3 conducting document review, monitoring violation  
4 issuance and closure, and potentially initiating  
5 litigation to obtain civil penalties if significant  
6 issues of noncompliance are identified.

7 We must also recognize the administrative and  
8 cost burden this will place on tens of thousands of  
9 property owners, especially owners of older  
10 properties. Some of these property owners are  
11 already struggling to meet the expenses associated  
12 with existing mandates, and HPD continues to seek  
13 ways to provide assistance to address aging building  
14 systems and move towards greener infrastructure to  
15 improve overall building health - building and tenant  
16 health.

17 Given that HPD already has the tools in place to  
18 respond to radiator conditions, we do not support  
19 Intro. 925. Recognizing that defective steam  
20 radiators can be a serious hazard, however, we do  
21 encourage all tenants and property owners to identify  
22 defects when they arise and correct the conditions  
23 immediately. HPD stands ready to respond to the most  
24 serious complaints and has the ability to issue class  
25 C violations which require a 24 hour response from

1 landlords for immediately hazardous radiator  
2 conditions. We believe that focusing on working with  
3 the Department of Buildings and industry  
4 professionals to ensure that tenants and owners have  
5 the information they need to identify a report and  
6 have professionals properly repair defective  
7 radiators may help prevent tragedies related to steam  
8 heat in the future.  
9

10 We are interested in continuing conversations  
11 with the Council about alternative strategies such as  
12 enhanced education for which there are multiple  
13 possible existing pathways that can be replicated and  
14 I thank you for the opportunity to testify today.

15 CHAIRPERSON SANCHEZ: Buildings, do you have  
16 copies of your testimony?

17 UNIDENTIFIED: I believe we do.

18 CHAIRPERSON SANCHEZ: You may proceed.

19 GUS SIRAKIS: Thank you. Good morning Chair  
20 Sanchez and members of the Housing and Buildings  
21 Committee. I am Gus Sirakis, Deputy Commissioner for  
22 Development and Technical Affairs for the New York  
23 City Department of Buildings. I am joined today by  
24 Tarek Khalil, Assistant Commissioner for Central  
25 Inspections. We appreciate the opportunity to

1                   testify before you today regarding Intro. 429, which  
2                   makes several amendments to the New York City  
3                   Construction Codes.  
4

5                   The Department's code revision process represents  
6                   a true collaborative effort on the part of the  
7                   industry, the New York City Council and the co-  
8                   development at the Department. The most recent  
9                   version of the construction codes, 2022 Construction  
10                  Codes, went into effect on November 7, 2022.

11                 Revising the Construction Codes involved a public  
12                 private partnership that included over 650 industry  
13                 professionals and stakeholders who volunteered their  
14                 time to contribute their expertise. This code  
15                 revision effort resulted in over 40,000 hours of  
16                 service by our committee members, which included  
17                 architect, engineers, attorney's, as well as  
18                 representatives of construction, labor, real estate  
19                 and other city agencies, and other stakeholder  
20                 organizations.

21                 Work is already underway to revise the  
22                 Construction Codes again, and to create a first ever  
23                 New York City Existing Building Code or the EBC,  
24                 which will establish a robust regulatory framework  
25                 for the alteration and maintenance of existing



1 buildings. The Department has several concerns with  
2 Intro. 429 as it would undo positive changes made by  
3 inefficiencies achieved through the 2022 Construction  
4 Codes.

5  
6 Further, we believe that as drafted, certain  
7 provisions could create confusion rather than provide  
8 clarity. Our concerns are as follows: Emergency  
9 Work, Section Administrative Code 28-105.4.1,  
10 understanding that emergency situations may arise  
11 that require immediate action to resolve, the current  
12 code allows for emergency work to be performed prior  
13 to obtaining a permit to address a hazard to prevent  
14 harm to persons or property. An application for a  
15 permit must be filed with the Department within two  
16 business days of commencing the emergency work.

17 The bill seeks to incorporate language into the  
18 introductory paragraph of that section that would  
19 allow work necessary to restore the system to a good  
20 working condition to be performed prior to obtaining  
21 a permit. It is unclear what issue the proposed text  
22 restore the system to good working condition is  
23 intended to address. It is the Departments position  
24 that the proposed language is too broad ambiguous and  
25 goes well beyond the scope of what's contemplated

1 with respect to emergency work. The provision is  
2 intended to allow only for the work that is necessary  
3 to abate the emergency. Any additional work beyond  
4 that must be performed under a limited alteration  
5 application, which means any required permits must be  
6 obtained prior to commencement of the work.  
7

8 With respect to the proposed amendments to item  
9 four, it is the Department's position that the  
10 current limitation to educational and residential  
11 buildings is appropriate. The intent is to allow for  
12 emergency work necessary to ensure that heat and hot  
13 water is provided to buildings in those occupancy  
14 groups during what is referred to in New York City as  
15 heating season. The proposed amendment seek to  
16 expand that allowance beyond those occupancy groups.  
17 The proposed deletion of the phrase, "servicing  
18 education or residential occupancies" effectively  
19 expands allowance to all occupancy groups. Such  
20 expansion, coupled with other proposed edits would  
21 significantly expand the allowance beyond what was  
22 originally intended. The Department believes that  
23 such as change could pose potential safety concerns.

24 Ordinary Plumbing Work, Admin Cod Section 28-

25 105.4.4: Conceptually, the Department is not opposed

1 to the proposed amendments related to ordinary  
2 plumbing work. However, it does not believe that  
3 this is the best way to address the issue. The  
4 Department has been working on developing the EBC,  
5 the existing building code, which it anticipates  
6 finalizing for submission to the New York City  
7 Council by the end of this year. Consistent with the  
8 Department's other code revision and development  
9 efforts, there was a committee process that allowed  
10 for input by industry stakeholder groups and subject  
11 matter experts. The proposed amendments to the  
12 provisions pertaining to ordinary plumbing work are  
13 included in the draft EBC. The Department believes  
14 this proposal is more appropriately covered in the  
15 EBC, which will be a comprehensive code that  
16 regulates alterations and work in existing buildings.  
17 If these changes are adopted and incorporated into  
18 current administrative provisions, legislation will  
19 be needed to relocate the provisions to the EBC where  
20 they should reside. Therefore, the Department is  
21 opposed to this proposal as it addresses the issue in  
22 a piecemeal rather than comprehensive approach.

24 Periodic Inspection of Gas Piping Systems Admin  
25 Code Section 28-318: The bill proposes several

1  
2 changes to the requirements for the periodic  
3 inspection of gas piping systems, which I will  
4 address at a high level.

5 Admin Code Section 28-318.1: The current law  
6 exempts covered buildings with no gas piping and  
7 covered buildings that aren't currently supplied with  
8 gas from the inspection requirements. There are  
9 already provisions in the law for informing the  
10 Department of such and those have been successfully  
11 implemented. The proposed amendments as drafted,  
12 would require the owner to hire a Licensed Master  
13 Plumber or Registered Design Professional to conduct  
14 an inspection to inform the Department that the  
15 building has no gas piping or is not currently  
16 supplied with gas, which is contrary to what was  
17 intended by the existing exceptions to the inspection  
18 requirements.

19 Admin Code Section 28-318.2: The current code  
20 already allows for modification of the inspection  
21 frequency by rule. The Department has promulgated  
22 and implemented a rule, 1 RCNY 103-10, related to the  
23 periodic inspection of gas piping systems. The  
24 Department has the ability pursuant to the New York  
25 City Administrative Procedure Act, to amend the rule.

1  
2 Therefore, the proposed changes unnecessary and would  
3 have no meaningful impact.

4 Admin Code Section 28-318.3.1: It is unclear  
5 what the issue the proposed changes to the inspection  
6 entity qualification requirements are intended to  
7 address. As mentioned earlier, the Department  
8 promulgated rule 1 RCNY 103-10 setting forth certain  
9 inspection and other requirements. That included the  
10 minimum qualification requirements for the inspection  
11 entity. Inspectors must be a Licensed Master Plumber  
12 or an individual working under the direct and  
13 continuing supervision of a Licensed Master Plumber,  
14 provided that such individual has five years of  
15 experience and has completed a related training  
16 program. The proposed amendment includes language  
17 requiring those working under the direct and  
18 continuing supervision of a Licensed Master Plumber  
19 to also hold a journeyman plumber registration, which  
20 would significantly limit the pool of individuals who  
21 are qualified to perform these inspections. The  
22 Department believes the existing code and rule  
23 provisions are sufficient to address the  
24 qualifications for entities conducting the  
25 inspections. Additionally, mandating proof of

1  
2 inspector qualifications on each report and  
3 certification submitted to building owners and the  
4 Department reflecting that the required inspection  
5 has occurred is unnecessary. The Licensed Master  
6 Plumber is ultimately responsible for work performed  
7 by those working under their direct and continuing  
8 supervision, including verifying that they possess the  
9 appropriate qualifications. The Department believes  
10 including the proposed language could muddy the  
11 waters with respect to the line of responsibility.

12 Admin Code Section 28-318.3.2: The proposed  
13 changes to the scope of the inspection are  
14 significant and may pose an undue burden on building  
15 owners as the current inspection requirement does not  
16 include tenant spaces. This includes logistical  
17 challenges since access to tenant spaces would now be  
18 required.

19 Additionally, expanding the scope may directly  
20 correlate to increase the inspection costs for  
21 building owners. We encourage you to discuss these  
22 changes further with building owners to better  
23 understand what impact they may have on their  
24 requirement to perform these inspections.

1                   Admin Code Section 28-318.3.4: The proposed  
2 changes to this section include deletion of the list  
3 of unsafe or hazardous conditions where notification  
4 to the owner, utility and the department is required.  
5 The Department believes the deletion of this list is  
6 a step backwards. Providing a definitive list of  
7 when notification is triggered is useful to all  
8 parties. It provides clear direction and avoids the  
9 potential for confusion and uncertainty.  
10

11                  Admin Code Section 28-318.3.4.1: The bill  
12 proposes to add a new section related to reporting  
13 and correction of abnormal operating conditions that  
14 don't pose immediate hazard and requirements for  
15 correcting abnormal conditions related to service  
16 piping. The requirements that pertain to service  
17 piping are beyond the intended scope of Local Law 152  
18 of 2016. Service piping is under the jurisdiction of  
19 the Public Service Commission, not the Department.

20                  This proposed new section also adds a provision  
21 that would require the Department to be notified in  
22 connection with any abnormal operating condition that  
23 does not present an immediate hazard discovered  
24 during the inspection. The current code requires  
25 notification to the owner, utility and the department

1 when an unsafe or hazardous condition is identified.  
2 Requiring notification to the Department in  
3 connection with any abnormal operating condition that  
4 does not present an immediate hazard would be unduly  
5 burdensome. In addition, requiring the Department to  
6 promulgate a rule dictating what corrective measures  
7 should be undertaken to address an abnormal condition  
8 is impractical as this should appropriate be left to  
9 the qualified individuals performing the inspections.  
10 The determination as to the appropriate course of  
11 action to remediate an abnormal condition is done on  
12 a case by case basis by the inspection entity based  
13 on their assessment of the condition. The proposed  
14 provision would potentially shift the responsibility  
15 from the inspection entity to the Department which  
16 would be inappropriate.  
17

18 The Definition of Fire Suppression Piping Work  
19 Admin Code Section 28-401.3: During the 2022  
20 Construction Code Revision project, industry  
21 stakeholder groups sought clarification regarding  
22 what constitutes plumbing work and what constitutes  
23 fire suppression piping. Changes were made to  
24 provide the clarification including the addition of  
25 the sentence now proposed for deletion. The



1 Department believes the deletion of the sentence  
2 would create confusion rather than provide clarity.  
3 Certain sprinkler work may be performed by either a  
4 Licensed Master Plumber or a Master Fire Suppression  
5 Piping Contractor. However, only a Licensed Master  
6 Plumber can perform the related work on the domestic  
7 water and piping. If supplied by domestic water,  
8 only a Licensed master Plumber can perform the  
9 initial takeoff. Therefore, fire suppression work  
10 should not include plumbing. The sentence that is  
11 proposed to be deleted must be retained in order to  
12 maintain that distinction and separation between the  
13 discrete scopes of work and experiences.

14 Plumbing and Fire Suppression Piping Contractor  
15 License Board Article 417 of the Admin Code: Many of  
16 the changes enacted by the 2022 Construction Codes,  
17 one of the many changes enacted by the 2022  
18 Construction Codes was the elimination of the Plumbing  
19 and Fire Suppression Piping Contractor Board. As the  
20 regulatory entity, the Department is in the best  
21 position to determine license qualification.  
22 Elimination of the Board has streamlined the license  
23 application process. When the Board was in  
24 existence, meetings were held quarterly and  
25

1 applications had to be reviewed by quorum of Board  
2 Members. Coordination of multiple Board Members'  
3 schedules resulted in delays in the review of license  
4 applications. Since the board was eliminated,  
5 processing times for plumber and fire suppression  
6 piping contractor licenses has significantly  
7 decreased as there is not a dependence on quarterly  
8 Board meetings. That is a benefit to applicants  
9 seeking licensure. It's worth noting that only one,  
10 other trade license by Department has a Board and  
11 that is the electricians. As part of the current  
12 Electrical Code revision. That board is similarly  
13 being eliminated. The goal is for the licensing  
14 process for all trades to be managed consistently and  
15 avoid any disparity.  
16

17 Seizure and Forfeiture Admen Code Section 28-  
18 419.1: This proposal is being reviewed during the  
19 current Construction Code Revision cycle. The  
20 Department believes that the code committee process  
21 is the appropriate mechanism for tackling this issue.  
22 As it provides for a comprehensive evaluation  
23 process. Moreover, this proposal may necessitate  
24 changes elsewhere in the construction codes to  
25 achieve the intended goal. It is our position that

1  
2 it is best addressed through code revision rather  
3 than a standalone item in this bill.

4 Piping System Fuel Gas Code Section 101.2.2: As  
5 drafted, the proposed language amending the Fuel Gas  
6 Code could be interpreted to impose an obligation on  
7 the Department to perform inspections for scopes of  
8 work such as the replacement of stoves. We are  
9 concerned that this would strain our inspectorial  
10 resources. It would be helpful to understand the  
11 intended goal of the proposed change. To the extent  
12 a change to the provision is warranted, the  
13 Department strongly recommends that it be evaluated  
14 through the code revision committee process as all  
15 possible impacts need to be considered.

16 That concludes the Departments testimony  
17 regarding Intro. 429. Thank you very much for the  
18 opportunity to testify before you today. We welcome  
19 any questions that you may have.

20 CHAIRPERSON SANCHEZ: Thank you so much HPD and  
21 DOB. I'd like to acknowledge that we were joined by  
22 Council Member Hudson and Restler. We have Council  
23 Member Cabàn on Zoom and Council Member Abreu is here  
24 with us. And I'd also like to acknowledge that we've  
25

1  
2 been joined by Alex and Bessie Kuransky. Thank you  
3 so much for your advocacy and for being here today.

4 I'm going to start with questions for HPD and  
5 then I'm going to move to questions for DOB. Great,  
6 questions to DOB and then after, if my colleagues  
7 have questions, they will ask and then we'll move  
8 over to public testimony.

9 So, my first questions, my first series of  
10 questions Deputy Commissioner, are just going to be  
11 in connection to your testimony. So, you explained  
12 that HPD received almost 6,400 complaints regarding  
13 radiators in several categories including air valve  
14 that was broken or missing, a radiator that was  
15 loose, disconnected or missing, a radiator that was  
16 cracked or leaking, the shutoff valve was broken and  
17 that 1,600 violations related to radiators were  
18 issued during this time in Fiscal Year 2024. 450 of  
19 those were considered to be immediately hazardous and  
20 receive follow up the ERP team. So, can you just  
21 help us understand, the 450 violations that were  
22 considered to be immediately hazardous, what kind of  
23 violations are we talking about and how should a  
24 regular New Yorker who is looking at their radiator  
25 understand that they might be at risk?

1  
2 ANNMARIE SANTIAGO: Yes, thank you Council  
3 Member. So, when an inspector sees a radiator, it's  
4 primarily violations regarding either the air valves  
5 or steam that are emergency repair generating  
6 violations and as you know through the emergency  
7 repair process, we follow up with phone calls to the  
8 property owner, to the tenant. We go out and we  
9 attempt to take a look at the condition and if  
10 necessary, hire a contractor to do some repair work.  
11 Most of our emergency repair conditions across the  
12 board are corrected by property owners and owners are  
13 required to fix those in the case of radiators within  
14 24 hours of notice.

15 CHAIRPERSON SANCHEZ: What is the risk of an air  
16 valve malfunction or broken within a radiator?

17 ANNMARIE SANTIAGO: I think exactly what was the  
18 case here Council Member is, you know we don't see it  
19 often but there is a risk of the steam escaping, such  
20 that someone could be injured.

21 CHAIRPERSON SANCHEZ: So, you mentioned that  
22 these requirements could affect more than 100,000  
23 buildings citywide. My understanding is that we do  
24 not have good information about how many buildings in  
25

1                   the City of New York are using steam radiator  
2 systems. Do we have that estimate?  
3

4           ANNMARIE SANTIAGO: No, that's correct. We don't  
5 have an idea of the exact buildings that have these  
6 systems but in consultation with the Department of  
7 Buildings, it is my understanding that most older  
8 properties do. Obviously that was the system in use  
9 at that time. I know we are looking to try and help  
10 buildings convert over to other types of heating  
11 systems moving forward and I think we want to focus  
12 our efforts on allowing property owners to focus on  
13 that conversion.

14           CHAIRPERSON SANCHEZ: And so, how did you arrive  
15 at the estimate of 100,000 buildings citywide?

16           ANNMARIE SANTIAGO: So, we looked at just the  
17 number of properties that we have. So, we have  
18 approximately I would say about 160,000 multiple  
19 dwellings in the city, maybe a little bit more. And  
20 so, we would consider that a fair amount of those  
21 still have seen systems.

22           CHAIRPERSON SANCHEZ: Thank you. Thank you. Can  
23 you describe uhm, well, you expressed some concerns  
24 around HPD's Administration of a new requirement like  
25 this, mainly that you would have to contract with a

2 vendor, build a new portal, you would have to hire  
3 staff to process the information that HPD is  
4 receiving. Can you help us understand in the  
5 correlate, right, the way that HPD receives lead  
6 inspection information. Uhm, what does that system  
7 look like today?

8 ANNMARIE SANTIAGO: Thank you. So, lead  
9 inspection information is not required to be  
10 submitted proactively to HPD. However, there is a  
11 bed bug requirement. Where a document is required to  
12 be submitted for all properties to HPD every year,  
13 explaining to the inspector - I'm sorry, to the  
14 property owner to find bed bugs during the year. Did  
15 they take immediate action to do that? That is a  
16 process that affects all multiple dwellings and they  
17 are required to file. It is an online process for  
18 most properties but smaller properties owned by  
19 individual or joint owners, we allow to file with  
20 paper and it is a very intensive process for both our  
21 staff and for property owners to go online, fill out  
22 the form. We do issue significant number of  
23 violations for people who just fail to file. And so,  
24 there is a lot of administrative overhead involved  
25 with that process.

1  
2 CHAIRPERSON SANCHEZ: Uhm, can you quantify how  
3 many safety incidence related to the 450 immediately  
4 hazardous violations? Have there been - does HPD  
5 track that kind of information?

6 ANNMARIE SANTIAGO: No Council Member, I'm sorry,  
7 we don't.

8 CHAIRPERSON SANCHEZ: What has the Department  
9 done differently since the 2016 tragedy and since  
10 Binyomin's tragedy?

11 ANNMARIE SANTIAGO: Thank you Council Member.  
12 So, the 2016 tragedy as you know and as I think you  
13 stated, didn't really seem to be a larger issue at  
14 that time. The Department continued to do what it  
15 does, which is an in responsible tragedy actually at  
16 the time of the incident remind tenants, owners about  
17 their responsibility to maintain these system but  
18 tenants about their ability to call in and file  
19 complaints with us if an owner doesn't make a repair.  
20 And so, again, I think that would be a primary  
21 strategy for us in educating tenants and owners about  
22 how to identify when issues arise. How to address  
23 those issues and that HPD or New York City will  
24 respond if they have an issue.



1                   CHAIRPERSON SANCHEZ: How many, how many  
2  
3 complaints did HPD receive citywide in Fiscal 2024?

4                   ANNMARIE SANTIAGO: Over 800,000 complaints.

5                   CHAIRPERSON SANCHEZ: 800,000, so 600,400  
6 regarding radiators out of 800,000, very - 0.5  
7 percent perhaps. Is it your perspective that 6,400  
8 complaints regarding radiators is reflective of what  
9 the city is facing in terms of defective radiators  
10 citywide?

11                  ANNMARIE SANTIAGO: I couldn't say Council  
12 Member. I would imagine that people who have  
13 sometimes leaky radiators or have concerns don't  
14 call. And that is really where you know it would be  
15 important for us to continue with that education for  
16 people to know that that is not the normal  
17 functioning of the device and that they should be  
18 reporting it. Again, first to their property owner  
19 and then to the agency if it's not addressed.

20                  CHAIRPERSON SANCHEZ: Do you have for the  
21 particular apartment where Binyomin lived and there  
22 was a December 2022 inspection, why did HPD look at  
23 the radiator? Was that complaint driven?

24                  ANNMARIE SANTIAGO: Uhm, HPD received a complaint  
25 about peeling paint on the radiator. And actually,

1  
2 we were attempting to do a lead based paint  
3 inspection because that kind of report, that kind of  
4 condition would have necessitated because there was a  
5 child under six in the apartment, a lead inspection.  
6 We did attempt to do that inspection and we were  
7 advised that the owner was addressing the condition.

8 CHAIRPERSON SANCHEZ: Did HPD go back and check  
9 for complaints?

10 ANNMARIE SANTIAGO: We did not Council Member.  
11 No violations were issued.

12 CHAIRPERSON SANCHEZ: I'm sorry?

13 ANNMARIE SANTIAGO: No violations were issued at  
14 that time because we were advised that the work was  
15 going on. The complaint was canceled when a tenant  
16 tells us that the repair work is ongoing.

17 CHAIRPERSON SANCHEZ: And did that owner certify  
18 the correction to the agency?

19 ANNMARIE SANTIAGO: Again, Council Member, the no  
20 violation was issued so there was nothing to certify.

21 CHAIRPERSON SANCHEZ: And so, today concerns  
22 around radiators are entirely complaint driven?  
23 There's no proactive action? There's no line of site  
24 requirement for inspectors?

1  
2 ANNMARIE SANTIAGO: I would say that there are  
3 two conditions under which we would look at radiators  
4 as part of our regular inspection Council Member.  
5 So, again, in connection with lead based paint, which  
6 are conducted in apartments with children under six,  
7 we are looking at all painted surfaces. And in my  
8 experience, most radiators have been painted and so,  
9 they get a review by the inspector who is doing that  
10 inspection and that includes all rooms in the  
11 apartment.

12 A second condition under which we would look at  
13 our radiators on a heat inspection if no heat was  
14 being provided, we would generally or inadequate  
15 heat, we would generally at least review in the  
16 coldest room, which is where we take our  
17 temperatures, the condition of the radiator.

18 CHAIRPERSON SANCHEZ: What are other safety  
19 measures that could be used to prevent an individual  
20 from being injured by a faulty steam radiator?

21 ANNMARIE SANTIAGO: Uhm, I'm not an expert in  
22 this area. what I have read includes using radiator  
23 covers if that is an option depending on the radiator  
24 style. Certainly again, your best option is to let  
25

1  
2 your landlord know that there is a condition and then  
3 to contact 311 if that condition is not remediated.

4 CHAIRPERSON SANCHEZ: What are the qualifications  
5 of HPD inspectors that look at radiators?

6 ANNMARIE SANTIAGO: HPD inspectors, all HPD  
7 inspectors can look at radiators and they're all -  
8 every inspector's general background is construction,  
9 whether that's plumbing or electrical or general  
10 construction.

11 CHAIRPERSON SANCHEZ: But they're not Licensed  
12 Master Plumbers or journeyman?

13 ANNMARIE SANTIAGO: No Council Member, they are  
14 not.

15 CHAIRPERSON SANCHEZ: Would requiring that steam  
16 radiator inspections be conducted by Licensed Master  
17 Plumbers present any challenges to the city?

18 ANNMARIE SANTIAGO: That requirement is on the  
19 property owner. However, in what I would consider to  
20 be a very similar scenario for lead based paint, the  
21 first inspection, the initial inspection of the  
22 apartment is a visual inspection that can be done by  
23 the property owner or someone under the property  
24 owners employ. Once a visual inspection results in a  
25 finding that there is peeling paint, in that case,

1  
2 that's when you call in a professional person to come  
3 and make a more detailed assessment.

4 CHAIRPERSON SANCHEZ: And I'm sorry, what are -  
5 the person who come next to make the more detailed  
6 assessment, what should their qualifications be?

7 ANNMARIE SANTIAGO: For lead based paint, they  
8 need to be an EPA certified inspector.

9 CHAIRPERSON SANCHEZ: What about in relationship  
10 to radiators?

11 ANNMARIE SANTIAGO: As far as I know and I will  
12 defer to my colleagues, I don't believe that there is  
13 this similar situation where there's a requirement  
14 for visual inspection and then anything happens. I'm  
15 not exactly - I don't know how property owners  
16 usually address this issue.

17 CHAIRPERSON SANCHEZ: Yeah, we're pretty lax in  
18 thinking about radiators in the city. Intro. 925  
19 requires that owners of covered multiple dwellings  
20 notify tenants of the owners obligation to inspect  
21 steam radiators and dwelling units where a child  
22 under the age of six of resides. How would HPD  
23 enforce such a requirement?

24 ANNMARIE SANTIAGO: Thank you Council Member. I  
25 think that this is exactly where one of our

1  
2 alternative thoughts about how to educate would be  
3 helpful. So, for again kind of looking at an  
4 existing process for gas leaks, uhm property owners  
5 are required to post a notice in a common area that  
6 provides the tenant with information on how to  
7 respond. What to do if they suspect a gas leak and  
8 that is enforceable by HPD because we can check for  
9 the posting. It's a very easy and public way in a  
10 public area that we know that requirement has been  
11 met and I think that that may be a better way for the  
12 tenants and for us to ensure that that information is  
13 provided.

14 CHAIRPERSON SANCHEZ: Okay, if an inspection were  
15 to determine that a steam radiator is likely to be  
16 hazardous to life or safety, the owners under this  
17 bill would need to take the steam radiator out of  
18 service within 24 hours and repair or replace it  
19 within seven days of the inspection. Is this  
20 feasible?

21 ANNMARIE SANTIAGO: I would defer to my DOB  
22 colleagues.

23 GUS SIRAKIS: I think it's going to depend on the  
24 nature of the defects that are identified, what  
25 permits are necessary to make the repair. So, it's

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

kind of a guessing game from that standpoint but obtaining a licensed plumber during a heating season can be a challenge as well from that standpoint. Terek?

TAREK KHALIL: Yeah, I mean I think also in terms of folks who can also do this kind of work, you have folks who do for example burner inspections right, oil burner equipment installers. These folks can also help out with -

CHAIRPERSON SANCHEZ: I'm sorry, can you get a little closer to the mic.

TAREK KHALIL: Yeah sure. Oil burner equipment, oil burning equipment installers, very long name but those are folks who can also do this kind of work. You also have station engineers as well.

CHAIRPERSON SANCHEZ: But a valve change - valves are \$10, \$15 right and they can be unscrewed and put in the new one?

TAREK KHALIL: Yeah, yeah, you have different types right. You have thermostatic valves, et.., different types of valves and they would require obviously shutting down the system, making sure the system cools down, right. And then you disconnect you know whatever you need to disconnect in terms of

1 radiators right? And then of course you need to make  
2 sure there's no air in the system when you turn the  
3 system back on. So, you need somebody who is  
4 qualified, who knows what they're doing when it comes  
5 to steam radiators.  
6

7 CHAIRPERSON SANCHEZ: So, the repair work today  
8 for issues within a radiator, if an air valve is  
9 broken or the radiator is loose or cracked or leaking  
10 or the shut off valve is broken, does the city have  
11 requirements today for how those repairs are made?

12 TAREK KHALIL: So air valve radiator in general,  
13 that's part of a distribution system side of it,  
14 right so uhm in terms of addressing those kind of  
15 repairs, there's no specific procedure right to  
16 placing. It's an outline but you have a uhm, like  
17 most the professionals who do work on this kind of  
18 stuff, like if you talk to for example, a high  
19 pressure boiler operating engineer, they know what  
20 needs to be done to take this radiator, replace it,  
21 and also start the system up again correctly. The  
22 same thing for a master plumber. The same thing for  
23 an oil burning equipment installer as well. Those  
24 are three trades that they certainly know what  
25 they're doing when it comes to steam radiators.



1  
2 ANNMARIE SANTIAGO: And I think many - again, not  
3 to speak on behalf of owners but I think that many  
4 property owners have staff who can handle a lot of  
5 this work, who are on staff. You know who are  
6 familiar with these types of systems and doing the  
7 minor repairs that you're mentioning are capable of  
8 doing. So, I think you know in terms of real system  
9 issues, that's a different question. Certainly and I  
10 think we would want a licensed qualified person doing  
11 that but I think the more minor repairs, the more  
12 general repairs that you're referencing, you know a  
13 good building superintendent will probably know how  
14 to address those issues.

15 CHAIRPERSON SANCHEZ: I had a broken air valve in  
16 my home and I tried to change it and I did not do it  
17 right, so it's scary, it's scary and then I left it  
18 off because it was still leaking and I still don't  
19 have heat but you know for tenants who are living in  
20 a home, I think there's just concern. I have concern  
21 for New Yorkers who are in their homes and they don't  
22 know whether their supers are qualified and do know  
23 right? There are some basic things but I think  
24 there's a gap here certainly with how, you know how  
25 deep our processes are with code revisions that for

1  
2 inside the home where radiator is and where an issue  
3 can happen and has happened in the case of these two  
4 horrible tragedies. We don't have procedures. We  
5 don't have protocols. We only have protocols outside  
6 of the home, so I think that's where talking more  
7 about in addition to your recommendation about  
8 education for New Yorkers.

9 Uhm, okay, so turning to 529 now, 429, did you  
10 know there was another bill? No, I'm kidding.  
11 Turning to 429, so 429 as we have been discussing, is  
12 in relation to periodic inspection of gas piping  
13 systems and the administration Department of  
14 Buildings, laid out a number of concerns and I look  
15 forward to industry professionals who are here  
16 responding to some of those later in their own  
17 testimony but I'm just going to start with a couple  
18 of clarifying questions Deputy Commissioner from your  
19 testimony.

20 So, starting with emergency work, AC Section 28-  
21 105.4.1, you mentioned that expanding - uhm, let me  
22 say this correctly. Yeah, that such an expansion  
23 coupled with other proposed edits would significantly  
24 expand the allowance beyond what was originally  
25 intended and this could pose potential safety

1                   concerns. Can you explain why there would be safety  
2 concerns with this expansion?  
3

4           GUS SIRAKIS: So restoring the system to good  
5 working condition, I think in and of itself is - it  
6 doesn't describe an emergency. It describes  
7 something that's just not working but not necessarily  
8 the scenario of why a permit can't be obtained, the  
9 proper steps to go through the inspection process and  
10 sign off process can't be followed prior to beginning  
11 the work. Combine that maybe with the expansion of  
12 removal of the phrase for equipment servicing  
13 education or residential occupancies. You now have a  
14 scenario where any commercial establishment that has  
15 equipment that's not in good working order could  
16 begin performing work on their system that would  
17 otherwise require a permit without having any filings  
18 on record with the Department of Buildings and then  
19 we have to play catchup afterwards. And there's no  
20 reason why the filings can't occur. We have  
21 multiple, also to address, maybe part of the steam  
22 issues that some of the work might be ordinary  
23 repairs that can be performed directly by a licensed  
24 trade person without the need of a permit but then as  
25 you start getting into more serious work, a permit is

1  
2 needed but some of it can be performed by the  
3 licensed trade person with what's called a Limited  
4 Alteration Application. The trades person can apply  
5 for that application digitally, 90 some odd percent  
6 of those go straight to permit. There's no plan  
7 review in advance. It's the literally the trades  
8 telling us what work that they are doing and putting  
9 us on notice that we would need to come out for an  
10 inspection and that work is going on.

11 CHAIRPERSON SANCHEZ: Is it DOB's interpretation  
12 of this change that in this expansion where  
13 commercial facilities could you know theoretically  
14 start work without a permit that they would never  
15 file the permit.

16 GUS SIRAKIS: That's a potential misuse there  
17 that it could be done and if it's done in the middle  
18 of the night with no one to check that you know  
19 dispute sometimes arise between owners and trades  
20 folks that you know uh you didn't pay me enough to go  
21 follow through with the permit. I'm not sure where  
22 someone would end up there but I also on the reverse  
23 end, our emergency system, we haven't seen  
24 necessarily an issue where people have not been able  
25 to undertake emergency work notifying the department

1  
2 in advance and saying we're in need of doing this  
3 work immediately. We have the five borough offices.  
4 We have central inspection divisions that are  
5 available to assist and give guidance as to what can  
6 be done without a permit in those emergency  
7 situations. So, I'm not sure that we need an  
8 expansion here as of yet.

9 CHAIRPERSON SANCHEZ: Thank you. Next question  
10 is regarding periodic inspection of gas piping  
11 systems where you highlight in 28-318.1 that there  
12 are already provisions in the law for informing the  
13 department when you don't have gas piping in the  
14 building. What are those existing provisions?

15 GUS SIRAKIS: Uhm, yes, so uhm the existing  
16 provisions I believe are in the rule in and of itself  
17 as well as through our on line portal. Terek,  
18 correct me here if I'm wrong but through our online  
19 portal uh, property owners, architects, engineers and  
20 boiler, excuse me plumbers can give us notification  
21 that there is no gas service to this building through  
22 documentation that such as utility notices, things of  
23 that nature that wouldn't necessitate a physical  
24 inspection be performed in the building.

1  
2 CHAIRPERSON SANCHEZ: Is there anything else  
3 because a utility bill can tell you that gas isn't in  
4 use but it doesn't tell you that there aren't gas  
5 pipes present right?

6 TAREK KHALIL: Yeah, so I'll just expand on that.  
7 So, when it comes to situations where you have no gas  
8 piping scenarios, those scenarios could be for  
9 example a building that when fully electric, for  
10 example right. And that scenario, piping from the  
11 main, from the street, the main gas piping to the  
12 building itself is no longer in service. They may  
13 have actually disconnected the piping, service piping  
14 to the building itself. So, in that scenario, if you  
15 do some coordination with the utility company for  
16 example, they could for example, verify for you that  
17 that service was actually indeed disconnected. And  
18 then what they would do is they would furnish a  
19 disconnection letter, just verifying that the service  
20 was actually disconnected. So, just to kind of give  
21 you like a practical insight.

22 CHAIRPERSON SANCHEZ: And who is authorized to  
23 provide such a disconnect- or to like offer such a  
24 disconnection letter?

1  
2 TAREK KHALIL: So, utility companies, they have  
3 the authority. They can give that disconnection  
4 letter to the owner.

5 CHAIRPERSON SANCHEZ: Got it, okay. I love the  
6 way that you spelled this out because I can point out  
7 exactly where the question is but AC Section 28-  
8 318.3.2, you talk about access issues and tenant  
9 spaces. Are there uhm, are there any sort of  
10 proactive requirements that the agency has that  
11 requires access to the tenant unit?

12 GUS SIRAKIS: Without an actual work permit, I  
13 can't think of a mandatory inspection where we go  
14 inside of a tenant space. The only thing would be  
15 access to equipment rooms such as the boiler room,  
16 elevator, machine rooms, pits but not the actual  
17 tenant spaces.

18 CHAIRPERSON SANCHEZ: Got it. Thank you. So,  
19 abnormal operating conditions. Can you give us some  
20 examples of what abnormal operating conditions might  
21 come up? It sounds like you don't think that - well  
22 they're not classified as unsafe for hazardous.

23 TAREK KHALIL: So, normal operating conditions,  
24 they can be situations for example where you have  
25 heavy corroded piping for example. That's an

1                   example. Where the integrity of the piping for  
2                   example is at a level where if you were to just touch  
3                   it, you seriously compromise the piping, gas may escape  
4                   right? Another type of normal operating condition  
5                   could be, for example, a leak, a leak right? That's  
6                   another type of situation where you have, you know  
7                   you have your portable combustible gas detector.  
8                   You'll practically go survey the piping and you'll  
9                   see if there's actually any significant leaks or  
10                  leaks in the piping itself right?

12                 Another type of a situation could be from a code  
13                 perspective, right? Let's say for example you see  
14                 piping that it's a long run and the piping is not  
15                 properly supported. That's dangerous because  
16                 obviously, I'm sorry, it's an abnormal condition  
17                 right because you can possibly have a situation with  
18                 the piping, it could collapse if it's not properly  
19                 support. So, those are like a few examples that you  
20                 have.

21                 CHAIRPERSON SANCHEZ: That sounds pretty  
22                 dangerous though if a pipe can collapse, no?

23                 TAREK KHALIL: Well, if it's not properly  
24                 support, right? So, that's - I'm just giving  
25                 examples, right?



1  
2 GUS SIRAKIS: Just to clarify, I understood your  
3 question though as normal conditions that are not  
4 immediately hazardous. Is that correct?

5 TAREK KHALIL: Well, there's two types obviously  
6 right. There's a normal hazardous and you have a  
7 normal not hazardous right. If you were to just  
8 think about it practically speaking.

9 GUS SIRAKIS: So, what's an example of an  
10 abnormal, abnormal condition that's not immediately  
11 hazardous?

12 TAREK KHALIL: Oh, that would be for example, you  
13 might have some missing piping support but it may not  
14 be hazardous. It may not be hazardous, so that could  
15 be an example right there.

16 CHAIRPERSON SANCHEZ: Thank you. Okay, so you  
17 also raised concerns around requiring that around  
18 being opposed to the requirement that the individuals  
19 working under the supervision of the licensed master  
20 plumbers are journeyman. Would a journeyman plumber  
21 be qualified to conduct the inspection on their own  
22 without the licensed master plumber?

23 GUS SIRAKIS: No, I think the inspection is  
24 required to be performed under the direct and  
25 continuing supervision of the licensed master plumber

2 but I think the concern was also limiting it to  
3 merely - to only those registered as journeyman and  
4 not just others who work for a licensed master  
5 plumber could be severely limiting as to who is  
6 available to do this.

7 CHAIRPERSON SANCHEZ: What are some of those  
8 titles or individuals that would be excluded by only  
9 allowing journeyman?

10 GUS SIRAKIS: I don't know that they have titles  
11 but specifically but there are classes that are  
12 required to be taken for performing this inspection  
13 because it's not about actually doing the piping  
14 installation and the plumbing installation, it's  
15 about identifying the corrosion, the defects, and  
16 other maintenance issues that could arise as well.  
17 So, it's its own separate class but there are others  
18 who do plumbing work under a licensed master plumber  
19 that don't have the journeyman title or any title.

20 CHAIRPERSON SANCHEZ: How many - what are the  
21 qualifications of a journeyman plumber?

22 TAREK KHALIL: You require at least five years of  
23 experience, so I think that was kind of like the  
24 logic behind this proposal but it's - you require

1  
2 five years of experience. And the rule also and the  
3 law requires five years of experience.

4 CHAIRPERSON SANCHEZ: And so, someone who is sort  
5 of walking in off the street but working with a  
6 master, Licensed Master Plumber is good to inspect  
7 these systems?

8 TAREK KHALIL: They have to have the years of  
9 experience working under the Master Plumber  
10 themselves. And also, when they conduct the  
11 inspection as well, that work needs to be reviewed by  
12 a licensed master plumber as well.

13 CHAIRPERSON SANCHEZ: The review is required.  
14 And how many years of experience are required?

15 TAREK KHALIL: The folks working under the  
16 Licensed Master Plumber is five years.

17 CHAIRPERSON SANCHEZ: I thought you said that's  
18 the qualification of a journey person?

19 TAREK KHALIL: Yeah, they both coincide. Right,  
20 they're both five years.

21 CHAIRPERSON SANCHEZ: They're both five? Okay,  
22 okay.

23 GUS SIRAKIS: Those qualifications are actually  
24 published in our rule.

1                   CHAIRPERSON SANCHEZ: Okay, Licensing Board. I  
2 understand the Department of Buildings do the most  
3 recent Codes Council's are trying to or have been  
4 removing most licensing boards. Can you share how  
5 the plumbing and Fire Suppression Piping Contractor  
6 Licensing Board function when it did exist?  
7

8                   GUS SIRAKIS: So, my understanding is there were  
9 about four staff members that administered this  
10 board. They would get the applications for the  
11 members who would be members of the board, run them  
12 through our board selection process, then at the same  
13 time, they would schedule quarterly meetings around  
14 the quorum. We needed a quorum of the board, so  
15 making sure that we had sufficient members in  
16 attendance. They would also then process the  
17 background check applications where the licensing,  
18 the new candidates were for licensure, distribute  
19 them to the board members and hold the meeting,  
20 collect whatever decisions were made at the meeting  
21 and doc it for future meetings any backlog that  
22 occurred. These meetings I believe were quarterly.  
23 We haven't had the board since 2022 and our  
24 understanding is our service levels have gotten much  
25

1  
2 better with review times on our licensing  
3 applications.

4 CHAIRPERSON SANCHEZ: So, service times have  
5 improved but the Board was responsible for advising  
6 the Commissioner on items such as the character and  
7 fitness of licensing applicants, allegations of  
8 illegal practices and code revisions. How has the  
9 department continued to oversee these items in the  
10 absence of a board?

11 GUS SIRAKIS: I think you know we do a pretty  
12 thorough job on our background checks and making sure  
13 that people are presenting us with the appropriate  
14 qualifications and work experience. We do quite a  
15 thorough job. Our background check is quite I think,  
16 a serious process that people go through and we do  
17 take unlicensed work activity quite seriously and  
18 issued serious violations for it on that standpoint.

19 CHAIRPERSON SANCHEZ: And how does looking at the  
20 composition of the board, of the proposed, the  
21 reinstated, the Board that would be reinstated.  
22 There are labor representatives. There are industry  
23 representatives. How does Department of Buildings  
24 engage with these members of industry outside of the  
25 board or without having a board?

1                   GUS SIRAKIS: without having a board, we have  
2 regular business meetings. I would say that with  
3 these stakeholder organizations that represent them,  
4 we meet frequently with the plumbing, the plumbing  
5 organizations. We meet regularly with the  
6 architects, the engineers, the Building Trade  
7 Employers Association, as well as through our  
8 stakeholder driven code revision process. There we  
9 think is really the best place for code revision  
10 changes that can impact multiple stakeholders and  
11 also to make sure that we have parity across the  
12 board. As we mentioned here, we had over 650 members  
13 donate tens of thousands of hours of their time to  
14 make sure that we have you know the best regulations  
15 that really make sure that we're getting the most  
16 bang for our buck for everybody's limited resources  
17 and making sure that we're both building safely and  
18 living safely. I think this is an area where I think  
19 New York City really does take the lead. We have a  
20 very strong support from our stakeholder engagement  
21 and I think that the process in and of itself is why  
22 that many of them keep coming back because they do  
23 feel like they all collectively have a say and they  
24

1  
2 get to see the innerworkings of how was a decision  
3 made and it does help to make a better product.

4 CHAIRPERSON SANCHEZ: When there was a licensing  
5 board, were those individuals the individual members  
6 where they volunteer?

7 GUS SIRAKIS: They were volunteer yes.

8 CHAIRPERSON SANCHEZ: They were volunteer. Does  
9 DOB to the extent that you can quantify, are you  
10 meeting with these industry professionals and  
11 representatives as frequently without the board as  
12 you were with the board?

13 GUS SIRAKIS: I think so. I believe we are  
14 meeting at least quarterly with these organizations  
15 but we can check. These are not as formalized of an  
16 appointment schedule because we don't have specific  
17 applications docketed for review. This is more  
18 ongoing business and then there are some more  
19 technical discussions with the plumbers, for instance  
20 that occur outside of these larger meetings.

21 CHAIRPERSON SANCHEZ: Because I'm of course  
22 hearing that there aren't the opportunities for  
23 engagement that there used to be. Uhm, has the  
24 department heard this feedback from other trades that  
25

1  
2 are wanting to or not wanting to see their licensing  
3 boards go away?

4 GUS SIRAKIS: I think from you'll hear probably  
5 soon I think from folks regarding the electrical but  
6 for the most part I believe that the process is more  
7 transparent without the board. It's something that  
8 we can provide clear direction as to how, how or why  
9 we made our decision on the process. We, you know  
10 there are those who would like the board to remain  
11 but I think overall we have not heard complaints on  
12 the reverse end and since 2022, we have not had the  
13 plumbing board, we have not had any issues that I'm  
14 aware of.

15 CHAIRPERSON SANCHEZ: Okay. Okay, thank you.  
16 With respect to the seizure of vehicles,  
17 understanding that the Department prefers to handle  
18 this in a codes process, can you share information on  
19 how often DOB seizes vehicles or tools that are used  
20 in connection with unlicensed or unregistered  
21 activity at a work site?

22 GUS SIRAKIS: Yes, I believe it is a more - it is  
23 kind of a limited process. I believe it's limited to  
24 one to - the construction of one to three family  
25 homes where there's unlicensed activity in connection



1  
2 with the construction of new one to three family  
3 homes. So, it's quite a limited universe of where it  
4 applies. Yeah, seizure and forfeiture tools  
5 connection, unlicensed construction work at the site  
6 of a new residential structure consisting of three  
7 dwelling units or less, excluding commercial  
8 manufacturing.

9 The language is kind of narrow and limiting and  
10 there has been litigation with other city agencies  
11 that did result in a hold on most other agencies,  
12 including DOB in utilizing this, so. And unlicensed  
13 work generally doesn't occur at new one to three  
14 family homes. I think the idea being that you're  
15 probably connecting for instance a plumbing service  
16 to one or more utility entities and in order to do  
17 that you need a legitimate permit. You can't get  
18 unlicensed activity there. The unlicensed activity  
19 is more likely in alteration to an existing building  
20 where less interaction with other governmental  
21 entities is needed.

22 CHAIRPERSON SANCHEZ: But you don't have - does  
23 the Department not do seizures today?

24

25

1                   GUS SIRAKIS: It has limited. I don't know when  
2  
3 the last time was when we've done a seizure. We can  
4 get back to you on that.

5                   CHAIRPERSON SANCHEZ: Is it your perspective at  
6 this time that that would strengthen the Departments  
7 ability to enforce?

8                   GUS SIRAKIS: I believe so, yes. I think  
9 definitely you know the ability to seize tools would  
10 be something we'd look to something to expand to  
11 include all unlicensed possibly on permitted, both  
12 new and existing buildings and multiple building  
13 types beyond just one to three residential.

14                   CHAIRPERSON SANCHEZ: Okay, thank you. Two more  
15 questions. These are actually for HPD. Deputy  
16 Commissioner, just nothing that the most recent  
17 Mayor's Management reports shows a continued increase  
18 in heat violations year after year from 6,211  
19 violations in Fiscal 2023 to 9,204 issued in FY24.  
20 Can you just broadly share your perspective on what  
21 is causing the increase in the number of heat  
22 violations, why we're trending upward?

23                   ANNMARIE SANTIAGO: Thank you Council Member.  
24 Again, in looking at this because there was also an  
25 increase in the previous fiscal year to 2023, we

1  
2 believe that a lot of it is accounted for by an  
3 increase in staff and a quicker response time. The  
4 Mayor's Management report will also show that we are  
5 responding more quickly, not just to heat but to all  
6 types of complaints. So, that may account for some  
7 certainly some of the increase.

8 CHAIRPERSON SANCHEZ: So, it's your fault? No,  
9 I'm kidding.

10 ANNMARIE SANTIAGO: I take the blame I guess.  
11 You know one of the other, which is very difficult to  
12 account for is just the coldness of the heat season  
13 and the intensity of the coldness. So, that's always  
14 very difficult for us to measure.

15 CHAIRPERSON SANCHEZ: Okay. I will actually  
16 leave it at that. Thank you. Thank you so much to  
17 the Administration for your testimony today. I look  
18 forward to continuing to discuss these two pieces of  
19 legislation and you know especially on 925, the  
20 mechanism right? How, it doesn't sound like there  
21 have been many changes since these two terrible  
22 tragedies have happened. And it sounds like despite  
23 how robust our protocols are for inspecting radiators  
24 and boilers and all sorts of systems, we don't do it  
25 within the homes and there just is a gap there that I

1 look forward to discussing more. And on 429, there  
2 were a lot of issues that were raised by the  
3 Department. I look forward to further testimony to  
4 understand the industries perspective and continue  
5 the discussion. So, thank you. Thank you so much  
6 for your time this morning.  
7

8 PANEL: Thank you.

9 CHAIRPERSON SANCHEZ: I'll just ask that  
10 representatives remain to hear some of the testimony  
11 today and I will call up our first public panel in a  
12 moment. I'd like to acknowledge that we were joined  
13 by Council Member Alexa Avilés. We're just going to  
14 take a few moments recess and we'll resume right  
15 after. RECESS [01:11:04]- [01:20:35]

16 [GAVEL] Calling our hearing back to order. I'd  
17 like to acknowledge that we were joined by Council  
18 Member Feliz and Council Member Dinowitz. So, I will  
19 now open the hearing for public testimony. I remind  
20 members of the public that this is a formal  
21 government proceeding and that decorum shall be  
22 observed at all times. As such, members of the  
23 public shall remain silent at all times. The witness  
24 table is reserved for people who wish to testify. No  
25 video recording or photography is allowed from the

1 witness table. Further, members of the public may  
2 not present audio or video recordings as testimony  
3 but may submit transcripts of such recordings to the  
4 Sergeant at Arms for inclusion in the hearing record.  
5 If you wish to speak at today's hearing, please fill  
6 out an appearance card with the Sergeant at Arms and  
7 wait to be recognized. When recognized, you will  
8 have two minutes to speak on today's hearing topic of  
9 Intro. 429 and Intro. 925.  
10

11 If you have a written statement or additional  
12 written testimony you wish to submit for the record,  
13 please provide a copy of that testimony to the  
14 Sergeant at Arms. You may also email written  
15 testimony to [testimony@council.nyc.gov](mailto:testimony@council.nyc.gov) within 72  
16 hours of this hearing. Audio and video recordings  
17 will not be accepted.

18 I will now call the first panel. Thank you.  
19 Bessie Kimelfeld, Alexander Kuransky, and Ann  
20 Martinez. Now, as Alex and Bessie make their way to  
21 their seats, I just want to thank you for your  
22 advocacy, your incredible resilience. I can't  
23 imagine how painful this year has been and you have  
24 turned that pain into purpose and here we are today  
25

1                   hearing legislation because of your advocacy. Thank  
2                   you for everything that you've been doing.

3                   BESSIE KIMELFELD: Hi, my name is Bessie  
4                   Kimelfeld. I'm going to speak today on behalf of my  
5                   son Binyomin Zachariah who passed away in January 19,  
6                   2024.

7                   A total of three children have died from a  
8                   steamed radiator malfunction in their New York City  
9                   apartment. Scylee Ambrose age one, Ibanez Ambrose  
10                  age two, Binyomin Zachariah eleven months, just days  
11                  away from celebrating his first year birthday party.  
12                  The babies deaths occurred inside of the apartment  
13                  through no fault of the tenants occupying the  
14                  residences. The deaths occurred from poor steam  
15                  radiator maintenance. As of now, boilers are  
16                  inspected on an annual basis, however, steam  
17                  radiators are untouched and not even examined or  
18                  looked at by anyone.

19                 A Superintendent is often unqualified to  
20                 determine any real underlying problem and often lacks  
21                 the expertise needed to replace different essential  
22                 parts of the radiator. New York City tenants deserve  
23                 to live. No one, especially not a child or a baby  
24                 should die in the comfort of their own home from a  
25

1  
2 steam radiator that is supposed to provide warmth  
3 throughout the cold winter months. If it was your  
4 own son, grandson, nephew or best friends child, or  
5 your own daughter, granddaughter, niece and you got a  
6 call in the morning that they were found dead from a  
7 steam radiator in the home, would you take any steps  
8 to ensure this doesn't happen again? Would you say  
9 it was a freak accident and go about your day or  
10 would you do something about it?

11 Some bills require careful analysis to consider  
12 the pros and cons but saving children's lives only  
13 has pros. If you see a father or mother holding  
14 their lifeless child in their arms in movie, you cry.  
15 You feel the pain and despair in the parents eyes and  
16 souls but our life isn't a movie. Our lives along  
17 with the Ambrose's are utterly destroyed and no  
18 individual regardless of rank gets to dismiss the  
19 loss of human life as something that was merely a  
20 freak accident.

21 Labeling the loss of a human life in this manner  
22 is insulting and degrading. This wasn't a drunk  
23 driver that lost control. Binyomin wasn't on the  
24 road at 80 miles an hour with his family. He was in  
25 the safest place in this world. He was in his own

1 home, in his own bed, his ultimate safe space. It's  
2 because of the lack of necessary inspections that the  
3 safest place in the world turned into the most  
4 dangerous steaming the room to 212 degrees. As  
5 acknowledged by the FDNY Fire Marshal at the scene  
6 saying, "it appears that the room reached a  
7 temperature of 212 to 215 degrees Fahrenheit.

9 Not [INAUDIBLE 01:25:41] decision. Inaction is  
10 still an intentional act. Not doing the right thing  
11 is a conscious decision that is made with intent. We  
12 boldly and truthfully say that if one is against  
13 approving a bill that is designed to prioritize the  
14 safety, the physical safety of New York City  
15 children, then they are choosing to dismiss the value  
16 of human life. Whether it's one life or one million  
17 lives, we've lost three to a steam radiator. How  
18 many more lives are you waiting on to be lost and  
19 taken before you decide that children are worth  
20 protecting? How many children need to die before the  
21 right laws are in place?

22 Many often say that certain things are out of  
23 their control but here today it is in your control.  
24 You had the opportunity to listen to the Bin Z bill.  
25 You heard the details and now you understand this



1  
2 purpose is to prioritize human life. It's purpose is  
3 to protect children from experiencing the fate of  
4 three babies so far and the eternal nightmare that  
5 their families now have to live in for the rest of  
6 their life. Where do you stand on the issue of human  
7 life? What decision will you make? Will you take  
8 passion and advocacy and use it in the most important  
9 way possible? Will you use your advocacy to destroy  
10 or to build? Will you use your ability to reject or  
11 approve? Will you use your ability today to ignore  
12 or acknowledge and vow change? What decision will  
13 you make today?

14 ALEXANDER KURANSKY: Good morning everyone.  
15 Thank you so much for allowing us an opportunity to  
16 speak. I'm really thankful to be here. I'm really  
17 thankful for a lot of Council Members, especially  
18 Pierina Ann Sanchez as well as Farah Louis and many  
19 others that have very bravely and graciously  
20 supported us. So, thank you.

21 I also did want to say mainly just two things.  
22 One, the status quo is obviously an epic fail.  
23 Relying on tenants to report issues is a failure  
24 because three children have died. If the status quo  
25 would work, we would be with our baby boy in the park

1 right now, not sitting with you here today. Clearly  
2 the current system failed and if we turn our head  
3 away and conveniently refer to it as a freak  
4 accident, that does nothing but further propagate  
5 future failures again, again, and again.

7 So, what are we going to do to stop it? What  
8 action will we take to ensure that a fourth, a fifth  
9 and a tenth child doesn't die? Human life and the  
10 physical safety and the preservation of it takes  
11 precedence above all technical laws. This is a human  
12 life law. This is a common sense law. It doesn't  
13 get any more important than human life.

14 I was out of respect for everyone here, I was to  
15 be quite frankly with you, appalled by the response  
16 of one of the members when they said that they want  
17 to "educate tenants." I'm not sure what kind of  
18 education they are talking about but giving someone a  
19 pamphlet, a piece of paper like this today, and  
20 saying "oh, maybe your baby might die, so read this"  
21 is not an effective solution. We don't want papers.  
22 We don't want pamphlets. No one is going to digest,  
23 internalize, analyze, assess, whatever information is  
24 on that little pamphlet. That pamphlet, every one  
25 here knows is going to go straight to the garbage.

1  
2 We don't want pamphlets. We want legal mandated laws  
3 to preserve and protect human life. Thank you.

4 CHAIRPERSON SANCHEZ: Thank you so much. Thank  
5 you so much Alex. Ann.

6 ANN MARTINEZ: Hi, good afternoon everyone. My  
7 name is Ann Martinez. Yes, my name is Ann Martinez,  
8 I'm President of Tenant Association from 720 Hunts  
9 Point where the Ambrose lost their two little girls.  
10 It still hurts. We're still fighting and I'm here  
11 supporting Alexander and Bessie as well to see if  
12 they passed the bill of right of the radiator  
13 mandated. I think it's not fair. There's no one to  
14 hear us. We've been fighting for years. There's a  
15 lot of things going on with these radiators. They're  
16 still not working in our building. We're having a  
17 lot of issues with it. [01:30:26] and nothing has  
18 been done.

19 I'm just here to support them and to see if you  
20 could pass the bill of right. Thank you.

21 CHAIRPERSON SANCHEZ: Thank you. Thank you Ms.  
22 Martinez. Uhm, Alex and Bessie, thank you again so  
23 much for everything that you've done to get us here  
24 and to this moment. Can you tell us about Binyomin?  
25 When was he going to turn one?

1  
2 ALEXANDER KURANSKY: Binyomin was 20 days away  
3 from turning one. According to the Jewish calendar,  
4 he was 8 days away from turning 1. Our family had  
5 already planned his entire birthday party. We had  
6 his birthday outfit that was picked out for him. We  
7 had a restaurant reserved for him. We had a guest  
8 list. We even made a budget as to how much we were  
9 going to spend. Everything was clearly drawn out.  
10 We were just getting to celebrate our boy. We were  
11 getting ready to celebrate his first year birthday.

12 CHAIRPERSON SANCHEZ: Thank you.

13 BESSIE KIMELFELD: Binyomin was everything to us.  
14 He woke up with a smile. He went to bed with a  
15 smile. Everything we did, we did it with joy because  
16 Binyomin brought us so much joy. He was the happiest  
17 kid, took every moment and savored it in life and you  
18 know even though he lived such a short life and he  
19 should really be here today. His quality of life was  
20 more than most people live in 120 years. So, I just  
21 wanted to mention that.

22 CHAIRPERSON SANCHEZ: Thank you. Now, as a mom  
23 of a baby that's not too far away from Binyomin's  
24 age, I just again, extend my condolences and can't  
25 imagine the pain that you have. Appreciating your

1 reaction to some of the testimony that you heard from  
2 the agencies today, nothing has changed. Nothing has  
3 changed from when we lost the Ambrose siblings.  
4 Nothing has changed since Binyomin. We rely on  
5 tenants making complaints and as we heard today,  
6 1,600 complaints in the City of New York. I can - I  
7 would bet anyone in the world that that is not  
8 representative or reflective of how many radiator  
9 issues there are in the City of New York.

11 And so, in your case, did you complain? Did you  
12 feel educated or empowered to complain to the city  
13 and the agencies?

14 ALEXANDER KURANSKY: So, we didn't see any red  
15 flags and that's really what concerns us the most.  
16 Had we seen excess steam, we would have definitely  
17 ran to the Super. Very likely call 311 because that  
18 was not the case for us. The radiator was not even  
19 making any like hissing sounds. I know that  
20 sometimes a lot of people that live in these old  
21 units, they complained that the radiator makes like  
22 this loud like banging sound, which I believe that  
23 means that you have to bleed it. There's like a  
24 whole process to it. So, we actually did not even  
25 have to do that. Our radiator was not making any

1                   clinking sounds. Uhm, in fact, Bessie and I had  
2                   spent thousands of dollars on renovating our  
3                   apartment making sure that it was habitable. Making  
4                   sure that it was safe and we did everything within  
5                   our power to make sure that it was a safe, happy,  
6                   joyous, positive space. We never thought that this  
7                   was possible. We didn't hear about the Ambrose's  
8                   until our tragedy, and now we're partnering with them  
9                   today to demand change. We did not know that there  
10                  was anything wrong. We would have never left our  
11                  baby boy in that room if we thought that there was  
12                  any issue. I think that is ultimately the most  
13                  frightening part. The goal is not to frighten anyone  
14                  but the goal is to raise awareness and in this case,  
15                  we don't know enough about radiators and unless  
16                  you're a licensed plumber, you won't recognize if  
17                  there's an issue with the pipes, with the valve, with  
18                  the nipple connecting everything. You won't  
19                  recognize that there's an issue unless it's  
20                  inspected.

21                   BESSIE KIMELFELD: Yeah and I just wanted to add  
22                   that there were issues with the radiator in the past  
23                   but those issues were repaired by the Super and  
24                   clearly, even though the issue was repaired several  
25

1  
2 years ago and there were no red flags for a few  
3 years, if the radiator would have been inspected and  
4 there would have been a mandatory annual inspection  
5 in the last year, whatever issue was not noticeable  
6 but still clearly there would have been found and the  
7 tragedy would have been prevented.

8 So, a superintendent is not a qualified licensed  
9 plumber and it's really important that part of this  
10 bill being passed, that there is a qualified licensed  
11 plumber who understands radiators, who understands  
12 the severity and mechanics of it would be able to be  
13 the one to determine how safe the radiator is.

14 ALEXANDER KURANSKY: And I don't want to take up  
15 too much of any ones time but I will also say that  
16 depending on someone to make that complaint, doesn't  
17 always work. A lot of people might not speak  
18 English. They might not feel comfortable. A lot of  
19 people are afraid of what their landlord will do if  
20 he finds out because he will. Everyone knows that if  
21 you call 311, they log your complaint and they log  
22 your address. The landlord knows exactly who made  
23 that call and that's fine but no one wants to get on  
24 their landlords bad side. So, clearly, we cannot  
25 depend on tenants always responding and always

1 reporting every problem, especially when its not a  
2 real law. When the landlord is not required to do  
3 something, he wont do it.

4  
5 CHAIRPERSON SANCHEZ: And one more question for  
6 me and if my colleagues have questions, please let me  
7 know. What is your understanding today of what  
8 happened with the radiator? Did the fire department  
9 or the buildings department or anyone tell you what  
10 was wrong with the radiator?

11 ALEXANDER KURANSKY: We've had to do a lot of our  
12 own research. We've had to reach out to the FDNY  
13 Fire Marshal. We reached out to the Chief Inspector,  
14 I believe, and we've been doing a lot of hard work  
15 trying to figure out what exactly went wrong but we  
16 do know that it was a complete malfunction that did  
17 not give off any prior red flags. And we also have  
18 spoken to two different Master Plumbers that told us  
19 that if it would have been inspected, that they would  
20 have noticed an issue with the pipes and the valve.  
21 So, this was a 1,000 percent preventable incident.

22 CHAIRPERSON SANCHEZ: Thank you. Thank you so  
23 much. Is there anything that you want to add or Ms.  
24 Ann on behalf of the tenants -



1  
2 ANN MARTINEZ: I'm talking on behalf of all the  
3 tenants. We've been fighting for years. All  
4 Commissioners, Council's, they've been in our  
5 building. Nothing happened. These landlords, I  
6 don't know what they're doing, the building is  
7 falling apart. I'm even scared with my building,  
8 where I live, it's going to collapse anytime. We  
9 have been doing so many 311 calls. Nothing happened.

10 BESSIE KIMELFELD: And we just, we really want  
11 accountability. We want landlords to be held  
12 accountable for maintaining their apartments.  
13 Tenants are scared but not necessarily always able to  
14 make the right complaints to the right people and the  
15 right people aren't hearing the issues properly and  
16 making the proper changes. So, we just want  
17 landlords to be held accountable. We really want  
18 active change and real change to be made here and we  
19 really would like to see that radiators are annually  
20 inspected and that peoples lives and babies lives are  
21 saved as a result of you know, make Binyomin's death  
22 not something in vein but uhm, you know saving  
23 people's lives would really make it more meaningful.

24

25

CHAIRPERSON SANCHEZ: Thank you Alex and Bessie.

I want to turn it over to Council Member Dinowitz and then we'll come back.

COUNCIL MEMBER DINOWITZ: I just simply wanted to say thank you. I don't know how many people there are in this city who can not only lose their child, their joy, their light but try to make life better for those that come after them and so, you know I thank you for you know time you should be mourning, instead doing work so other families don't face the same fate as yours. I would add I think HPD's testimony is egregious because it's the same sort of response that we have every time there's a tragedy. That we have the tools in place. Clearly we don't. They are reactive to problems but as you correctly pointed out, you're not an expert in steam radiators just like so many people are not an expert on building codes. And yet, HPD seems to continually rely only on a complaint based method of going in and inspecting and I just have to say how sick I am of the agency relying on you to know everything when they should be creating systems to go in and proactively check apartments and units and buildings to prevent these tragedies from happening. You

1 shouldn't, like shouldn't be here. Like this is not  
2 where you should be today. You should be at the  
3 library with you son. You should be sending him to  
4 day care. There are a million other things you  
5 should be doing and being here is not one of them.

6 BESSIE KIMELFELD: Thank you.

7 CHAIRPERSON SANCHEZ: Thank you. Thank you  
8 Council Member Dinowitz. Agreed. I agree. Ann.

9 ANN MARTINEZ: Yes, I just wanted to finish  
10 saying something.

11 CHAIRPERSON SANCHEZ: Make sure it's on. It's  
12 really hard to hear you and bring it close to you.

13 ANN MARTINEZ: Hi, hello? Now? Okay. I just  
14 want to say my last thing. I'm a mother and a  
15 grandmother of nine and it hurts me so bad that I  
16 even went to Eric Adams, I have to say this. He  
17 spoke with me saying that he was going to help to do  
18 these issues. Nothing has been done. He send the  
19 Commissioner; nothing has been done at all. I  
20 decided to come here to see somebody because this has  
21 to be stopped. You know we have kids. There's a lot  
22 of kids going through a lot of dangers in this  
23 building and nothing has been done. That's all I  
24 want to say.  
25

1                   CHAIRPERSON SANCHEZ: Thank you Ann. Yup, it's  
2                   been eight years since the tragedy with the Ambrose  
3                   siblings, so we'll definitely be following up with  
4                   you. Thank you for coming here today and thank you  
5                   for testifying and for representing that horrible  
6                   tragedy as well. Thank you. Thank you all.  
7                   Appreciate you.

8                   PANEL: Thank you.

9                   CHAIRPERSON SANCHEZ: I will now call up the  
10                  second panel. Folks will have three minutes on the  
11                  clock and we have George Bussolino from the Master  
12                  Plumber's Council, Terrence O'Brien Association of  
13                  Contracting Plumbers, April McIver The Plumbing  
14                  Foundation, and John Sullivan from Plumbers Local  
15                  One, and you may begin as soon as you're ready. You  
16                  may begin when ready.

17                  APRIL MCIVER: Thank you. So, my name is April  
18                  McIver. I'm the Executive Director of the Plumbing  
19                  Foundation. A nonprofit trade association  
20                  representing both large and small union and nonunion  
21                  licensed master plumbers, engineers, manufacturers  
22                  and supply houses.

23                  First, I just want to give my sincere condolences  
24                  to the families affected by the faulty radiators who  
25

1  
2 spoke today. Given our limited time, my focus in my  
3 oral testimony is going to be on the Local Law 152  
4 revisions in Intro. 429. I did submit written  
5 testimony in support of all the provisions in the  
6 bill. Thank you Chair Sanchez and all the Co-  
7 sponsors for your support on this legislation. I  
8 also wanted to mentioned that the Local Law 152  
9 changes that are part of 429, we actually worked with  
10 the Department at length, so I was surprised to hear  
11 some of their comments today.

12 I'd like to highlight a few points in response to  
13 those comments. First, the bill clarifies and  
14 streamlines the process for owners to obtain  
15 certification of no gas piping or if they're building  
16 gas pipe has piping certification, it is not being  
17 supplied with gas and I think you, you were kind of  
18 asking the right questions there but they weren't  
19 really explaining.

20 So, we worked closely with Con Edison and  
21 National Grid as part of an industry wide gas working  
22 group and this process to get a utility letter is not  
23 something they wanted to do. I do believe they are  
24 forced to do it but the provisions in this bill would  
25 make that process a lot easier.

1                   COMMITTEE ON HOUSING AND BUILDINGS                   78  
2           In addition, I wanted to clarify the five year  
3 experience requirement. Again, I think you were  
4 trying to make that connection for them. But of  
5 course in DOB rule, they actually instituted a five  
6 year requirement. So, having a five year journeyman  
7 card requirement in the law makes the most sense to  
8 comply with their own rule. And I'd also like to  
9 clarify the scope of the inspection. What this bill  
10 does is actually allows commercial tenant spaces to  
11 be inspected. As of right now, it could be  
12 restaurants, day cares, those are considered tenant  
13 spaces. So, what the revisions actually do is make  
14 it clear that's it's a residential dwelling spaces  
15 that are not part of the inspection. It's not  
16 actually being expanded to go into those residential  
17 tenant spaces. It seems maybe the Department was  
18 under some sort of confusion.

19           And uhm, you know lastly I just wanted to mention  
20 regarding the code revision process, you know we are  
21 part of the code revision process. I appreciate the  
22 opportunity but when it comes down to it, the  
23 Department has the ultimate say in what gets sent to  
24 the City Council. A lot of our proposals get  
25 rejected and as you know that process is very lengthy

1 including the existing building code, which we were  
2 told was supposed to be done a while ago and it still  
3 hasn't been sent. So, we urge the Council to pass  
4 this legislation given that the cycle for Local Law  
5 152 begins January 1, the next cycle. I think that's  
6 it. I tried to get under the minutes there.

8 CHAIRPERSON SANCHEZ: Excellent, thank you so  
9 much. Thank you. You can do rock, paper, scissors  
10 if you'd like. Rock, paper, scissors to determine  
11 who is next.

12 TERRY O'BRIEN: Rosh ambo all day. Good morning  
13 still technically Chairwoman Sanchez, Councilman  
14 Dinowitz. My name is Terry O'Brien. I'm the  
15 Executive Vice President of the Association of  
16 Contracting Plumbers, City of New York. We are the  
17 oldest established group of our type, 1181. The ACP  
18 is a union affiliated contractor organization  
19 employing thousands of Plumbers Local 1 members,  
20 installing new plumbing systems as well as servicing  
21 all types of buildings throughout the five boroughs,  
22 residential, commercial, institutional work.

23 The ACP is wholeheartedly in support of Intro.  
24 429. 429 is a wide ranging bill with positive impact  
25 to the construction industry as a whole. This is

1  
2 like I said before, as a whole, union and non-union  
3 alike will benefit and strengthen public  
4 transparency. I have written testimony I will submit  
5 for the record as well in conjunction with the  
6 Plumbing Foundation as well as stakeholders here.  
7 We've been working on this for quite a period of  
8 time.

9 I'm taken back a little bit by the departments  
10 stance on almost everything that they alluded to on  
11 429 but due to time constraints I'm going to limit my  
12 discussion on two primary functions. The  
13 reestablishment of the licensing board. The  
14 Licensing board, DOB lost over what was previously  
15 done, the two components. The review of new  
16 applicants, which they are saying there are  
17 limitations of public involvement, which is I think  
18 asinine to a degree because with this day and age,  
19 we've learned during COVID, we had those meetings.  
20 Going on still, it didn't slow the process up. They  
21 just don't like oversight and much like many city  
22 agencies, they don't like oversight but the more  
23 daunting thing is the City Licensing Board would  
24 review matters of current holders. And the DOB would  
25 be remiss not to say that most tips that come on



1  
2 licensed work and unlicensed work by licensed holders  
3 and people that don't have the prior qualifications,  
4 come from an industry as a whole. So, they come from  
5 people on this panel right here.

6 So, having our involvement only kind of reassures  
7 that third parties are involved. So, they want our  
8 advisement to get there but not disciplinary matters  
9 or licensing review. Other professions have review.  
10 As they said, they're kind of pushing out the  
11 electricians and the electricians have a board. They  
12 are doing away with that as well because it's in  
13 their power. The power that is here today is  
14 reestablishing it for more view by the public.

15 Regarding the seizure ability, I think DOB said  
16 that conceptually they're in favor considering over  
17 years of discussion of it, they've been actually  
18 asking for this but they want it done through the  
19 Code Revision process, which takes a long period of  
20 time. I think in this day and age, because of the  
21 prevalency of unlicensed work, the ability to do  
22 seizure of tools and vehicles because most of it as  
23 Deputy Commissioner mentioned, is limited to new  
24 construction. I think having that expansion for all  
25 types of work is necessary and I ran out of time but

1  
2 my written statement kind of summarize everything we  
3 said here and we can gladly answer any questions you  
4 may have.

5 CHAIRPERSON SANCHEZ: Thank you.

6 JOHN SULLIVAN: Good morning. Good morning, I'm  
7 John Sullivan, a full time instructor for the  
8 Plumbers Local One Trade Education Fund. Thank you  
9 Chair Sanchez and the members of City Council and  
10 Housing and Buildings for support for the opportunity  
11 to speak to you.

12 Before I start, I would be remiss not to say to  
13 express my sincere condolences to the families  
14 affected by tragedies talked about in the other  
15 proposal today. I'm sure that the Council will come  
16 up with a wise solution to these issues. However,  
17 I'm here today as a representative of Local One to  
18 speak on members behalf in full support of Intro.  
19 429. Personally, I've been in the plumbing industry  
20 in New York City for more than 25 years. Over the  
21 course of my career, I've been fortunate enough to  
22 sit many codes and standards committees. Currently I  
23 sit in the New York City Plumbing Code Technical  
24 Committee.

1                   It is with that respect that I come here today  
2  
3                   and urge your support for Intro. 429. I would like  
4                   to quickly speak to the specifics of three items that  
5                   comprise this law. The first item is Section 28-  
6                   105.4 of the Administrative Code of the City of New  
7                   York which addresses work categorized as emergency  
8                   work and work categorized as ordinary plumbing work.  
9                   In plain language, ordinary plumbing work covers  
10                  plumbing work which requires a massive plumber to  
11                  perform the work but is allowed to be done without  
12                  the plumbing issued permits or department inspection.  
13                  The process is intended to streamline the paperwork  
14                  and provides cost savings of property owners, while  
15                  still notifying the department and maintaining those  
16                  highest levels of public safety.

17                  The second item I'd like to mention is, Section  
18                  308 of the Administrative Code. Initially known as  
19                  Local Law 152 of 2016, Article 318 has become a sound  
20                  protector of our aging building stock. Local Law 152  
21                  was a great step forward in protecting our city from  
22                  repeating the horrific disasters which led to its  
23                  passing and these updates to the Article 318 are a  
24                  result of lessons learned since that initial passing.

1  
2 Intro. 429 further solidifies the intent of 318  
3 by placing a burden of proof on the inspection entity  
4 to prove the relevant training experience. Updates  
5 to Section 318 will advance protection of our  
6 building stock and our population by requiring the  
7 inspection entity to take action for certain AOC's,  
8 categorized as immediately hazardous.

9 The last item I want to talk about is amending  
10 the Administrative Code of the City of New York with  
11 new Article 417 Boards, which is a reinstatement of  
12 the plumbing and fire suppression licensing boards.  
13 Article 417 aims to protect the public by ensuring  
14 license holders have been thoroughly vetted by an  
15 unbiased cross section of registered licensed  
16 professionals, ensuring new license holders are  
17 properly qualified in their trade. A licensing board  
18 ensures a proven application of checks and balances  
19 by utilizing the collective knowledge and experience  
20 of industry leaders who have worked with the  
21 jurisdiction of the New York City Administrative Code  
22 for years.

23 The representative membership identified by  
24 Article 417 ensures a fair and equitable  
25 administration of the board and aids the Commissioner

1  
2 in performing their input and work. Reinstatement of  
3 these strict advisory boards is an endorsement for  
4 safety, transparency and egalitarianism in this  
5 administration. As it relates to journeyman who has  
6 seen and understood the importance of a licensees  
7 voice and code administration, I urge you to vote yes  
8 on Intro. 429 reinstating the Plumbing and Fire  
9 Suppression Licensing Board, extending the scope of  
10 ordinary plumbing work and clarifying the elements of  
11 periodic gas inspection.

12 Chair, if you wouldn't mind, can you please allow  
13 me just for a little bit of latitude?

14 CHAIRPERSON SANCHEZ: Please.

15 JOHN SULLIVAN: Okay. I have a quick statement  
16 from my business manager Paul O'Connor referenced to  
17 something that was stated earlier. So, the  
18 reference, representative from DOB and Deputy  
19 Commissioner of Development and Technical Affairs  
20 stated that the DOB has met with industry leaders on  
21 an advisory level since the dissolution of the boards  
22 intended to be reinstated by this Article 429. No  
23 member of the DOB has ever met with any  
24 representative of the union to discuss ongoing issues  
25 they are seeing in this industry. However, the union

1  
2 is open to meet with them to discuss what we are  
3 seeing any time. Thank you very much Madam Chair.

4 CHAIRPERSON SANCHEZ: Thank you.

5 GEORGE BUSSOLINO: George Bussolino speaking on  
6 behalf of the Master Plumber's Council and from the  
7 Master Plumber's Council, our heartfelt condolences  
8 to those parents. I'm not familiar enough on Intro.  
9 925 to speak on it intelligently but who could be  
10 against anything that provides public safety if it's  
11 effective? And what I can speak about today is the  
12 material that's in Intro. 429, which includes cleanup  
13 provisions of existing codes and directly protects  
14 public safety.

15 Ordinary plumbing work is an important tool  
16 available to tenants, owners and licensed plumbers.  
17 It saves your constituents time and money by enabling  
18 licensed plumbers to safely perform ordinary plumbing  
19 work without permits or inspections. The negates  
20 incentives for owners to utilize unqualified persons  
21 which poses a direct threat to public safety. This  
22 amendment clarifies the approved work scopes that are  
23 completed safely by their licensed plumber. The  
24 Department receives reports of all work performed and  
25 may audit the work at their discretion.

1                   We are quickly approaching the 10<sup>th</sup> anniversary of  
2                   the preventable East Village explosion. That crime  
3                   was the driving force in ten pieces of gas  
4                   legislation. The compliance rate for gas safety  
5                   inspections are low because many owners fear their  
6                   existing gas systems may be shut down or they could  
7                   incur thousands of dollars in repair costs.

8                   Extensions, outreach and the threat of fines have  
9                   failed to increase compliance during the first cycle.  
10                  Fines are not a deterrent and compliance will only  
11                  increase when owners are comfortable with the  
12                  process. As gas is phased out over the coming  
13                  decades, less attention is going to be paid to  
14                  maintenance of systems and compliance will be  
15                  essential to protect the public from a reoccurrence.

16                  While this amendment is written in very technical  
17                  terms, it simply clarifies the current inspection  
18                  process and terminology. There is nothing new. A  
19                  key clarification eliminates the misconception that  
20                  the Council intended to exempt the same type of  
21                  commercial tenant space where the Second Avenue crime  
22                  occurred from being inspected again.

23                  Adoption of this amendment sends a clear message,  
24                  gas is only shut down in the case of an emergency,  
25

1  
2 repairs are limited and everything else is just  
3 simply put on a report. It's that simple. Besides  
4 allaying the concerns of owners this will reduce  
5 overall compliance costs, not increase them. New  
6 York City is comprised of dense construction. In the  
7 second avenue incident one building exploded but  
8 three were ultimately destroyed. One person's greed  
9 and selfish disregard for the law took innocent lives  
10 and displaced many others.

11 Since I have a little time, I'm going to discuss  
12 a couple of other things. Emergency work, this is  
13 not an expansion. If you read the first line of  
14 emergency work it says, it may include but shall not  
15 be limited to. That means, there's no limitation.  
16 This is not an expansion. What that procedure has  
17 done was to allow me as a licensed plumber to go into  
18 your building and make an emergency repair.

19 Now, from the departments perspective, once the  
20 emergency is mitigated, okay shut off the water,  
21 there's no leak. How does that help you? You need  
22 the water back on. You're required under the  
23 Administrative Code to maintain your building in good  
24 working condition and that's basically what this  
25 says. If I have another couple of seconds. As far



1 as the Fire Suppression change, what it says, how can  
2 I do fire suppression work as a licensed plumber and  
3 it's defined as plumbing work and not be defined in  
4 the fire suppression section. That's all that is.  
5 It can't be in two things.

6 As far as the gas, same thing. There's two  
7 definitions of the code where gas stops. Does it  
8 stop here? Why does it stop here? Well, the code  
9 would go to the more restrictive one, and as far as  
10 the department incurring additional inspection costs,  
11 anything gas related is inspected now. So, that's no  
12 extra verdict. So, the licensed board, I served on  
13 the licensed board for many years. It served a great  
14 purpose. It's advisory. If there was a problem,  
15 meetings were cancelled. There's a lot of different  
16 reasons, blame to go around. Simply remove decorum.  
17 You can have a meeting and if we're there, we're  
18 there and if we're not, we're not. It was advisory  
19 only. Thank you very much for your time.

20 CHAIRPERSON SANCHEZ: Thank you. Thank you so  
21 much. Maybe starting with you George but anyone who  
22 can speak to this. Regarding the Licensing Board,  
23 were there examples, if you served on one or if you  
24 were familiar with the proceedings, were there  
25

1  
2 examples that you can share of the licensing board  
3 catching fraud or other misdeeds?

4       GEORGE BUSSOLINO: Yes, so I've been a licensed  
5 plumber now for over 40 years and the process was  
6 much different. So, what happens now is you get an  
7 application, you fill it out. You send in all your  
8 stuff and it's reviewed by the department. Let's  
9 call it ten point checklist. So, once you hit all  
10 the boxes, you go to the board and then you would go  
11 for review. So, we would look at people and every  
12 once and a while, very rare, we would find an anomaly  
13 and bring people in for further questions. The  
14 importance of the board is that you have a licensed  
15 plumber, a licensed fire suppression contract, a real  
16 world experience that can look and see those  
17 anomalies. That was the advantage of it and again  
18 it's just advise.

19       JOHN SULLIVAN: I'll go one step further.

20       APRIL MCIVER: Oh, sorry. Yeah, I'm sorry, I  
21 just wanted to add uhm, recently as this summer, the  
22 person who's in charge of enforcement said to us, the  
23 Plumbing Foundation gives a lot of tips on unlicensed  
24 plumbing, something we call coverup plumbing. Just  
25 general you know unlicensed construction activities.

1  
2 You know they are primarily complaint driven and most  
3 of the complaints come from our associations. So, I  
4 mean these are the plumbers sitting on these  
5 associations and that's you know important for  
6 disciplinary actions.

7       TERRENCE O'BRIEN: I'll add one further comment.  
8 George talked about the applications. George talked  
9 about the applications of new applicants. The review  
10 of activities of current license holders, the  
11 industry has reviewed them over the years and they  
12 would have taken a different tact. You have a finite  
13 amount of experience of people dealing with,  
14 investigating license holders and peer review fills  
15 those gaps and we're not talking about getting  
16 involved in the process. We're talking about before  
17 the Commissioner signed a stipulation to bring it  
18 before blindly redacting information. Much the way  
19 it was intended and I have seen in action over the  
20 years. I've been doing this for quite some time.  
21 That's what we're talking about. So, the industry  
22 would say that's not severe enough. Did you look  
23 here? There were things that make this a lot more  
24 equitable and responsible for the city to do if they  
25 had involvement from the industry.

1                   CHAIRPERSON SANCHEZ: Okay. Thank you. Thank  
2 you so much. Very, very helpful testimony and thank  
3 you for all of your advocacy on this bill.  
4

5                   Okay, I'd now like to call Melissa Barbour from  
6 the Mechanical Contractors Association of New York,  
7 Oksansa Miranova from CSS, and Barbara Manu. And you  
8 may begin whenever you're ready.

9                   MELISSA BARBOUR: Okay, hi, I'm Melissa Barbour.  
10 I'm with the Mechanical Contractors Association of  
11 New York. Our contractors employ Local 638  
12 Steamfitters Labor performing heating ventilation,  
13 air conditioning, fire sprinkler work, refrigeration  
14 throughout New York City.

15                   I wanted to comment quickly on the two bills  
16 regarding 925. We, while we're in favor of the  
17 legislation, taking a proactively reduced serious  
18 injury or death, we believe the legislation can be  
19 improved upon by expanding the scope of individuals  
20 who could perform these inspections.

21                   We believe that the scope of a licensed master  
22 plumber is too narrow. A portion of heating and  
23 mechanical contractors happen to also be a licensed  
24 master plumbers but there's nothing about a licensed  
25 master plumber that signifies that they work on steam

1 heating systems. New York City does not current  
2 require a mechanical contractor license. However,  
3 there are a significant amount of local mechanical  
4 contractors that would also be qualified to perform  
5 that type of work.

6  
7 As far as 429, I don't want to be repetitive to  
8 what the Plumbing Foundation said regarding the  
9 license board but we also feel it served a really  
10 important purpose and one of those purposes was to  
11 proactively talk about illegal and legal plumbing  
12 practices and fire suppression practices. And we  
13 feel that that was something unilaterally taken out  
14 of the code and we would like to see that reinstated.

15 I differ from the testimony regarding 429,  
16 regarding fire suppression piping work. That was the  
17 definition of fire suppression piping work was  
18 thoroughly vetted by the Code Committee. It was  
19 discussed multiple times and the Code Committee, DOB,  
20 and outside of the plumbing industry all felt that  
21 those are two distinct trades and with different  
22 qualifications and chose to leave that definition the  
23 way it was.

24 So, if that was going to be discussed again, I'd  
25 like to see it happen through the code process where

1                   it was originally discussed. Uhm, but that's it.  
2  
3                   Those are my comments. Thank you.

4           CHAIRPERSON SANCHEZ: Thank you. I'm sorry, just  
5           a clarifying question Melissa. You said there are  
6           other professionals that would be qualified to  
7           conduct the reviews as required in 925. Could you  
8           share who those are?

9           MELISSA BARBOUR: Sure, I mean, the Mechanical  
10          Contractors Association, our contractors. So,  
11          mechanical contracting is one of the steam fitting  
12          trade. We're not licensed by Department of  
13          Buildings, so there's no mechanical contractor  
14          license. However, the majority of our members  
15          perform work on heating systems and so, that you know  
16          and have multiple years' experience, insurance, all  
17          of those what I would consider someone qualified and  
18          very knowledgeable about steam heating. The oil  
19          burner license would also probably be those  
20          individuals, stationary engineers. So, I think  
21          there's a larger universe of people that are very  
22          well vetted to look at steam heating systems.

23          CHAIRPERSON SANCHEZ: Thank you. Appreciate it.

24          BARBARA MANU: Hi, good afternoon. My name is  
25          Barbara Manu.

1                   CHAIRPERSON SANCHEZ: I cannot hear you.

2                   BARBARA MANU: Okay. I'm sorry. My name is  
3 Barbara Manu and I have two disabled children. This  
4 is my fourth time coming to City Hall for a hearing.  
5 We've been homeless since June 2018. I have a 26  
6 year old mentally, severe mental, who has severe  
7 mental disease and also has Type II. I also have my  
8 18 year old with me here.

9                   Back in 2017, I know the first panel was talking  
10 about the hydrates. My problem in my old apartment  
11 was from the water. I had no idea my children were  
12 affected by lead. So, right now, both of them have  
13 you know mental problems. So, we have Section 8.  
14 I'm very overwhelmed of what I'm seeing, so just I  
15 apologize the way I'm talking.

16                   So, back in 2017, the city told us to move out  
17 from the apartment because the landlord was not  
18 fixing the apartment. Everything they come for  
19 inspection, they would ask me to sign and they will  
20 come back later. So, this became uh 2017, it became  
21 very bad in the apartment. I had no idea that gas  
22 was leaking. So, before my son was born 2006, he has  
23 been breathing gas and right now he has breathing  
24 problems. So, 2017 we had to move out from the  
25

1  
2 apartment and go to a shelter. Ever since, from  
3 there, the city took our Section 8 away from us and  
4 gave it to my oldest son. So, we have become  
5 homeless again from 2018. Currently, we are still  
6 homeless. My son has no education. At the age of  
7 13, he has not gone to school for 5 years because I  
8 have to move them around from state to state,  
9 continent to continent.

10 Last year, I took my children to my country for  
11 almost two years. We came back but the city, the  
12 shelter, refused us shelter. They denied us shelter,  
13 so I moved them to Utah. We couldn't get shelter in  
14 Utah and then we went to Florida. We were sleeping  
15 in the park with the one with the Type II. So we  
16 came back this year, February of this year. This  
17 shelter that we are currently living there is in  
18 Brooklyn and this is the fourth shelter. I was  
19 arrested also in the third shelter. Why? Because  
20 they said I am trespassing. Every two weeks or three  
21 weeks we have to be moved to another shelter. So,  
22 I'm pleading with you and also Section 8. When we  
23 went to California to seek shelter, I asked the city  
24 to move our Section 8 to - I'm sorry, Section 8 to  
25 California but it was never moved. As soon as we



1 moved from the state, I got a letter from the  
2 shelter, stating that the Section 8 is terminated.

3  
4 CHAIRPERSON SANCHEZ: Barbara, Ms. Barbara, thank  
5 you. We're at time but your testimony is - I think  
6 it's better addressed individually. It's not in  
7 connection to the legislation that we're hearing  
8 today, so what I'm going to do is I'm going to ask my  
9 staff to connect with you individually to understand  
10 the details of your personal concern so that we can  
11 follow up with you, okay?

12 BARBARA MANU: Okay, thank you.

13 CHAIRPERSON SANCHEZ: Thank you so much for  
14 attending today. I'm hoping we can be helpful to  
15 you.

16 OKSANA MIRANOVA: Thank you Chair Sanchez for  
17 holding this hearing. My name is Oksana Miranova and  
18 I work with the Community Service Society of New York  
19 and I'm here to testify in support of Intro.'s 429  
20 and 925. City's engagement uh CSS's engagement with  
21 the health and safety of the city's housing stock  
22 goes back to our advocacy for the city's tenement  
23 laws in 1901 and 1919.

24 Today, a substantial share of the city's 2.3  
25 million tenant households continue to live in the

1 same buildings that were built in the wake of those  
2 laws almost or more than 100 years ago. 83 percent  
3 of the city's apartments are in buildings that were  
4 built 50 years ago or more, while 16 percent are in  
5 buildings built before 1919. Some of these buildings  
6 have been subject to the whims of multiple negligent  
7 landlords for decades who have cut costs by deferring  
8 maintenance. At the same time, the city's proactive  
9 code enforcement capabilities have waned.

11 The combination of these factors have resulted in  
12 unhealthy and unsafe living conditions for many. For  
13 example, one in five New York households experience  
14 heating breakdowns in 2023 and households earning  
15 under 300 percent of the federal poverty line were  
16 more likely to be in that situation. Nearly one in  
17 four have experienced a heating breakdown.

18 At the same time, we know from the housing and  
19 vacancy survey that 38 percent of households have  
20 kept their windows open throughout most of the last  
21 winter. This is an indication of aging and in  
22 precise steam heating systems. Sometimes this type  
23 of deferred maintenance leads to tragedy and I  
24 commend Binyomin's family's advocacy for this bill

1  
2 and their partnership with the Ambrose family as  
3 well.

4 We at CSS compel the City Council to take action  
5 on both of these laws. And in addition to that since  
6 I have a little bit of time to go back to the  
7 testimony of the agencies, uhm I completely echo  
8 Alex's critique of it focusing on tenant education is  
9 in addition to the moral problems of where that  
10 stands, it's just bad policy. Assuming that tenants  
11 are going to have the time to be able to actively do  
12 code enforcement by themselves, just doesn't make any  
13 sense and in my job, I do a lot of review of bills  
14 that come through the City Council and the  
15 Administrations position that Administrative burdens  
16 are a hinderance to getting anything done is  
17 consistent across all sorts of legislation that CSS  
18 supports. And it is just, it's bad cover and it  
19 doesn't make any sense with these particular bills or  
20 any of the other bills that uhm forward the rights of  
21 tenants and make the building stock safer in New York  
22 City.

23 CHAIRPERSON SANCHEZ: Thank you. Thank you so  
24 much for your testimony. You answered my follow up  
25 question, which is your reaction to HPD's position on

1  
2 925. So, that is very helpful, thank you. Thank  
3 you, I appreciate your testimony.

4 Thank you. We will now end with a Zoom panel.  
5 At the beginning of Zoom testimony. This is  
6 important to note. We will now - okay, sorry. Once  
7 your name is called, a member of our staff will  
8 unmute you and the Sergeant at Arms will give you the  
9 go ahead to begin. Please wait for the Sergeant to  
10 announce that you may begin before delivering your  
11 testimony. I'd now like to call Brett Thomason.

12 SERGEANT AT ARMS: You may begin.

13 BRETT THOMASON: Hello and thank you for allowing  
14 me to testify today. I want to reiterate a couple  
15 things that have been said. First, I want to start  
16 by acknowledging the grief for the families that was  
17 here today and their efforts to make a change at the  
18 city level. We appreciate that and so, duck tailing  
19 into that legislation, I just want to reiterate what  
20 my colleague Melissa Barbour shared that we think  
21 that if the legislation was going to be effectively  
22 implemented, we need to widen the scope of folks that  
23 are able to inspect and do that work effectively. I  
24 represent Steamfitters Local 638. We have  
25 approximately 9,000 members across the city in Long

1  
2 Island that are responsible for installing gas  
3 systems, steam systems, radiators, and servicing  
4 them. So, we would like to see the legislation  
5 developed in a way that uhm, centers our membership  
6 and the experts that they are on the systems in those  
7 inspections.

8 And then, uhm, again a lot of what I was going to  
9 say has been said both by the mechanical contractors  
10 and the plumbing professionals but I want to  
11 reiterate the importance of the Licensing Board and  
12 push back on what the agency said in terms of their  
13 continued and ongoing meetings with industry  
14 professionals. I can say from Local 638's  
15 perspective, that has not been the case. The  
16 dissolution of that license board are communication  
17 and ongoing liaising with DOB has been much more  
18 infrequent and the licensing board is just an  
19 important part of you know showing the public some  
20 transparency and also giving DOB a tool to have some  
21 eyes and ears on the ground in the industry from the  
22 industry professionals and experts.

23 So, with that, I'll conclude my time and again  
24 thank you for providing this hearing today and I'm  
25 happy to answer any questions.

1  
2 CHAIRPERSON SANCHEZ: Great, thank you. Thank  
3 you so much Brett and thank you to Local 638 for your  
4 testimony. We'll definitely take that into  
5 consideration. Thank you.

6 Okay, if we have inadvertently missed anyone that  
7 has registered to testify today or has yet to be  
8 called, please raise your hand on Zoom. If you are  
9 testifying remotely and you will be called in the  
10 order that your hand has been raised. We have the  
11 following individuals pre-registered, Obdu Remain,  
12 Diora Dana Elden, Marsha Zieler, Fatu Mata Barry. If  
13 you are testifying here in person or on Zoom, please  
14 raise your hand. If you are in person, please come  
15 to the dais.

16 Seeing no one come up, I'd like to thank the  
17 members of the public and the Administration for  
18 testifying at this hearing today. And with that, I  
19 will call this hearing closed. [GAVEL]

20  
21  
22  
23  
24  
25

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 October 31, 2024