

CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON ENVIRONMENTAL PROTECTION

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November 12, 2015  
Start: 01:15 p.m.  
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HELD AT: Council Chambers - City Hall

B E F O R E:  
COSTA G. CONSTANTINIDES  
Chairperson

COUNCIL MEMBERS:  
DONOVAN J. RICHARDS  
ERIC A. ULRICH  
RORY I. LANCMAN  
STEPHEN T. LEVIN

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

David Hopkins  
Director of Aviation  
EDC

James Katz  
Chief of Staff  
EDC

Jerrold Nadler  
Representative  
United States of America: D-NY 10<sup>th</sup> District

Daniel Squadron  
Senator  
United States of America: 26<sup>th</sup> Senate District

Dan Wiley  
Community Coordinator  
Congresswoman Velazquez's Office

Sarah Sweeney [sp?]  
Resident  
New York City

Craig Abruzzo  
Vice President  
Stop the Chop

Michelle Keller-Ng  
First Vice President  
Civil Service Technical Guild

Susan Chin  
Assistant Director  
District Council 37

Sam Goldstein  
Helicopter Tourism and Jobs Council

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

Brian Tolbert  
Manager  
Downtown Heliport/Saker Aviation

Ron Riccardi  
Saker Aviation

Chris Vellios  
Chief Operating Officer  
Liberty Helicopters

Warren Schreiber  
President  
Queens Quiet Skies

George Mitropoulos  
Vice President  
We Love Whitestone Civic Society

Daniel Aronoff  
Website Developer  
Air Noise Report

Cronenberg [sp?]  
Resident  
New York City

Jeffery Smith  
Vice President of Operations  
Eastern Region Helicopter Council

Robert Grotell  
Special Advisor  
Eastern Region Helicopter Council

Luz Herrera  
Customer Service & Sales employee  
Liberty Helicopter

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

Michael Campbell  
Chief Pilot  
New York Helicopters/Miami Helicopters

Jessica Walker  
Partnership for New York City

Adrian Benepe [sp?]  
Employee  
Trust for Public Land

Lauren Cosgrove  
National Parks Conservation Association

Vincent Montalbano [sp?]  
Resident  
New York City

Joe  
Resident  
New York City

Connie Fishman  
Governors Island Alliance

Doctor Canburamaradi [sp?]  
Stop the Chop

Klari Neuwelt  
Chairperson  
Parks and Environmental Committee of CB7

Patrick Kennell  
Member  
Community Board 1

Marisa DeDominicis  
Co-Founder/Director/President  
Earth Matter

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

Richard Lloyd  
Brooklyn Bridge Park Conservancy

Murray Fisher  
Co-Founder  
New York Harbor School

Norm Sutaria [sp?]  
Resident  
New York City

James Cohen [sp?]  
Resident  
New York City

Rhonda Wagner [sp?]  
Resident  
New York City

Jeffery Smith  
Resident  
New York City

Demoscanis Matzos [sp?]  
Resident  
New York City

2 [gavel]

3 CHAIRPERSON CONSTANTINIDES: Good

4 afternoon and welcome. I am Council Member Costa  
5 Constantinides, Chair of the Committee on  
6 Environmental Protection. Today the committee will  
7 hear testimony on Intro 858 and Intro 859; local  
8 laws that would prohibit any sightseeing  
9 helicopter, that means stage one or stage two or  
10 stage three noise level from taking off or landing  
11 on any property that's owned or managed by the city  
12 of New York. Before I get into the hearing I do  
13 want to quickly speak... I want to pass along some  
14 great news. Governor Cuomo has just announced that  
15 he's vetoing the proposed Port Ambrose liquid  
16 natural gas facility off the coast of the Rockaway  
17 Peninsula.

18 [applause]

19 CHAIRPERSON CONSTANTINIDES: Allowing

20 Port Ambrose terminal to proceed we have only  
21 deepened our reliance on fossil fuels, limiting our  
22 ability to invest in renewable technology that  
23 would help us meet our 80 by 50 greenhouse gas  
24 reduction goal. It would have been a potential  
25 environmental catastrophe as a Hurricane Sandy-type

2 event could have caused widespread environmental  
3 damage in the Rockaways, Jamaica Bay, Long Island,  
4 and New Jersey. Earlier this year this committee  
5 under the leadership of former Chair Meredith's...  
6 Donovan Richards called on the governor to veto the  
7 facility. Today, therefore, is a result of a great  
8 deal of hard work on the part of concerned  
9 residents, environmental activists, and state goal  
10 leaders from all over the metropolitan area. Over  
11 the last five years New York has reasserted our  
12 role as a trend center of environmental policy and  
13 I think Governor Cuomo for all his leadership in  
14 making our state a more green and sustainable  
15 place. Very quickly on housekeeping before I finish  
16 my opening statement. Here in the city council we  
17 do not applaud. No matter how much you like the  
18 statement that's being made or dislike the  
19 statement you're being... If you like it you can do  
20 this, if you dislike you can... you... you can frown  
21 but we do not have any sort of audible responses.  
22 So if we can please keep the quorum today that  
23 would be very helpful to continuing our testimony  
24 from moving forward and hearing everyone out. Noise  
25 continues to be the number one quality of life

1  
2 issue in the city of New York. Noise pollution at  
3 unhealthy levels cause a variety of adverse human  
4 health impacts many of which are related to noise  
5 induced stress including hearing loss,  
6 hypertension, increased... cortisol release, sleep  
7 disruption, and cognitive impairments. According to  
8 the mayor's management report for FY '14 the New  
9 York Department of Environmental Protection, agency  
10 responsible for enforcing the noise code, received  
11 45,584 noise complaints. This represented a 26  
12 percent increase relative to the previous year of  
13 FY '13. According to the MMR most of this increase  
14 was due to a greater volume of noise complaints  
15 relating to construction being performed or doing  
16 normal hours. The updated noise code, Local Law  
17 113, took effect in 2007. It is enforced by the New  
18 York City Department, DEP, and the New York City  
19 Police Department. The code sets standards for what  
20 constitutes unreasonable and prohibited noise and  
21 sets decibel levels. Abbreviated DB, decibels are  
22 the universal unit of sound measurement for various  
23 specific noise... The updated noise code does not  
24 regulate noise from terrace... tourist helicopters.  
25 In April of 2010 EDC released an updated New York



1 City helicopter sight-seeing plan to mitigate the  
2 impact of helicopter tours on the surrounding  
3 neighborhoods while maintaining the important  
4 industry. The plan eliminated so called tour... short  
5 tour flights which lasted between four and eight  
6 minutes and represented between 15 and 20 percent  
7 of sightseeing flights at the time. The plan also  
8 eliminated sightseeing tours over Central Park, the  
9 Empire State Building, and Brooklyn and restricted  
10 all sightseeing tour operators to follow one or two  
11 routes designated by the FAA, Federal Aviation  
12 Administration, to maximize aircraft distances from  
13 across the... from... just... from Brooklyn Bridge Park  
14 and transit the Hudson at 15 hundred feet or above  
15 thereby mitigating noise heard from lower  
16 altitudes. Despite the restrictions placed by... the  
17 2010 plan complaints from residents have continued.  
18 And a citizen's group known as Stop the Chop has  
19 obtained support from a local, a... a number of local  
20 state and federal elected officials to regulate or  
21 outright ban helicopter sightseeing tours over New  
22 York City Harbor and the Hudson River. The  
23 committee has received scores of letters in support  
24 of and against the tourist helicopter ban and I  
25

1 recognize this is a contentious issue for  
2 communities. Intro 859; Intro 859 prohibit any  
3 sightseeing helicopter, that means stage one or  
4 stage two noise level, from taking off or landing  
5 on any property that is owned or managed by the  
6 city. The bill sets penalties for violation of this  
7 law at a maximum of 15 hundred dollars, and a  
8 minimum of 500 dollars for the first violation, a  
9 maximum of 3,000 and a minimum of 1,000 dollars for  
10 the second violation, and a maximum of 45 hundred  
11 and a minimum of 15 hundred for a third and  
12 subsequent violation. Intro 858; Intro 858 would  
13 additional prohibit any sightseeing helicopter that  
14 meets stage three noise levels from taking off or  
15 landing on any property that's owned or managed by  
16 the city. The bill specifies that this local law  
17 would take 270 days after enactment provided that  
18 it is approved by the United States Secretary of  
19 Transportation pursuant to the... the federal airport  
20 noise and capacity act of 1990. Additionally, we're  
21 hearing resolution eight... 892. And my colleagues  
22 are here to speak on their bills. First I'll begin  
23 with Council Member Paul Vallone, the lead sponsor  
24 of Resolution 892.

2 COUNCIL MEMBER VALLONE: Thank you Chair  
3 Constantinides and thank you fellow Council Members  
4 since we'll be filling in for Chair Ulrich in  
5 Veterans in about five minutes so I appreciate...  
6 having to discuss Resolution 892. And thank you to  
7 all the groups that made it out today on a... on a  
8 rainy day. We appreciate it and wait for your  
9 testimony. Resolution 892 calls on the Federal  
10 Aviation Administration to amend the North Shore  
11 Helicopter Route to extend further west to cover  
12 Northeast Queens by applying its authority to  
13 create or make changes to helicopter flight  
14 patterns to redirect these paths whenever possible  
15 to all water routes. In 2012 in response to  
16 concerns from a large number of residents disturbed  
17 by the level of noise from helicopters operating  
18 over Long Island the FAA adopted a rule generally  
19 mandating the use of this north shore helicopter  
20 route. Such rule was scheduled to lapse in two  
21 years unless the FAA determined that a permanent  
22 rule was merited. So in 2014 the FAA published  
23 another final rule that extended the requirement  
24 for the mandatory of this... this route for an  
25 additional two years. It extends from Suffolk

2 county over the north shore and begins 15 miles  
3 away from the Queens boarder. Unfortunately, since  
4 that route ends in Nassau County what's happening  
5 is the pilots are taking a similar route over  
6 Northeast Queens to get to their destinations.  
7 Hopefully with this resolution we can alleviate the  
8 impact on our communities by extending the route to  
9 above water and at higher elevations. Today's  
10 hearing is the crucial next step for what we hope  
11 to eventually pass into this resolution which would  
12 finally address the onslaught over noise pollution  
13 over the residents of Northeast Queens and the city  
14 especially when you consider that according to the  
15 New York City open data plan 3-1-1 requests the  
16 second largest number of complaints about  
17 helicopters in Queens are from Whitestone Queens  
18 which is the northern most community in Queens and  
19 the community directly west of the Northshore  
20 helicopter route. It is imperative that we have  
21 guidelines in place as to not impact and overburden  
22 one community over another. It is our hope that  
23 legislation comes to light as we discuss in  
24 particular providing flight path data to address  
25 this issue. We hope to work with the FAA, our

2 federal and state elected officials on this matter  
3 and I want to thank everyone who made the trip  
4 today especially with Chair Constantinides for  
5 hearing this. And as we said on the steps of Saint...  
6 as... I was going to say City Hall... outside of City  
7 Hall... Queen stands solidly united on this issue  
8 with you. Thank you very much.

9 CHAIRPERSON CONSTA CONSTANDINIDES: I  
10 want to recognize my colleague Donovan Richards as  
11 a member of the committee that's here. Thank you  
12 Councilman Richards for being here. I'll recognize  
13 my colleagues in a row. I'll start on my right with  
14 Council Member Rosenthal and I think you're all  
15 giving opening statements correct? Yeah so Council  
16 Member Rosenthal? Oh, Menchaca, okay, Council  
17 Member Menchaca you... you're up first.

18 COUNCIL MEMBER MENCHACA: Are you sure  
19 you don't want to go Helen? I'll start. Buenos Dias  
20 everyone and good morning. I am Council Member  
21 Carlos Menchaca and I have a pleasure of  
22 representing a number of communities in South  
23 Brooklyn. This includes Sunset Park in Red Hook.  
24 Firstly, I want to thank our Environmental  
25 Protection Chair Costa Constantinides and all the

1  
2 members of the committee for hearing this important  
3 bill. This is the first time we'll be having this  
4 in a public way and we're going to get a lot done  
5 today. I also want to thank Council Members Helen  
6 Rosenthal and Margaret Chin for being co-prime  
7 sponsors with me on this legislation. And also  
8 thank you to Alex Polonoff [sp?] for his work on  
9 this bill. This bill represents an incredible  
10 amount of creativity in the discussion and allows  
11 us to have a fuller depth conversation about the  
12 solutions that are before us. We've all heard the  
13 noise, literally, in the press and in our skies.  
14 The noise of so many of our residents has reached  
15 the deafening heights. On the west side of  
16 Manhattan along the waterfront in Brooklyn, in  
17 parts of Queens, over Staten Island New Yorkers are  
18 fed up with environmental and quality life concerns  
19 that the constant helicopter activity presents. For  
20 many years advocates and elected officials at  
21 levels have spoken strongly about the need to  
22 reform this industry and to curtail an operation  
23 that has had disproportionately negative effects on  
24 the public health of our city. While the health of  
25 our environment is of critical importance to us as

1 progressive legislators the health of our friends  
2 and neighbors rises to the top of our list of  
3 concerns today. Studies from schools like the  
4 University of Michigan School of Public Health have  
5 shown that noise, even in cities, goes largely  
6 undetected and unspoken about but has considerable  
7 impacts on our individual and our collective  
8 health. Introductions 858 and 859 would reduce  
9 noise caused by sightseeing helicopters that meet  
10 federal noise reduction standards. That means if  
11 helicopters used by operators at the downtown  
12 heliport or at any other terminal in our city  
13 exceeds certain levels or standards of noise they  
14 will be inoperable in our five boroughs. That is  
15 our power as a city in this conversation. To be  
16 clear the legislation applies only to tourist  
17 helicopter operators and makes clear that this law  
18 as proposed would have no effect on air traffic  
19 that is for emergencies, for presidential landings,  
20 or for important news coverage. This legislation is  
21 sensible, thoughtful, and considers that at the  
22 core of this issue is not the disdain for the  
23 industry like we're hearing but a real concern for  
24 the environmental and public health impacts.  
25

1 Introduction 858, 859 were carefully constructed to  
2 adhere the federal policy. From the moment I took  
3 office and even in the time of the campaign trail  
4 concerns about the helicopter noise have made their  
5 way to me and my office. I hear all the time from  
6 community, at community board meetings and at local  
7 events the need to consider real solutions for this  
8 problem. In Red Hook and Sunset Park as we continue  
9 to develop an industrial waterfront that is  
10 connected to local residents and to good jobs we  
11 want to make sure that our skies and our air  
12 specifically is healthy. We are going to make moves  
13 here for our friends and neighbors for a waterfront  
14 for work... or I should say we've been investing much  
15 of our time and effort and money to make our  
16 waterfronts work for our pleasure, for our leisure,  
17 and for our jobs. It also means thinking about how  
18 we move toward zero emission vehicles on our  
19 streets, on our water, and our skies. I challenge  
20 the helicopter operators, our private and our city  
21 agencies, our partners... we do consider you our  
22 partners, to be industrious and think of solutions  
23 that make this activity fit in with the plans we  
24 have for our greener city and our world. Finally, I  
25



1 want to thank... or I should say I want to on the day  
2 after Veterans day and in a week that this council  
3 voted to create a Department of Veterans Affairs  
4 highlight that helicopter noise has real effects on  
5 veterans in our city, veteran New Yorkers, who face  
6 concerns around post-traumatic stress disorder,  
7 PTSD. Studies have long shown that noise especially  
8 at the levels presented by a tourist helicopter can  
9 trigger the unfortunate side effects of PTSD. We  
10 owe it to our veteran friends and neighbors to be  
11 sensitive to this real concern and to address it  
12 accordingly. Let me be clear, the legislation  
13 before us does not intend to get rid of  
14 helicopters, only to reform the law to include  
15 those helicopters that are considerate of our  
16 environmental and health needs. We welcome the day  
17 when our helicopters are dare I say zero emission,  
18 zero polluting, and have a smaller disruption on  
19 our quality of life. I want to thank again the  
20 chair for making this opportunity. We look to your  
21 leadership to continue this conversation in a  
22 productive and positive way. Thank you.  
23

24  
25

2 CHAIRPERSON CONSTANTINIDES: Thank you  
3 Council Member Menchaca. Next Council Member  
4 Margaret Chin.

5 COUNCIL MEMBER CHIN: Good afternoon.  
6 First, I want to thank Chair Costa Constantinides  
7 for hearing Intro 858 and 859, legislation that  
8 Council Member Menchaca, Council Member Rosenthal,  
9 and I introduced to regulate the tourist helicopter  
10 industry coming in and out of our city owned  
11 heliports. Thank you all for your leadership on  
12 this issue. Anyone who lives, work, go to school,  
13 or even visit downtown has heard the deafening  
14 chop-chop of helicopters. For years, people of  
15 downtown, many of them who are my neighbors has  
16 contacted me or my staff about the incessant noise  
17 that the growing number of sightseeing helicopters  
18 make in some cases just outside of their windows.  
19 In the last week many residents from across the  
20 city send me their testimony which I'd like to  
21 enter into the record about how these helicopters  
22 have affected their daily life. And these are only  
23 the people who couldn't make it today to the  
24 hearing. Many more are in the chamber today and I  
25 thank you for coming. In the last three months

1  
2 alone I received nearly 200 complaints about  
3 helicopter noise. It disrupts our children in  
4 school, especially the Harbor School on Governors  
5 Island. Employees complain about not being able to  
6 hear themselves think. Visitors who want to spend  
7 an afternoon exploring Governors Island can't do it  
8 because of the noise overhead interrupts the  
9 National Park Service tours. And residents and  
10 workers in office... in buildings near the heliport  
11 spoke to me directly about being overwhelmed by the  
12 noxious fumes from the constant helicopter take  
13 offs and landing. They all deserve to have homes,  
14 streets, parks, and workplace that are free from  
15 incessant noise and fumes of the sightseeing  
16 helicopters. As a New Yorker I welcome the people  
17 who come to visit the greatest city in the world.  
18 Visitors can come to the newly opened observatory  
19 at the One World Trade Center where you can enjoy a  
20 360 panoramic view of the entire city and beyond at  
21 much cheaper. You can come and get to know the  
22 downtown Manhattan by visiting all our famous site,  
23 walking through our historic neighborhoods, and  
24 eating at all our diverse restaurants. Today, for  
25 the first time, the people most affected by the

2 persistent and growing problem of helicopter noise  
3 and fumes will have the opportunity to be heard in  
4 official setting. I ask that you listen to these  
5 New Yorkers and resolve act upon their very real  
6 concern by supporting these comments and this  
7 legislation. Thank you Chair for this opportunity  
8 to speak.

9 CHAIRPERSON CONSTANTINIDES: Thank you  
10 Council Member Chin. Next up, Council Member Helen  
11 Rosenthal.

12 COUNCIL MEMBER ROSENTHAL: Thank you so  
13 much Chair Constantinides. And I really want to  
14 thank my... the co-sponsors of this legislation.  
15 First, Council Member Menchaca for taking the lead  
16 on trying to improve the quality of life for all  
17 New Yorkers and Council Member Chin in whose  
18 district is the... is the heliport. And her residents  
19 really bear the brunt of it. And I know Council  
20 Member Rose is also bearing the brunt of it in  
21 Staten Island. So I really appreciate their  
22 support. I'm going to keep this testimony short  
23 because I'm most anxious to hear from the residents  
24 and the elective... elected representatives like  
25 Council... like Congressman Nadler and Borough

1 President Gale Brewer who have been champions on  
2 this issue working so hard to protect the residents  
3 from noise abuse. The noise and air pollution from  
4 the tourist helicopters are nothing to scoff at.  
5 Helicopter tours take off from downtown Manhattan  
6 seven days a week, 365 days a year, and on good  
7 weather days there are more than 300 flights a day.  
8 No wonder Council Member Chin gets so many  
9 complaints in her office. This is an average of  
10 more than one flight every two minutes. And because  
11 these flight paths are looped on the upper west  
12 side that means that we have the helicopters going  
13 up the Hudson to the George Washington Bridge  
14 either turning around at 79<sup>th</sup> Street or going all  
15 the way up to the George Washington Bridge and then  
16 turning around. So you can imagine what it's like  
17 to have 600 flights going past your window every  
18 day. According to the EDC although perhaps we'll  
19 get updated statistics today. There were over  
20 33,000 scheduled tourist flights between April and  
21 October of 2013 alone. And so far in 2015 over  
22 56,000 flights. We might get an update from you.  
23 But let's be real, right? The helicopters are loud,  
24 even the stage 3 helicopters, right. So there are  
25

1 three noise levels. The least noisy are stage 3.  
2 Stage 1 are the most noisy. And what these bills do  
3 is set out to ban stage one and stage two, the  
4 noisiest helicopters. But even according to the FAA  
5 even the stage 3 helicopter is equivalent to the  
6 loudness of a blender or a motorcycle going by  
7 right outside your window. So enough is enough. Our  
8 residents deserve better. And let's face it New  
9 Yorkers who have been dealing with this issue are  
10 sick and tired of calling into 3-1-1 where they're  
11 required to give their location. And if they're in  
12 the park their location is not counted. And... no?  
13 Well I'm anxious to hear about it. And where  
14 they're required to give a tail or a helicopter  
15 number which doesn't exist anymore on the bottom of  
16 the planes. And so 3-1-1 is not capturing the  
17 information of the residents' true concern. And on  
18 top of that residents are so sick and tired of this  
19 issue that they've given up on calling 3-1-1 at all  
20 because of the inaction of their government. Let's  
21 talk about the economics for one second. In 2000  
22 all that... the helicopter industry relies on a study  
23 that they commission from 2010. And the original  
24 study which looked at the revenue collected was  
25

1 based on a... of the value of the lease at that time  
2 that the helicopter industry had with the city  
3 which was valued at three million dollars at that  
4 time. They then used an exponential factor of ten  
5 to say for every dollar that the tourist industry  
6 brings in there's a factor of 10 because people  
7 then go see museums, they go to restaurants, they  
8 go to Broadway. I would suggest that it's just the  
9 opposite. The reason that people come to New York  
10 City is because of Broadway, is because of our  
11 museums, is because of our restaurants, it's  
12 because of our delicious Central Park. They're not  
13 coming for a 15... 15-minute helicopter ride. So when  
14 the industry says to you that it's a 30-million-  
15 dollar industry bringing 30 million dollars' worth  
16 of revenue I'd like them to prove those numbers in  
17 a reliable and functioning way. Actually that 30  
18 million now has... earlier today on the steps I heard  
19 it was a 50-million-dollar revenue. And... and  
20 actually by... by the end of the... by the end of our  
21 rally that we had on the steps it was up to 65  
22 million. So that 30 million really has exploded in  
23 terms of its exponential benefit to the city and  
24 I'm anxious to hear from the industry the route to  
25

1  
2 that number. So I'm going to conclude just by  
3 thanking again Chairman Constantinides for holding  
4 this hearing. You've given the residents of New  
5 York City and their elected officials an  
6 opportunity to tell the administration what their  
7 experience is. And I'm sure EDC is going to stay  
8 here during the hearing to hear what they have to  
9 say. Thank you very much.

10 CHAIRPERSON CONSTANTINIDES: Thank you  
11 Council Member Rosenthal. We were also joined by  
12 Council Member Steve Levin from Brooklyn. Last but  
13 certainly not least Council Member Debbie Rose has  
14 a statement.

15 COUNCIL MEMBER ROSE: Thank you. I want  
16 to thank you Chair Constantinides for allowing me  
17 to make a brief statement. And I... I want to thank  
18 the sponsors... sponsor Chair... Council Member  
19 Menchaca, Chin and Rosenthal, and Vallone for this  
20 really important legislation. Today one of my  
21 constituents will provide visual evidence that  
22 helicopters leaving the New York heliport fly  
23 directly over Staten Island and at an altitude so  
24 low that the helicopter vehicle identification  
25 numbers are visible and easily read from the



1 ground. I firmly believe that my constituents  
2 deserve quiet and peace of mind in their homes. And  
3 these helicopters are flying over their homes. But  
4 how can that be when they have mayhem in the skies  
5 directly overhead at all hours of the day and  
6 night? Homeowners in my district have reported to  
7 me witnessing helicopters flying no more than a  
8 quarter of a mile from each other in opposite  
9 directions and no more than 200 feet above their  
10 homes. The noise and menace they pose are a  
11 nuisance and one that should not be tolerated by  
12 our great city. Intro 858 and Intro 859 and Reso  
13 892 which will reduce noise caused by sightseeing  
14 helicopters by amongst other things requiring them  
15 to meet federal noise reduction standards are a  
16 much needed legislation that will start to address  
17 these issues. Helicopter operators must be made to  
18 honor the 1999 noise reduction agreement which was  
19 secured by then Congressman Beto Vesela [sp?] with  
20 the United States Department of Transportation  
21 which required that aircraft flying in between  
22 their base and New Jersey and the downtown heliport  
23 fly entirely over a water route that legislation  
24 must be strongly enforced and that's one of my top  
25

2 priorities. We want to stop the chop. We want to  
3 stop the nuisance noise that affects the quality of  
4 life of all New Yorkers. And I look forward to  
5 hearing their testimony on these important issues  
6 today. And again I thank Council Members Menchaca,  
7 Vallone, Rose... Rosenthal, and Chin and the Chairman  
8 Constantinides for holding this very important  
9 hearing. Thank you.

10 CHAIRPERSON CONSTANTINIDES: Thank you  
11 Council Member Rose. We're joined by Council Member  
12 Rory Lancman from Queens. Thank you for being here  
13 Council Member. We'll begin testimony with James  
14 Katz Chief of Staff for New York City EDC, and  
15 David Hopkins also from New York City EDC. Samara  
16 Swanson, our attorney, please swear them in.

17 ATTORNEY SWANSON: Please raise your  
18 right hand. Do you swear affirm to tell the truth,  
19 the whole truth, and nothing but the truth today?

20 [combined affirmations]

21 CHAIRPERSON CONSTANTINIDES: Mr. Katz  
22 please... please begin.

23 JAMES KATZ: Good afternoon Chairman  
24 Constantinides and council members. My name is  
25 James Katz and I'm the Chief of Staff of New York

2 City's Economic Development Corporation. I'm  
3 pleased to be joined today by David Hopkins, our  
4 Senior Director of Aviation. We appreciate today's  
5 opportunity to discuss issues associated with tour  
6 helicopters in New York City. I'd like to provide  
7 an overview of the industry and the city's role in  
8 it and then discuss the proposed legislation that  
9 is before you and our issues and concerns with it.  
10 We recognize the noise related concerns raised by  
11 some very real people who live in affected  
12 communities. But we're also mindful of the fact  
13 that there are a number of real people who make  
14 their livings in this industry. We're hopeful that  
15 the council will see fit to work with us in  
16 partnership and find a sensible set of policy  
17 solutions that addresses these competing demands.  
18 But first David will provide and end overview of  
19 the industry and I will then discuss the  
20 legislation.

21 DAVID HOPKINS: Good afternoon Chairman  
22 Constantinides and council members. I'm David  
23 Hopkins and I serve as the Director of Aviation  
24 for... at EDC. And in that role I oversee policy and  
25 planning for the city's aviation assets. This

1 includes administering the lease with the port  
2 authority of New York and New Jersey for LaGuardia  
3 and Kennedy airports as well as overseeing the two  
4 heliports owned by the city at East 34 Street and  
5 Pier 6 in lower Manhattan. The three heliports in  
6 Manhattan are critical components of our  
7 transportation infrastructure. In addition to East  
8 34<sup>th</sup> and Pier 6 the Hudson River Park trust  
9 oversees West 30<sup>th</sup> Street heliport. And these three  
10 heliports operate as a system with East 34<sup>th</sup>  
11 focused on corporate traffic, West 30<sup>th</sup> focused on  
12 Charter and Corporate traffic, and the downtown  
13 heliport more focused on tourism. The West 30<sup>th</sup>  
14 Street heliport has 24 hour operations. The East  
15 34<sup>th</sup> Street facility is opened from 8:00 a.m. to  
16 8:00 p.m. on weekdays but it's closed on weekends.  
17 While the downtown facility is opened for tours  
18 from 9:00 a.m. to 7:00 p.m. Monday through Saturday  
19 and from 9:00 a.m. to 5:00 p.m. on Sundays with  
20 slightly longer hours for corporate and charter  
21 flights. The downtown heliport is also unique in  
22 that it's the only facility that can accommodate  
23 the president's helicopter. And NYPD's aviation  
24 unit landed at the heliport about 80 times last  
25

1 year. Both NYPD and the FDNY use the heliport for  
2 high-rise training air support drills. Last year  
3 there were about 75,000 total flights at the three  
4 heliports and Pier 6 downtown which is the biggest  
5 facility accommodated 58,000 of those flights. The  
6 operator of East 34<sup>th</sup> Street is Atlantic Aviation  
7 and the operator of the downtown heliport is Saker  
8 Aviation. Both of these operators were procured  
9 competitively and both pay rent to EDC. Last year  
10 we received about 2.9 million from the downtown  
11 heliport operator and over 800,000 dollars from  
12 Atlantic Aviation at East 34<sup>th</sup> Street. Under the  
13 terms of our agreements EDC is responsible for  
14 subsurface elements which require regular  
15 maintenance and the rent we receive helps keep  
16 these pier structures in good condition. In 2012  
17 EDC spent 2.6 million on substructure repairs. And  
18 we're currently designing additional work that's  
19 expected to cost about 3.5 million and be completed  
20 by the end of 2016. Direct employment at the three  
21 heliports is about 50 people but that's just one  
22 portion of the direct jobs associated with the  
23 industry in which 219 people were employed at last  
24 count. These are employees of the tour company  
25

2 themselves and do not include any incremental  
3 employment created from the visitors who take the  
4 tours. I'd also like to take a minute to review the  
5 longstanding history of tourism operations in  
6 Manhattan. We used to have that activity  
7 concentrated at 34<sup>th</sup> Street but subsequently the  
8 flights were removed from the east side facility  
9 and distributed to West 30<sup>th</sup> Street and the  
10 downtown facility. But in 2010 tour flights were  
11 eliminated from West 30<sup>th</sup> and all the tour flights  
12 started being conducted from the downtown heliport.  
13 The increase in volume at that time led to the... in  
14 the EDC to convene operators, the federal aviation  
15 administration, and local elected officials in  
16 revising the tour routes and led to the 2010  
17 helicopter sightseeing plan that Chairman  
18 Constantinides mentioned. Tours over areas such as  
19 Central Park were eliminated. And two mandated tour  
20 routes were established. Both these routes let...  
21 leave the downtown heliport via the Buttermilk  
22 Channel between Governors Island and Red Hook. The  
23 tours then circle the Statue of Liberty before  
24 proceeding up the Hudson River. As Council Member  
25 Rosenthal mentioned one tour turns at 79<sup>th</sup> Street.

1 The other tour goes north to the... in what area the  
2 George Washington Bridge before turning back south.  
3 In 2010 we also established a route that would... one  
4 of those routes also went to Yankee Stadium. And  
5 since those routes were established we've been  
6 working to make tweaks and changes to them. And the  
7 biggest change was with respect to that Yankee  
8 Stadium Route. We eliminated that flyover in  
9 January of this year. So the longer tour now stays  
10 on the Hudson Pass to George Washington Bridge to  
11 about Inwood. And now all of the designated tour  
12 routes are completely over water. One of the things  
13 our office does is also track complaints through  
14 the 3-1-1 system. Most of the complaints that the  
15 city receives regarding helicopters are not  
16 directly related to tour flights. Instead they tend  
17 to be helicopters that are flying over the city or  
18 hovering over areas of the city. In 2014 we tracked  
19 12,090... 12 hundred and 99 complaints about  
20 helicopters through the 3-1-1 system and only 162  
21 of these were related to tour operations. As a  
22 comparison the city received over six million total  
23 complaints to 3-1-1 in fiscal year 2015. I hope  
24  
25

1  
2 this overview has been helpful and now James will  
3 discuss the legislation.

4 JAMES KATZ: Thank you David. As  
5 currently drafted the administration does not  
6 support either piece of legislation. While mindful  
7 of the concerns that have been expressed and will  
8 likely be expressed again today about noise we are  
9 also focused on the 219 direct jobs in this  
10 industry which run the gambit from entry level  
11 service work to highly skilled pilots. We hope to  
12 work in close partnership with the council to find  
13 better solutions to meet the competing demands,  
14 community impact and job preservation. We believe  
15 that there may be... that... that while they may be  
16 well intentioned as drafted neither of the proposed  
17 pieces of legislation meets the second part of this  
18 test. The legislation bans certain types of  
19 equipment. In one case helicopters meeting stage  
20 one, two, or three noise standards would be banned.  
21 In the other those meeting stage one and two would  
22 be banned but stage three helicopters would be  
23 allowed. In the first case all... all tour  
24 helicopters would be prohibited from using the  
25 downtown facility or any other city facility as



2 there is no such thing as stage four. In the second  
3 case almost all tour helicopters would be banned as  
4 well. Given the fact that the stage three standards  
5 were only adopted by the FAA last May it is at best  
6 unclear if any helicopters in the tour fleet meet  
7 this new standard. Operators would therefore be  
8 asked overnight to procure a new fleet with no  
9 opportunity to amortize the large capital  
10 investment they have made in the current fleet. To  
11 give a sense of scale one of these helicopters  
12 typically cost between 2.3 and three and a half  
13 million dollars. And companies typically finance  
14 them over terms of seven to 10 years. Many of those  
15 financing arrangements are very likely midterm  
16 right now. Put simply it is our belief that these  
17 bans would put operators out of business. Another  
18 concern we have about the legislation as drafted is  
19 the loss of control should the tour operators be  
20 eliminated from facilities that are controlled by  
21 the city. The FAA regulates the air space, the city  
22 does not. Our control of tour operations and their  
23 routing comes from the contractual relationship  
24 between the EDC and the tour helicopter  
25 concessionaire. Stripped of the ability to fly from

1  
2 downtown we fear that in response to a threat to  
3 their survival tour operators will be established  
4 from locations near the city such as Hudson County  
5 New Jersey. If that happens we have no say over the  
6 routes they take or the times they fly. We would  
7 have no ability to say for example that tour  
8 helicopters could not fly over central park. This  
9 is a power we retain presently in requiring all  
10 tours to fly over water. We would therefore submit  
11 to the council that retaining this control is the  
12 best and perhaps the only way to achieve a strategy  
13 to mitigate noise effects. A better approach that  
14 we could together explore would be to use our  
15 rights under the concession agreement to negotiate  
16 a meaningful reduction in volumes with the heliport  
17 operator and the tour operators. We understand that  
18 the affected residents of communities along the  
19 tour routes are seeking relief from the tour  
20 flights. And we would like to work in partnership  
21 with the council to deliver that in a thoughtful  
22 way. Reducing the number of tour flights and  
23 combining that with the recent change requiring all  
24 portions of flights to be over water would offer  
25 real relief to affected communities. The city would

2 retain control over the industry. And the majority  
3 of the employees would get to keep their jobs. We  
4 believe that is the best policy outcome for all  
5 parties concerned. Again I thank you for the  
6 opportunity for us to testify here today. David and  
7 I remain available for your questions.

8 CHAIRPERSON CONSTANTINIDES: Thank you  
9 for your testimony. I have a few questions before I  
10 turn it over to my colleagues to ask. First, how  
11 much revenue does the heliport concession agreement  
12 provide to the city?

13 JAMES KATZ: Sure. You want to go ahead  
14 David?

15 DAVID HOPKINS: In the last year which  
16 actually just ended it was 2.9 million dollars from  
17 downtown.

18 CHAIRPERSON CONSTANTINIDES: And... and  
19 what about economic impact? That... that's been  
20 discussed. Do we have a number as to what this  
21 brings to the table for the city? Is there a  
22 ballpark figure you can give?

23 JAMES KATZ: Sure. I believe we rely on  
24 the Rudin Center Study from 2012 out of NYU that  
25

2 found the direct economic impact at about 33  
3 million dollars?

4 CHAIRPERSON CONSTANTINIDES: What do you  
5 believe that entails? People just coming here to  
6 take a helicopter tour and then doing other things  
7 as well... [cross-talk]

8 JAMES KATZ: ...speaking methodology of  
9 Rudin... I mean that came up before.

10 DAVID HOPKINS: Rudin did two things in  
11 their study. One, they looked at the direct impact  
12 of just the income received by the tour operators  
13 from the people taking the tours and the jobs  
14 associated with that and then the indirect effects  
15 from that. And that was the 33 million dollars. It  
16 was the... there was another category of expenditures  
17 related to the visitors. And so the 33 million  
18 dollars does not include that additional  
19 expenditure generated by visitors to the city.

20 CHAIRPERSON CONSTANTINIDES: Okay. And  
21 then very quickly how... how much time is left before  
22 the concession agreement is ending?

23 JAMES KATZ: The term of the current  
24 concession agreement runs until July 2018.

2 CHAIRPERSON CONSTANTINIDES: 2018. How  
3 many jobs will remain if these two bills went  
4 forward? What do you... what do you perceive of the  
5 219 that are currently... what... what would stay  
6 behind?

7 JAMES KATZ: I think that is a question  
8 better posed to industry representatives from whom  
9 you are going to hear later. Our belief as I said  
10 earlier is that these bills as currently structured  
11 require helicopter technology that largely does not  
12 exist... [cross-talk] on a timeline that is in  
13 essence immediate. And that is the law of the city  
14 of New York they will likely tell you that they are  
15 unable to operate under those conditions.

16 CHAIRPERSON CONSTANTINIDES: So the... all  
17 219 jobs would not be transferable anyway. They...  
18 they'd be... [cross-talk]

19 JAMES KATZ: It's a... it's a question for  
20 them but that is my... [cross-talk]

21 CHAIRPERSON CONSTANTINIDES: Okay.

22 JAMES KATZ: ...understanding.

23 CHAIRPERSON CONSTANTINIDES: Alright  
24 thank you. With that I'll turn it over to... I might  
25

2 come back for a second round but I'll begin with my  
3 colleagues. Council Member Rosenthal.

4 COUNCIL MEMBER ROSENTHAL: You threw me  
5 with your understanding in the study Mr. Hopkins.  
6 I'm going to... I've asked my staff to bring up the  
7 study. It's not the way I read it at all. But I... I  
8 guess I want to start Mr. Katz you seem to imply in  
9 your testimony that you want to work with the  
10 council to have an impact on the lives of our  
11 residents. What do you suggest?

12 JAMES KATZ: I suggest that there are a  
13 number of things to consider and a number of things  
14 to talk about. But we live, I like to think at  
15 least in this respect, in an analog world, not a  
16 digital one, where everything is zeros and ones.  
17 And so within the spectrum of the number of tour  
18 flights that currently fly in New York skies from  
19 downtown Manhattan heliport there are gradations  
20 within that number that could be talked about and  
21 that are I think possibilities to be negotiated  
22 with the industry so long as we can earn a... contain  
23 a contractual relationship with them and are a  
24 party to a contract with them that in and of  
25

1  
2 themselves would offer a direct proportionate  
3 reduction in community impacts... [cross-talk]

4 COUNCIL MEMBER ROSENTHAL: So I think  
5 you know me well enough to know that I don't talk  
6 about ifs and platitudes and generalizations. Our  
7 residents are sitting here today. They're watching  
8 online. What exactly do you propose for what we can  
9 do to mitigate or eliminate noise? Are you talking  
10 with the industry about standards, levels of noise?  
11 Are you talking with them about monitoring those  
12 levels of noise? And are you talking to them about  
13 enforcement? I'm not privy to those conversations  
14 so I don't know.

15 JAMES KATZ: I... I do appreciate your...  
16 for specificity Council Member. I think all of  
17 those things are possibilities and all of those are  
18 conversation... [cross-talk]

19 COUNCIL MEMBER ROSENTHAL: So we... wait...  
20 [cross-talk]

21 JAMES KATZ: ...we are... [cross-talk]

22 COUNCIL MEMBER ROSENTHAL: They're  
23 possibilities? So that you've not discussed them  
24 yet? Have you discussed with them to date  
25 standards, monitoring, enforcement... yes or no?

2 JAMES KATZ: We have been in an ongoing  
3 conversation with the industry since the 2010 tour  
4 plan and before about the status of helicopter  
5 routing and numbers of flights over Manhattan skies  
6 that is perpetual that is a function of our  
7 contractual relationship with them.

8 COUNCIL MEMBER ROSENTHAL: Any  
9 standards... [cross-talk]

10 JAMES KATZ: I would suggest... [cross-  
11 talk]

12 COUNCIL MEMBER ROSENTHAL: ...on noise?

13 JAMES KATZ: Standards on... [cross-talk]

14 COUNCIL MEMBER ROSENTHAL: ...on noise...

15 JAMES: ...noise?

16 COUNCIL MEMBER ROSENTHAL: ...pollution.

17 So have you talked to them about setting up  
18 monitors for measuring noise pollution?

19 JAMES KATZ: We have had that  
20 conversation and believe it was part of the  
21 conversation in 2010 as well.

22 COUNCIL MEMBER ROSENTHAL: And where  
23 does it stand now?

24 JAMES KATZ: It stands at a stand still...  
25 is where it stands because I suspect that industry



1  
2 doesn't want to talk about voluntary concessions to  
3 change the way it operates so long as it believes  
4 that the city council may put it out of business.

5 COUNCIL MEMBER ROSENTHAL: You know  
6 it's... I know that you mean to represent New  
7 Yorkers. And I'm sure you can hear in your own  
8 response how disappointed New Yorkers would be to  
9 hear that response. As I listen to your testimony  
10 the biggest concerns that I heard that were real to  
11 me was that the administration or EDC needs the  
12 money from the lease in order to repair the  
13 downtown heliport. Is that a fair statement? That  
14 sounded real.

15 JAMES KATZ: That is a fair statement.

16 COUNCIL MEMBER ROSENTHAL: Okay. And..  
17 and you put a dollar value to that so I get that.  
18 And the second thing I heard was that you have a  
19 fear that the industry would go to New Jersey at  
20 which point we would have no ability to be in  
21 discussions with the industry. Do you... do you know  
22 that we have a US Senator in New Jersey who has...  
23 who'll absolutely stand in opposition to it moving  
24 to New Jersey?

25 JAMES KATZ: I am aware... [cross-talk]

2 COUNCIL MEMBER ROSENTHAL: I mean I'm  
3 trying... [cross-talk]

4 JAMES KATZ: ...that... [cross-talk]

5 COUNCIL MEMBER ROSENTHAL: ...to get to...  
6 like do you have any indication that that's a real  
7 threat? Because I have every indication that it's  
8 not.

9 JAMES KATZ: We have every indication  
10 that there is a political movement to keep it from  
11 moving to New Jersey. We do not have much of an  
12 indication that those political actors control  
13 private property.

14 COUNCIL MEMBER ROSENTHAL: So are they  
15 in discussion with moving to New Jersey that you're  
16 aware of?

17 JAMES KATZ: You would have to ask the  
18 operators that question.

19 COUNCIL MEMBER ROSENTHAL: Okay but it's  
20 not part of your conversation. Let me... [cross-talk]

21 JAMES KATZ: No.

22 COUNCIL MEMBER ROSENTHAL: ...ask you  
23 lastly and... and I would like to come back for a  
24 second round, you said you would draft the  
25 legislation differently. I'm open to suggestions.

2 How would you exactly draft the legislation in  
3 order to meet the needs of residents in New York?

4 JAMES KATZ: Well in your earlier  
5 comments you identified a range of possibilities,  
6 and I again use the word possibilities, that one  
7 could invoke to try to improve the noise impacts on  
8 communities across New York City. All of those I  
9 think would merit serious consideration and  
10 discussion and we'd be eager to have that  
11 discussion with the council.

12 COUNCIL MEMBER ROSENTHAL: Do you have  
13 any specifics since you've been thinking about this  
14 since 2010?

15 JAMES KATZ: Well I have not been  
16 thinking about this since 2010 but... but no I don't  
17 have further specifics to offer today.

18 COUNCIL MEMBER ROSENTHAL: That's really  
19 disappointing. I had hoped we would have a serious  
20 conversation at this hearing. That's... that's what  
21 we were looking for. That's what the residents of  
22 New York are looking for. Thank you.

23 JAMES KATZ: Thank you.

24 CHAIRPERSON CONSTANTINIDES: Council  
25 Member Menchaca.

2 COUNCIL MEMBER MENCHACA: Thank you  
3 Chair. And where I want to... I want to start with  
4 the unwrapping of the location and understanding  
5 the impacts around the actual location itself. So  
6 we transitioned from three areas... three heliports  
7 in the city... previous administrations into one. And  
8 I guess my... my first question is where are there  
9 other... and has EDC done any kind of preemptive  
10 discussion, research, on other locations that can  
11 provide for the necessary... and I know that your  
12 testimony kind of focuses on... on kind of critical  
13 infrastructure for the city, any other locations in  
14 the city that might make better sense? Has that  
15 research been done?

16 DAVID HOPKINS: Council Member I don't  
17 think we... there's been a... a research as to  
18 alternate locations.

19 COUNCIL MEMBER MENCHACA: So this means  
20 that this is the only place that is available for  
21 everything that you're supporting in jobs and... and  
22 infrastructure?

23 JAMES KATZ: There was a policy adopted  
24 after... I don't remember the exact year that these  
25 facilities should be moved to the water. And ever

2 since then that's been the policy of the city that  
3 they are water dependent uses and that take offs  
4 and landings should occur over water. And that's  
5 why the three locations are in existence today.

6 COUNCIL MEMBER MENCHACA: Got it. Okay.

7 So this is part of the conversation about the idea  
8 that the city can have a city wide policy about  
9 where we have infrastructure that is so critical to  
10 your testimony and it doesn't sound like you've  
11 really looked and researched the city wide... as... as  
12 a city wide policy just for us to even have a  
13 conversation about alternatives, it sounds like  
14 this is the only place that... that we're talking  
15 about because this is the only place that you've...  
16 you're... you're fighting for.

17 DAVID HOPKINS: Well we... we think the  
18 three heliports system actually serves the city  
19 very well and that it provides places for the  
20 business centers of East mid-town, West mid-town,  
21 and Downtown to easily access the... the facilities  
22 and [cross-talk]

23 COUNCIL MEMBER MENCHACA: Okay... that's  
24 clear I... I think this is... there's a deficiency in  
25 opportunity for us to have a larger conversation

1  
2 about city wide... infrastructure. Two, the jobs that  
3 you reported and... and I know we are going to have a  
4 conversation directly with... with industry but does  
5 EDC have a better sense about the jobs and how they  
6 are... classified? Direct... Direct heliport jobs and  
7 then say axillary jobs? Do you have a sense about  
8 how they transition through type of job?

9 JAMES KATZ: Well our understanding of  
10 that issue comes from the industry so again we'd  
11 urge you to... to speak with them and we understand  
12 that they're here. The numbers that I have heard...  
13 are the direct employment of the heliports as David  
14 Mentioned are 50... that there are 219 jobs  
15 associated with the tourist helicopter concession  
16 in the Downtown heliport... that they run the gamut  
17 from entry level jobs, taking tickets to highly  
18 sophisticated pilot jobs and the average wage is 45  
19 thousand dollars a year.

20 COUNCIL MEMBER MENCHACA: ...So thank  
21 you... and we'll... we'll have that conversation but  
22 again I just want to see what you have... and what  
23 you are using to analyze this discussion. So... what  
24 NYC kind of reinvigorated our commitment to  
25 environment... what I want to do is figure out how

2 this conversation about pollution... and how that  
3 impacts our commitment to making our skies cleaner  
4 and I've only heard the economic component, which  
5 is a consistent thing that I think we're seeing  
6 ships in EDC's commitment to other things other  
7 than dollars... but how does the environmental  
8 component of our commitment through... one... NYC fall  
9 in... into this discussion? How does that change the  
10 way that we can look at this contract?

11 DAVID HOPKINS: Its... It's a starting  
12 thesis and as somebody who worked pretty  
13 extensively on one NYC I share the plan and the  
14 administration's goals to reduce greenhouse gas  
15 emissions in every way and form possible and the  
16 Economic Development Corporation does as well for  
17 our work on various resiliency projects and other  
18 green initiatives. When it comes to the helicopter  
19 industry... we are constrained by hardwares that  
20 exist today. There are, as we have said, sort of  
21 three stages of helicopters that have been approved  
22 by the FAA through its rule making processes for  
23 use in the public skies. We hope that the industry  
24 will one day... invent better and cleaner ways to do  
25 this but we are presently capacity constrained and

2 so for us I think the basic take away from that is  
3 the way to get a cleaner, greener poor helicopter  
4 industry or for that matter any helicopter industry  
5 and sweeps in NYPD, news making helicopters, people  
6 doing medivac operations, and corporate and  
7 charters which we haven't spoken much about today...  
8 is to reduce their volume.

9 COUNCIL MEMBER MENCHACA: Sorry one more  
10 time? To reduce their volume?

11 DAVID HOPKINS: To reduce their volume.

12 COUNCIL MEMBER MENCHACA: Okay, so  
13 clearly I... I just want to examine exactly what you  
14 said. That there is a huge commitment that you  
15 worked on one NYC... that the environment is a huge...  
16 huge piece of... policy making and the only thing we  
17 have right now is hope that these... that this  
18 industry is going to become a better industry and  
19 what I'm seeing is a lack of...

20 DAVID HOPKINS: Actually, sorry Council  
21 Member I don't think that's what I said so let me  
22 clarify a little.

23 COUNCIL MEMBER MENCHACA: Sure, [cross-  
24 talk] clarify for me.



2 DAVID HOPKINS: I think, well no I'll  
3 just restate... I think what I said was that there  
4 are people who manufacture helicopters in the  
5 world. They meet a particular federal standard.  
6 They are what they are today. At some point they  
7 may become better. The city of New York and ADC  
8 have no control over that. The thing we do have  
9 control over if we are trying to mitigate... on a  
10 sustainability axis is the number of flights in the  
11 air. That's what I said.

12 COUNCIL MEMBER MENCHACA: Got it. And  
13 I'm still making a leap... in conclusion here that I  
14 think we're losing opportunity and leadership from  
15 the city to be able to offer a different... bar for  
16 our infrastructure. And so I'm really looking for  
17 some leadership from EDC to really look at all the  
18 pieces and... in my opening statement I talked about  
19 our streets. There are cars and vehicles that are  
20 zero emissions hope for... but better than hope. I  
21 think we can create some standards on... our water  
22 ways as well zero emission ports and also zero  
23 emission skies and that won't happen unless the city  
24 makes some very very clear leadership moves to  
25 allow for an industry to get there. And I think

1  
2 that there's... there's some opportunity here to make  
3 that stronger. We're going to do a couple... another  
4 round but my last question about the... the kind of  
5 work around helicopter pathways. Where are you on...  
6 on a sense of enforcement for the pathways and on  
7 the reduction of the number of helicopters? How do  
8 you... how do you imagine to control the number of  
9 helicopters in your proposition as the only thing  
10 that EDC can do? How do you do that? How do you  
11 manage with that I should say... Let me clarify the  
12 question. How do you manage that reduction?

13 JAMES KATZ: So I'll give you a response  
14 on the routing and the complaints and the way we  
15 track those. We do investigate all complaints that  
16 come in regarding tour helicopters. Those  
17 complaints, if there's enough information in them  
18 about the specific location, the specific time of  
19 the complaint we track that against the database  
20 that's maintained by the port authority of flights  
21 to see if the... if the helicopter was operating  
22 according to the tour plan and was operating over  
23 water.

24 COUNCIL MEMBER MENCHACA: So you're...  
25 you're measuring routes and the... the effectiveness

2 of a... of a route plan through complaints. So  
3 complaints will drive the enforcement of the  
4 routes?

5 JAMES KATZ: We...

6 COUNCIL MEMBER MENCHACA: Or the  
7 effectiveness of a route... a new route?

8 JAMES KATZ: Well I think we feel that...  
9 that that's the best way to monitor compliance  
10 because generally people are only complaining about  
11 helicopters they perceive to be out of compliance.

12 COUNCIL MEMBER MENCHACA: And on the  
13 amount... so we're talking about reducing the number  
14 of helicopters that go out into the skies. So tell  
15 me a little bit about how you... how you plan to  
16 measure... measure that and the reduction.

17 JAMES KATZ: Sure so the current  
18 concession agreement with Saker Aviation at the  
19 downtown Manhattan heliport specifies the terms  
20 under which they are able to operate that facility.  
21 One of those terms would be in a world in which we  
22 still have a relationship with Saker Aviation the  
23 number of flights allowable under that agreement.  
24 That agreement also has certain financial  
25 components that entail what Saker is required to

1  
2 pay back to EDC on behalf of the city for that  
3 agreement and that is a conversation that could be  
4 had and... and we'd be delighted to have.

5 COUNCIL MEMBER MENCHACA: So... I... because  
6 I really want to understand the... the mechanism...  
7 [cross-talk]

8 JAMES KATZ: sure and I want to help  
9 you.

10 COUNCIL MEMBER MENCHACA: So the  
11 reduction is based on the dollar amount that  
12 they're making? I'm trying to...

13 JAMES KATZ: No...

14 COUNCIL MEMBER MENCHACA: ...break up how...  
15 How do we measure the reduction in flights? How are  
16 you... [cross-talk]

17 JAMES KATZ: Well... A reduction in  
18 flights would be measured as a reduction in the  
19 number of flights a year off of whatever baseline  
20 one wanted to set; this year, last fiscal year, a  
21 rolling average of the last fiscal year, the last  
22 three fiscal years. The question then becomes  
23 whether or not running the downtown Manhattan  
24 heliport remains a viable concern for Saker  
25 Aviation under the terms of the concession

1  
2 agreement with its minimum annual guarantee of a  
3 payment to the city of approximately to EDC of one  
4 point... 1.6 million dollars and participation beyond  
5 that.

6 COUNCIL MEMBER MENCHACA: 1.6?

7 JAMES KATZ: Correct.

8 COUNCIL MEMBER MENCHACA: Okay. And  
9 remind me how... how much money does it cost to  
10 maintain that heliport? You had the substructure...  
11 figure...

12 DAVID HOPKINS: We don't directly track  
13 how much it costs to maintain the... the building and  
14 the... but we do obviously track how much it costs to  
15 maintain the subsurface structures. So we're  
16 responsible for the piers and the pilings  
17 associated with the heliport. [cross-talk]

18 COUNCIL MEMBER MENCHACA: So there's...  
19 there's...

20 DAVID HOPKINS: So those were the  
21 numbers I gave earlier in the testimony in terms of  
22 the... of the 3.5 million that's coming up and the  
23 2.6 I... [cross-talk]

24  
25

2 COUNCIL MEMBER MENCHACA: Repeat that  
3 again. So it's at 3.5 for the pillars... essentially  
4 what's in the water?

5 DAVID HOPKINS: What's in the water. We...

6 COUNCIL MEMBER MENCHACA: Right.

7 DAVID HOPKINS: ...we spent 2.6 million a  
8 couple... few years ago on it and continuing to bring  
9 that infrastructure to the state of good repair.  
10 We're going to be spending another three and a half  
11 million dollars next year.

12 COUNCIL MEMBER MENCHACA: Three and a  
13 half million each year... [cross-talk]

14 DAVID HOPKINS: Next... next year. [cross-  
15 talk]

16 COUNCIL MEMBER MENCHACA: ...essentially  
17 the maintenance of the pillars, what's underneath.  
18 And then you're saying that the... the contract  
19 allows for... [cross-talk]

20 DAVID HOPKINS: The... the concessionaire  
21 bears the cost of improvements and maintenance on  
22 the surface.

23 COUNCIL MEMBER MENCHACA: On the  
24 surface. And you have no idea what that is do you...  
25 or do you know what it is?

2 JAMES KATZ: We don't independently  
3 track that. You could ask the concessionaire for an  
4 estimate.

5 COUNCIL MEMBER MENCHACA: Okay. I'll  
6 pause here. I'll come back. Okay.

7 CHAIRPERSON CONSTANTINIDES: Council  
8 Member Chin.

9 COUNCIL MEMBER CHIN: Yeah I... I just  
10 have a quick question about the economic impact.  
11 From your testimony you said that last year you  
12 received about 2.9 million dollars I guess from...  
13 for the downtown heliport. So when you just said  
14 that you spent all that 2.6 and then 3.5  
15 maintaining the pier and infrastructure... are we  
16 making any money from the rent at all? 2.9 and  
17 then... that's all we're getting, 2.9 for the rent.

18 JAMES KATZ: Council Member that's a  
19 yearly amount so the... the capital expenditures are  
20 lumps that occur occasionally. So not yearly  
21 expenditures. Those are the two most recent  
22 significant capital expenditures we've made on the  
23 heliport. That 2.9 million several years ago was  
24 lower but that's what we would expect given the  
25 current volume at the facility.

2 COUNCIL MEMBER CHIN: So do you have  
3 like... I mean taking all this year how much the city  
4 has spent on maintaining the infrastructure and  
5 whether it was cost effective? Like the city... is  
6 the city actually making money from the heliport or  
7 are we losing money? That's one question. The other  
8 question is the whole economic impact because we  
9 been hearing all these numbers saying that... oh the...  
10 the industry, this tourist helicopter industry  
11 bringing in a certain amount of money. So what is  
12 EDC's assessment? I mean what... what is the dollar  
13 amount and how do you calculate that dollar amount  
14 in terms of economic impact to the city. I mean the  
15 way I look at the numbers okay like how... how much  
16 are tours and in time how many... how many times and  
17 that's the amount of money. But it sounds is... the  
18 number that we've been hearing, it's much larger.  
19 So it wouldn't be right if they factor in that... oh  
20 the economic impact from a tourist bringing to the  
21 city includes their hotel stay, include their... you  
22 know their restaurant meals, includes their  
23 Broadway show. That wouldn't be right. I mean I  
24 don't think anybody coming to New York City is just  
25 going to ride the helicopter right? So how do you



2 calculate the economic benefit to New York City  
3 from this industry?

4 JAMES KATZ: So Council Member We've  
5 referenced the Rudin Center Study. I don't know the  
6 exact methodology they use but my understanding is  
7 that that 33-million-dollar figure is the economic  
8 impact of just the tour operations themselves. It  
9 does not include any incremental visitor spending  
10 such as hotel stays or Broadway shows or things  
11 like that. Those numbers... in previous studies those  
12 numbers have been looked at and... and have been  
13 claimed as a benefit for the helicopter industry.  
14 Clearly the visitors who come take the helicopter  
15 rides do do those things but the... my understanding  
16 is that that 33 million dollars is limited to the  
17 direct impact of the... the tour flights them... that  
18 tourists take themselves.

19 COUNCIL MEMBER CHIN: Well I think we  
20 really need to drill it down whether that is the  
21 real number or not. Because I just don't think that  
22 tourists come to New York just to fly the  
23 helicopter. Because we have so much more to offer.  
24 And in lower Manhattan residents who have you know  
25 made the investment to move down here to raise

2 their family, they're complaining about the noise  
3 and the fume... office building, you know company  
4 they're investing downtown. They're the one that's  
5 complaining to us now about the fume from the  
6 helicopter. These are you know big companies who  
7 have a lot of workers. So we're also talking about  
8 the negative economic impact from this industry. So  
9 I think that EDC also need to take a look at that  
10 and really calculate that and we don't want people  
11 to start leaving lower Manhattan because of this  
12 problem. So I think you should really take that  
13 into the calculation and... and... and... and do an  
14 evaluation on that too. Thank you Chair.

15 JAMES KATZ: Thank you.

16 CHAIRPERSON CONSTANTINIDES: Thank you  
17 Council Member Chin. Council Member Lander.

18 COUNCIL MEMBER LANDER: Thank you Mr.  
19 Chairman and thank you to Council Members Menchaca,  
20 and Rosenthal, and Chin for your leadership on this  
21 issue. It's also nice to have my State Senator  
22 Daniel Squadron and I think I saw my Assemblywoman  
23 Joann Simon and... and my near congress member  
24 Congressman Nadler all... all here with us. So thank  
25 you for all... for being here today. So here's the

1 public policy problem we have as I see it. And I... I  
2 want to... On the one hand there are these jobs... 219  
3 jobs and a... a couple million dollars that the city  
4 gets. On the other hand, it makes a very large  
5 number of people really really miserable. And  
6 that's just the fact of the matter. I guess the  
7 question is how miserable do they have to be before  
8 it's not worth a couple million dollars and 219  
9 jobs. Now that's not a simple public policy problem  
10 to solve because it's easy to measure the jobs and  
11 it's easy to measure the money and it's hard to  
12 measure misery. But I guess my question is have we  
13 tried? Like have you done something to evaluate  
14 just how miserable it is? Have you sent people out?  
15 Have you surveyed? Have you done anything to try  
16 to... that's what we're weighing and it's hard to do  
17 it without have... knowing how... how much misery, I  
18 could tell you there's a lot but it's hard... [cross-  
19 talk)  
20

21 DAVID HOPKINS: Yeah... [cross-talk]

22 COUNCIL MEMBER LANDER: To know just how  
23 much.

24 JAMES KATZ: It's... it's a great question  
25 and... and well framed. We have not sent canvassing

1  
2 teams out into communities and maybe it's a thing  
3 to consider. We have looked at 3-1-1 data, I know  
4 that is an issue that people on this panel and  
5 others have questioned, I think David quoted the  
6 number of 162 complaints in the last fiscal or the  
7 last calendar to 3-1-1... [cross-talk]

8 DAVID HOPKINS: Calendar year.

9 JAMES KATZ: Calendar to 3-1-1 and while  
10 recognizing the point that there are people out  
11 there who believe that folks have just given up, I  
12 did a quick look at 3-1-1 data from open data  
13 portal before I came here, the annual complaint  
14 from air conditioning and ventilation unit noise in  
15 New York City was 1,237, the noise from dogs was  
16 1,828 and my personal favorite the noise from ice  
17 cream trucks was 310, those are not going away  
18 either. People have apparently called about them,  
19 they have not changed and that is where they stand.

20 COUNCIL MEMBER LANDER: so believe me  
21 if we could change that ice cream truck noise...

22 JAMES KATZ: Uh-huh...

23 COUNCIL MEMBER LANDER: We would do it  
24 tomorrow... [cross-talk]

25 JAMES KATZ: Uh-huh... [cross-talk]

2 COUNCIL MEMBER LANDER: So... I mean that...  
3 so... but I... I guess what I want to say is this, I...  
4 I... I believe you these 3-1-1 numbers but I don't  
5 believe they are a good measure of how bad this  
6 problem is and it's not simple to measure. Like...  
7 you know I... my... my son plays flag football out on  
8 pier five and so I'm out there a lot of mornings  
9 and like it... it... for some people it ruins the game,  
10 it is... you know I think people are different in  
11 their ability to block it out or not block it out,  
12 some people have a harder time blocking it out than  
13 others and I've talking to people who can't watch  
14 their kids play sports at pier five because they  
15 just can't get past the helicopter noise so I don't  
16 know how to measure or evaluate that but I'm pretty  
17 sure the 3-1-1 call's relative to other noise  
18 problems isn't a good way, you know what we have as  
19 a measure is how many people reach out to us and  
20 tell us they're miserable and how often they call  
21 and so that's why we're here at this hearing,  
22 that's how democracy works like a lot... enough  
23 people are really miserable that a whole bunch of  
24 members of the council and congress and the senate  
25 and the assembly are here today like that's a

2 pretty good measure that it's a... a genuine problem  
3 and I would say a genuine problem bigger than 219  
4 jobs and... and a couple million dollars but I don't  
5 know... I mean anyway one thing if you're willing to  
6 work with us I... I know... and maybe we can think  
7 about this, I'd love to come... give you a much  
8 better measure... a misery measure because I really  
9 think that is what we're really talking about here  
10 more than anything else is just making a lot of  
11 people so miserable and it's just not worth what we  
12 get from it. So will... will you work with us on  
13 trying to figure out we evaluate the misery?

14 JAMES KATZ: of course.

15 COUNCIL MEMBER LANDER: Alright. And it  
16 sounds like this question might also be for the  
17 operators but any... do we have a sense of those 219  
18 people how many of them are residents of New York  
19 city?

20 JAMES KATZ: I would leave that to the  
21 operators but I believe in the public domain the  
22 Rudin report from 2012 put it at 64 percent.

23 COUNCIL MEMBER LANDER: Thank you Mr.  
24 Chairman.

2 CHAIRPERSON CONSTANTINIDES: Thank you  
3 Council Member Lander. I... one more... I'm... I'm... I'm  
4 going to put a clock moving forward so... alright, so  
5 we are going to put a clock for colleague's  
6 questions for five minutes... three minutes, okay  
7 just so we can... I definitely want to make sure that  
8 we hear from everyone today and that we have the  
9 opportunity for everyone's testimony to be part of  
10 this record and be part of this conversation so... if  
11 you can begin the clock Council Member Rosenthal.

12 COUNCIL MEMBER ROSENTHAL: Sure, I just  
13 want to be clear about the helicopter report that  
14 we're all basing our numbers on first do... do you  
15 recognize that it was funded by the helicopter  
16 industry?

17 DAVID HOPKINS: I... my understanding is  
18 that eastern region helicopter council did  
19 participate in the study, yes but I don't know...  
20 [cross-talk]

21 COUNCIL MEMBER ROSENTHAL: No, not...  
22 [cross-talk]

23 DAVID HOPKINS: I don't... [cross-talk]

24 COUNCIL MEMBER ROSENTHAL: Participate...  
25 [cross-talk]

2 DAVID HOPKINS: I don't... [cross-talk]

3 COUNCIL MEMBER ROSENTHAL: That it was  
4 funded by them?

5 DAVID HOPKINS: I'm sorry, I don't know  
6 the answer to that question.

7 COUNCIL MEMBER ROSENTHAL: Oh okay, I  
8 mean it just says it on the cover so that's why I'm  
9 asking seriously and please don't laugh, I'm... this  
10 is not a gotcha moment, I'm just... you know it says  
11 eastern regional helicopter council right on it  
12 number one. Number two, you know it's based on  
13 something and of course we all use language but are  
14 you familiar with the end plan, input output model?

15 DAVID HOPKINS: I am not, Council Member  
16 I'm not an economist so no I... I don't know exactly...  
17 [cross-talk]

18 COUNCIL MEMBER ROSENTHAL: I'm not an  
19 economist... [cross-talk]

20 DAVID HOPKINS: I don't... [cross-talk]

21 COUNCIL MEMBER ROSENTHAL: Either...  
22 [cross-talk]

23 DAVID HOPKINS: I don't know exactly how  
24 the model works. I... I will tell you that... that EDC  
25 has done some internal look at impacts and our



2 numbers were similar to the numbers that the Rudin  
3 center found in terms of... [cross-talk]

4 COUNCIL MEMBER ROSENTHAL: Would you be  
5 willing to share those?

6 JAMES KATZ: Yes, of course, yes as we  
7 have shared other data with the council we will  
8 share that data as well.

9 COUNCIL MEMBER ROSENTHAL: Okay, it's  
10 based on a... so this study is based on a model that  
11 I don't understand that basically says that 70  
12 people have direct jobs which your number is now  
13 50, right? So maybe it's changed, I mean the data  
14 in the 2012 study is drawn from 2010 so let's start  
15 by being honest about just what it is, right? So  
16 it's a 200... 2010's data that was used to develop  
17 the 2012 report and at that time 70 people were  
18 employed and then using the end plan input output  
19 model we can translate this employment estimate  
20 into the estimates of direct output and earnings  
21 to... I guess... I mean I would need a PHD to  
22 understand that sentence but because of that  
23 sentence they're estimating the 21 million directly  
24 and I think it's because of 70 people who are  
25 employed use their earnings to spend money in the

2 city as I read it, I'm just trying to understand  
3 the study and be honest about what it is... [cross-  
4 talk]

5 JAMES KATZ: I believe that... [cross-  
6 talk]

7 COUNCIL MEMBER ROSENTHAL: And then they  
8 assume on top of that that it's 8,000 people come  
9 to New York only because of the tourist helicopter  
10 industry so of the 48 million people coming as  
11 tourists the assumption is 8,800 of them are coming  
12 for tourist rides and that's how we get the other  
13 16 million, I would just ask that EDC go back and...  
14 and actually look at the study that they're drawing  
15 from. I'd be interested in seeing other data  
16 analysis you have but I... I would as a non-economist  
17 say it's suspect so I'll leave it there, thank you.

18 CHAIRPERSON CONSTANTINIDES: Council  
19 Member Menchaca?

20 COUNCIL MEMBER MENCHACA: Thank you,  
21 let's go back to the 3-1-1 infrastructure and how  
22 they are taking calls from residents. So what I'm  
23 getting from twitter world and from direct messages  
24 to our office is that when they are asked to give  
25 the complaint in full they're asked if they have a

1  
2 specific sense, an idea about what this helicopter  
3 is, whether it's PD, if it's news or tourist and  
4 that they won't be able to essentially full... fully  
5 complete the complaint if it... if they don't know  
6 for sure, are you aware of this issue in the... and I  
7 know... I know there's some moves that happen but can  
8 you tell us about how... how the evolution of that  
9 conversation occurred within the city itself?

10 DAVID HOPKINS: So as I mentioned we  
11 examine each of the complaints and try to determine  
12 if those complaints are directly related to the  
13 tour helicopter industry and there's several key  
14 considerations, first of all it's the location of  
15 the complaint if the complaint is coming from  
16 Queens we know that it's not a tour helicopter it  
17 may be a charter helicopter headed to the Hamptons,  
18 it may be a corporate helicopter so we're really  
19 looking for the tour helicopters that are along the  
20 designated tour routes, the... the... there's no  
21 incentive for the tour operators to deviate from  
22 those routes and so we... that's the... sort of the  
23 first limbs that we look at the complaints through.  
24 The second is was the tour helicopter... was the  
25 helicopter that's being complained about hovering

2 and again there... there is no incentive for the tour  
3 operators to hover and... and those tend to be either  
4 electronic news gathering or NYPD operations and  
5 so... [cross-talk]

6 COUNCIL MEMBER MENCHACA: Well can i...  
7 [cross-talk]

8 DAVID HOPKINS: And so... [cross-talk]

9 COUNCIL MEMBER MENCHACA: Can I pause  
10 you there really quick because I don't have too  
11 much time for this question, this is the only  
12 question I have and then we're going to move on but  
13 I'm talking about at the... at the initial step of  
14 complaint to 3-1-1 not how you're analyzing this  
15 data, they won't even allow you to have that  
16 complaint move forward officially if one you don't  
17 know what the helicopter is and why would a New  
18 Yorkan [phonetic] necessarily know fully exactly if  
19 it's PD, news or tourist and then two if you're not  
20 at home say you're calling from your house, if  
21 you're in a park, if you're walking down the  
22 street, if you're riding your bike, playing soccer,  
23 whatever they won't take the complaint unless  
24 there's an address, is this true?

2 DAVID HOPKINS: So... so several years ago  
3 we did ask people to provide the helicopter  
4 identification number if they had it, we don't find  
5 that's necessary to track the vast majority of  
6 complaints so we don't ask for that anymore all we  
7 want to know is the location of the tour... of the  
8 helicopter, the time at which the complaint was  
9 observed and between those two things if the  
10 location is precise enough we can usually find an  
11 associated track in the port authorities tracking  
12 system for that... [cross-talk]

13 COUNCIL MEMBER MENCHACA: Got it...

14 [cross-talk]

15 DAVID HOPKINS: Particular helicopter.

16 COUNCIL MEMBER MENCHACA: And finally  
17 I'll just say there's a lot of discrepancy in what  
18 you're saying and what people are saying so this is  
19 what makes it very difficult for the data to stand  
20 strong and we're going to work with you, with this  
21 committee to continue understanding exactly what  
22 these complaints are and the barriers to those  
23 complaints through the 3-1-1 system, thank you.

24 CHAIRPERSON CONSTANTINIDES: Alright,  
25 with that I want to thank you for your testimony, I

1  
2 look forward to working with you as well, thank you  
3 for being here.

4 DAVID HOPKINS: Thank you very much.

5 CHAIRPERSON CONSTANTINIDES: Next up we  
6 have uh congress... honorable Congressman Jerry  
7 Nadler, honorable State Senator Daniel Squadron, Jo  
8 Anne... Senate woman Jo Anne Simon, Manhattan Borough  
9 President Gale Brewer if she's here at this time...  
10 not yet, okay. And Daniel Wiley representing  
11 congresswoman Nydia Velazquez.

12 SENATOR SQUADRON: And assembly member  
13 Simon had to leave but asked... [cross-talk]

14 CHAIRPERSON CONSTANTINIDES: Okay...  
15 [cross-talk]

16 SENATOR SQUADRON: that I... attach her to  
17 our comments.

18 CHAIRPERSON CONSTANTINIDES: Okay,  
19 wonderful. Samara?

20 ATTORNEY SWANSON: Can you please raise  
21 your right hand? Do you swear affirm to tell the  
22 truth, the whole truth and nothing but the truth  
23 today?

24 CONGRESSMAN NADLER: I do, yes.  
25

2 CHAIRPERSON CONSTANTINIDES:

3 Congressman, please.

4 CONGRESSMAN NADLER: Thank you very  
5 much, thank you Chairman Constantinides and I want  
6 to thank the committee for the opportunity to speak  
7 here today in this important issue and thank you to  
8 Council Members Rosenthal, Chin, and Menchaca for  
9 their leadership in introducing the badly needed  
10 legislation they're here to discuss today. I  
11 represent the tenth congressional district of New  
12 York much of the west side, lower Manhattan and  
13 part of Brooklyn. The downtown Manhattan heliport  
14 is located in my congressional district as oddly...  
15 as on many of the neighborhoods along the tourist  
16 helicopter flight paths including the west side of  
17 Manhattan and portions of the Brooklyn waterfront  
18 and Ellis Island, Governors Island, and Liberty  
19 Island. Like the council members who introduced  
20 legislations and like many of the elected officials  
21 who represent the neighbors along the tourist  
22 helicopter flight routes I receive 100's of calls  
23 each season from residents who are under constant  
24 barrage of noise from the helicopter flights taking  
25 off and landing from the downtown Manhattan

1  
2 heliport. I've long been critical of the wild west  
3 nature of our air space, the sheer numbers of low  
4 flying tourist helicopters over many of New York's  
5 cities neighborhoods has become intolerable. Low  
6 flying helicopters are loud and they create  
7 vibrations that rattle houses and make it  
8 impossible to find peace and quiet for residents.  
9 Our parks like Governors Island, Brooklyn Bridge  
10 Park and the Hudson River Park which you have a  
11 beautiful vistas and public spaces were meant for  
12 relaxation and recreation not to be helicopter  
13 flight paths. The residents of these neighborhoods  
14 did not sign up for this non-stop noise and  
15 nuisance which poses a serious threat to their  
16 quality of life. I have met with city and federal  
17 agencies and with the industries many times over it  
18 seems the last ten years to try to address these  
19 issues but clearly those were inadequate, more  
20 needs to be done because of the limited regulations  
21 on helicopter flights the federal government we  
22 have not been able to get them really into this,  
23 they... the FAA, the Federal Aviation Administration  
24 has a dual mode and we should change this, they are  
25 in charge of promoting and regulating, those are a



1 little contradictory and this is a classic case of  
2 regulatory capture. The... and... and they basically  
3 don't... will not regulate below 1500 feet no matter  
4 what because of the limited regulations and  
5 helicopter flights we've been reliant on voluntary  
6 flight paths and individual pilot compliance to  
7 restrict what is a significant quality of life and  
8 safety nuisance. For many years... an outright ban on  
9 tourist helicopters from the downtown heliport. The  
10 legislation we're discussing today would get at the  
11 very heart of the problem, the noise is so  
12 significantly impacts the quality of life for the  
13 residents along the flight paths and would prevent  
14 tourist helicopters to violate specified noise  
15 levels. Tourists don't come to New York city for an  
16 absorbingly priced 15-minute windshield view of our  
17 city, they come to experience Broadway, the Statue  
18 of Liberty, museums, our restaurants, and parks.  
19 The tourist helicopters which pose such a nuisance  
20 and disturbance to our residents are not what drew  
21 our visitors to New York. Tourist will still come  
22 to our city even if it... even if the tourist  
23 helicopters are banned and will spend those dollars  
24 instead in other venues. I cannot believe that  
25

1  
2 someone deciding I've got a week vacation up I live  
3 in Kansas City should I go to New York, should I go  
4 to London, should I go to San... Los Angeles and  
5 spend the week are going to decide that based on a  
6 ten or 15-minute helicopter flight. We've also  
7 heard some people say that... so I don't believe that  
8 you know you add up the... the... the money that is  
9 spent by the tourists which is part I believe of  
10 the economic analysis of EDC that really should be  
11 zero, that figure should be zero because those  
12 tourists are coming here anyway and in fact the  
13 money that they would spend on the helicopter  
14 flight they'll probably spend on a restaurant or a  
15 show or something else here so I don't think it  
16 makes any difference economically in that respect.  
17 We're also told that well if we were to ban  
18 helicopter flights at the air... at the... at the  
19 heliport here, it doesn't matter the helicopters  
20 would simply take off and land in New Jersey  
21 heliports right, someone is going to drive 40  
22 minutes which is the distance one has to drive  
23 minimally, 40 minutes to a heliport in New Jersey  
24 in order to get... and 40 minutes back so it's 80  
25 minutes to get... to take a 10-minute vacation... ten-

2 minute flight on a helicopter. I suppose there are  
3 a few such people but not many. Tourists will still  
4 come to our city and they will spend their dollars  
5 here banning tourist helicopter flights will  
6 improve the lives of many New York city residents  
7 immediate... immeasurably giving them relief from the  
8 constant barrage of noise and I believe strongly  
9 that it will not prevent people from continuing to  
10 come and experience all of what New York has to  
11 offer and against the proven problem to 1,000's and  
12 1,000's of New Yorkers what do we have, speculation  
13 and a report written by the industry that it is  
14 self-serving, this should not be too much of a  
15 struggle to decide the right thing to do and I  
16 again commend Council Menchaca and Rosenthal and  
17 Chin for their initiative in this and the committee  
18 for its hearing and thank you again for the  
19 opportunity to testify and I'm going to have to  
20 apologize and... and leave very shortly because I  
21 have other appointment.

22 CHAIRPERSON CONSTANTINIDES: Thank you  
23 Congressman, senator Squadron.

24 SENATOR DANIEL SQUADRON: Thank you very  
25 much, thank you to the chair very much for holding

2 this and actually before Congressman Nadler leaves,  
3 Congressman Nadler who has really since before I  
4 was in office and at every change along the way  
5 here creatively and aggressively done something  
6 about this so thank you... [cross-talk]

7 CONGRESSMAN NADLER: Thank you... [cross-  
8 talk]

9 SENATOR DANIEL SQUADRON: For that and...  
10 and to Council Member's Chin, Menchaca, and  
11 Rosenthal for your creative solution that is so  
12 significant and such... such a big step forward here.  
13 I'm... I'm just going to take a brief moment of  
14 history and I think it's important for the  
15 committee to be aware of, you know it used to be  
16 that non-essential tourist helicopter flights could  
17 be from the east side to the west side and that is  
18 no longer true, in 1997 as I'd like to call them  
19 proven socialist Rudy Giuliani banned non-essential  
20 tourist helicopter flights from the east side  
21 heliport the reason he did that the impact simply  
22 wasn't worth the benefit. In 2010 a law suit also  
23 took non-essential tourist flights out of the west  
24 side heliport to 30<sup>th</sup> Street and Hudson River Park.  
25 This is a classic instance of a policy that has

1 never worked for any neighborhood it has impacted  
2 anywhere in the city and now we have arrived at a  
3 fair share problem. The entire issue has been  
4 centered in one neighborhood in lower Manhattan and  
5 the surrounding areas around my district from  
6 Brooklyn Heights to Carroll Gardens, Cobble Hill, a  
7 piece of Red Hook and around the horn in upper  
8 Manhattan because policy makers for 20 years have  
9 not thought that this was an acceptable issue to  
10 have in their neighborhood. Downtown and the  
11 neighborhoods around it are now in a chop zone that  
12 means they endure the entire impact of tourist  
13 flights even though only a fraction as much was  
14 acceptable to Rudy Giuliani [sp?] and to the EDC  
15 itself as far back as 1999, in fact in 1999 the  
16 city's heliport and helicopter master plan which  
17 helped make the east 34<sup>th</sup> Street heliport non-  
18 essential tourist helicopter ban permanent said and  
19 by the way this was put out by the Economic  
20 Development Corporation, air tours however are not  
21 viewed as transportation and will not be supported  
22 at city owned facilities, that was the policy of  
23 the city in 1999. That unfortunately has changed  
24 and it's changed at the same time that on the west  
25

1 side tourist helicopters have gone away centering  
2 in lower Manhattan, in fact lower Manhattan was not  
3 supposed to have tourist flights beyond 2005  
4 according to EDC's 1999 master plan which means  
5 there's been an extra decade of this industry that  
6 has cost communities an enormous amount, that has  
7 had enormous impact on the billion dollar Harbor  
8 Park, the central park in the center of the city  
9 made up of Governors Island, Brooklyn Bridge park,  
10 Hudson River park and the Battery and a bunch of  
11 other extraordinary open spaces so I know it is  
12 difficult sometimes to change inertia but inertia  
13 in this case is deeply unacceptable. In fact what's  
14 changed since 1999? Well since 2001 we've had an  
15 entirely different range of security concerns here  
16 in the city of New York that seem and not to impact  
17 this decision, we've had that billion dollar Harbor  
18 Park built, we have boomed as a tourist economy  
19 even at the same time extraordinarily that the  
20 availability of tourist helicopter flights north of  
21 14<sup>th</sup> Street went away so apparently that did not  
22 kill our tourist economy, every change since 1999  
23 except for the administration in the city has  
24 changed in a way that would only strengthen the  
25

2 argument against tourist helicopter flights and yet  
3 we are here 16 years later arguing for a policy  
4 that EDC recommended 16 years ago that's not  
5 acceptable. The other point I want to make and I  
6 know time is short is this 3-1-1 number, you know I  
7 take some responsibility for that, Congressman  
8 Nadler and myself, Congressman Velazquez and a  
9 number of others saw this crisis looming when the  
10 west side... when tourist flights to the west side  
11 were going to be going away in 2010 and we worked  
12 with EDC, we created roots that were meant to  
13 lessen the impact, we also worked to make sure  
14 there was a 3-1-1 protocol for this and I have to  
15 say we've worked on the 3-1-1 protocol as recently  
16 as a couple of weeks ago. EDC now no longer  
17 requires tail numbers but only literally a couple  
18 of weeks ago and will no longer require tail  
19 numbers to accept a complaint. Have you ever tried  
20 to see a tail number on a helicopter that's  
21 directly over your head, blasting in your ears as  
22 your child says what is that... what is that, what's  
23 the problem? Very difficult. So the 3-1-1 has been  
24 a very important component of this but It's also  
25 been one that we know has never worked and I would

1 ask the committee and I would ask EDC why would you  
2 have more than 20 elected officials, two members of  
3 congress including one that stayed here for a  
4 couple of hours in order to testify for this.

5 Council members from Sunset Park to Queens and  
6 everywhere in between, I'm testifying on behalf of  
7 myself and Senator Hoylman right now, the Manhattan  
8 Borough President for an issue no one cares about,  
9 this is not an issue being generated by a small  
10 depocative [phonetic] lobbying group, this is not  
11 an issue being generated by the you know headlines  
12 that... that one gets you know an environment in  
13 which we're accused of... of... of strangling an  
14 industry this is an issue generated by our  
15 constituents and we are their local representatives  
16 so please understand that's why we're here today.

17 This is a very important piece of legislation, it's  
18 legislation that once upon a time the city of New  
19 York and EDC would of supported not too long ago.  
20 It's legislation that since then has only gained in  
21 a reason because of fair share, increase security  
22 concerns, increase use of the harbor and water  
23 front open space, and the fact that the coalition  
24 has never been broader. I hope the committee will  
25



2 move this legislation forward. Thank you for the  
3 opportunity to testify.

4 DAN WILEY: Thank you Chairman. I'm  
5 here... I'm... my name is Dan Wiley I'm Community  
6 Coordinator for Congresswoman Nydia Velazquez and  
7 I'm here to testify... deliver her testimony today.  
8 Congresswoman Nydia Velazquez, I applaud Council  
9 Members Menchaca, Rosenthal, and Chin for putting  
10 forth the sensible proposals to reduce helicopter  
11 noise that distrips [phonetic]... disrupts my  
12 constituents from Red Hook to Brooklyn Heights,  
13 Cobble Hill, Governors Island and lower Manhattan.  
14 It is long past time to reinstate a ban on tourist  
15 helicopters over New York City. Relentless  
16 helicopter noise is a quality of life issue for New  
17 Yorkers on both sides of the East River. Complaints  
18 of helicopter noise are constant with tourism  
19 season and warm weather the flow of helicopter  
20 complaints has increased dramatically and I point  
21 out to our offices more than just 3-1-1. Helicopter  
22 noise is not just an in-flight problem, each flying  
23 machine must warm up for half an hour on the ground  
24 at full throttle before it can safely take off, the  
25 blades make a strong reverberation that is felt

1 across the river because the river is narrow and  
2 the... the water amplifies the propeller's sounds and  
3 Brooklyn residents are bothered by helicopters as  
4 they warm up and take off. There can be 12  
5 helicopters on rotation on a good day, the constant  
6 flights also raise serious safety concerns. It is  
7 also clear that there are inadequate safety  
8 regulations for these tours. The federal aviation  
9 administration is only in charge of air space above  
10 1500 feet and does not log complaints about  
11 helicopter noise or urge pilots to avoid angering  
12 our neighbors. Currently air traffic control cannot  
13 see air craft below 1,000 feet as the city has many  
14 tall buildings and there's no ground radar. The FAA  
15 in fact discourages helicopters and small planes  
16 from flying any higher compounding the problem for  
17 residents. While the EDC manages the city's  
18 heliports it does so with only recommended routes.  
19 We have worked to find compromises on this issue  
20 with our colleagues in state and city government  
21 for years that have not addressed the core  
22 problems. I've attended meetings with the FAA  
23 administrators including the regional administrator  
24 Gallo with New York City EDC and my local  
25

1  
2 colleagues however with the increase in tour... in  
3 tourism and helicopter traffic all focused on one  
4 facility in downtown Manhattan, the lower Manhattan  
5 heliport due to the closure on the west side of  
6 Manhattan the problem has only become concentrated.  
7 The route from this heliport follows down a very  
8 narrow Buttermilk Channel between Governors Island  
9 and Brooklyn Heights Red Hook before turning to the  
10 Statue of Liberty and going north. We have tried  
11 compromises on this issue but the fact remains that  
12 the population densities simply makes helicopter  
13 tours a bad fit for our communities. Addressing  
14 this issue is a question of safety for helicopter  
15 users as well as those on the ground so to conclude  
16 the city's tourism will not suffer if there are no  
17 tourist helicopter rides, in fact the quality of  
18 life for those on the ground would improve and  
19 money would be spent in other ways, tourist can  
20 find equally spectacular views of the skyline from  
21 the Brooklyn Bridge or the Brooklyn Heights  
22 promenade without the noise and disruption that  
23 helicopters cause the community. Again I applaud  
24 Council Members Menchaca, Rosenthal and Chin for

2 these sensible proposals to reduce helicopter noise  
3 in our city, thank you.

4 CHAIRPERSON CONSTANTINIDES: Thank you  
5 for your testimony and your advocacy on behalf of  
6 your communities. A few questions from Council  
7 Member Rosenthal and then Council member Vallone.

8 COUNCIL MEMBER ROSENTHAL: Just very  
9 quickly Senator Squadron you've been working on  
10 this for so long, do you see... besides... don't... not  
11 thinking about what's been happening but just in...  
12 if there... if we had some real negotiations on the  
13 table what would... is there a negotiate... is... is  
14 there a middle ground possible would... or would you  
15 tweak this legislation in any way?

16 SENATOR SQUADRON: Well look, I think  
17 the legislation really is such creative and  
18 effective way to regulate something that... that we  
19 should have the power to regulate that is such an  
20 impact for city residents but they can sometimes be  
21 hard to... to regulate on the local level and... and...  
22 and it... it should be and so you know I wouldn't  
23 touch... touch that legislation from that point of  
24 view, I would point something out though that's  
25 important in the legislation otherwise in terms of

2 this sort of so called compromise, no... I have not  
3 heard anyone and I represent lower Manhattan,  
4 Council Member Chin represents lower Manhattan  
5 along with me, I've not heard anyone call for  
6 closure of the downtown Manhattan heliport. It  
7 serves an important role, we saw it with resiliency  
8 when we flooded in lower Manhattan, we know it's  
9 true in terms of media and law enforcement and so  
10 much else. No one is calling for a closure of  
11 downtown Manhattan heliport similar to the fact  
12 that the east side heliport here 18 years later is...  
13 is still running so I think that's an important  
14 sort or compromise acknowledgement that maybe we  
15 don't say often enough and so you know I... I think  
16 that point has to be clear.

17 [background comments]

18 COUNCIL MEMBER ROSENTHAL: [off mic]

19 Thank you.

20 CHAIRPERSON CONSTANTINIDES: [off mic]

21 Senator Squadron... [cross-talk]

22 SENATOR SQUADRON: [off mic] Thank you...

23 [cross-talk]

24 COUNCIL MEMBER VALLONE: I... I appreciate  
25 your coming and the testimony and it's good to see

1 that we're united beyond just our districts because  
2 when it comes to constituent complaints helicopter  
3 noise, airplane flights have become number one  
4 quality of life now all of northeast Queens,  
5 Queens, I mean as a reality involved we understand  
6 there's airports, we understand there's heliports  
7 but there's... there's an insanity that has developed  
8 now where there's an unreasonable ask for  
9 particular communities to shoulder the burden and I  
10 think that's why we have to stand together whether  
11 it's Queens, whether its Manhattan, whether it's  
12 Brooklyn to say that there needs to be regulations,  
13 it needs to stop and I'm asking for your help on a  
14 resolution for Albany to also ask the FAA because  
15 part of what today's hearing is and I think part of  
16 understanding it... it's not just the tours, it's  
17 part of the commercial routes, we have helicopters  
18 taking off from Manhattan that are flying up the  
19 east river that are disrupting Manhattan residents,  
20 Brooklyn coming over a story of Long Island city,  
21 College Point flushing Whitestone, Little Neck,  
22 Douglas and out to Long Island that have just been  
23 forgotten and part of this conversation and part of  
24 the people that are here today is to say we need  
25

2 that help to tackle this on Albany because how many  
3 times do we call and say it's got to be amended in  
4 Albany, it's got to be done on a federal level,  
5 it's got to... congressional help and are  
6 constituents and our neighbors is enough, you know  
7 we have to stand together so standing here as a  
8 council... with the council having this hearing is  
9 key, having your leadership fighting for this for  
10 years we thank you for that, we thank the  
11 Congressmen as for standing here and I think it's  
12 important for everyone that came today to know that  
13 we are all fighting together to finally address  
14 this issue.

15 SENATOR SQUADRON: It's an important  
16 point I was... I was proud because I know it... and  
17 know the outcome has not been as desired in some of  
18 your communities, I was proud to vote for the state  
19 legislation to create the Port Authority Noise  
20 Study around LaGuardia airport in fact you need to  
21 admit we actually spent quite a bit of time with  
22 the port authority figuring out how we could piggy  
23 back this helicopter issue into that study which  
24 turned out not to be workable but you know I think...

25 [cross-talk]

2 COUNCIL MEMBER VALLONE: And we... we  
3 appreciate... [cross-talk]

4 SENATOR SQUADRON: That... I...

5 COUNCIL MEMBER VALLONE: That and  
6 hopefully it comes back on...

7 SENATOR SQUADRON: and I... I think your...  
8 you know your statement I think the conversation  
9 we're having today that brief experience really  
10 does speak to the fact that we have a very dense  
11 growing city which is a wonderful thing but we  
12 can't ignore the people who live in that city as we  
13 grow and as we think about what activities are... are  
14 more and less appropriate. This is true in the  
15 LaGuardia Airport as it is in the areas around the  
16 sole place in Manhattan from which tourist flights  
17 are allowed to originate in now because of policy  
18 decisions made by the city, thank you.

19 COUNCIL MEMBER VALLONE: Thank you very  
20 much.

21 CHAIRPERSON CONSTANTINIDES: Thank you  
22 Council Member Vallone and again Senator Squadron  
23 and... and Mr. Wiley representing Councilwoman Nydia  
24 Velazquez, thank you for your advocacy on behalf of  
25 the communities, thank you for your advocacy for



1 the city of New York. We appreciate you coming here  
2 to testify today, thank you. Next panel I do want  
3 to reiterate the... the need for us to try to be as  
4 succinct as possible to... we're going... we are going  
5 to set up a clock moving forward, we do want to  
6 make sure that we are keeping to... here we go... to a  
7 clock in order to keep things moving here from  
8 everyone today because we want to make sure all  
9 parties are heard from in a meaningful way. So next  
10 we're going to have Michelle Keller first vice  
11 president for D.C. 37 Civil Service Technicians,  
12 Susan Shin D.C. 37, Craig Abruzzo Stop the Chop,  
13 and Sarah Sweeney from Stop the Chop. And just to  
14 make sure that they're in the room for the next  
15 panel, the next panel will be Brian Tolbert, Chris  
16 Vellios, Sam Goldstein and Ron Riccardi so please  
17 if you're on that list please be ready to testify  
18 as part of the next panel. Thank you.

19  
20 ATTORNEY SAMARA SWANSON: Can you please  
21 raise your right hand? Can you please raise your  
22 right hand? do you swear affirm to tell the truth,  
23 the whole truth and nothing but the truth today?

24 [combined affirmations]

2 CHAIRPERSON CONSTANTINIDES: Alright,  
3 I'll begin with Miss Sweeney.

4 SARAH SWEENEY: Hi.

5 CHAIRPERSON CONSTANTINIDES: Please  
6 speak into the microphone, thank you.

7 SARAH SWEENEY: Pardon me. Good  
8 afternoon. Thank you Chair Constantinides and the  
9 New York City Council Committee on Environmental  
10 Protection for allowing me to testify on this  
11 important issue today. My name is Sarah Sweeney and  
12 I have lived in New York city for over 15 years now  
13 in fact I went to Pace University right across the  
14 street and I work as a voice over actor which is an  
15 extremely competitive field. I record many of my  
16 auditions and audio projects from a studio in upper  
17 Manhattan in Washington Heights however in recent  
18 years the sheer number of helicopters flying  
19 overhead has grown tremendously. The noise of these  
20 helicopters is heard clearly through my microphone  
21 and disrupts every single session. The unwelcome  
22 sounds force me to stop recording, discard what  
23 I've done and wait for them to pass before I can  
24 restart each session. Throughout most of the day  
25 this problem occurs as often as every two to three

2 minutes which as you can imagine leads to hours of  
3 wasted work each week. My voice is my income and  
4 the constant buzz of helicopters flying overhead is  
5 quite literally drowning out my ability to work.  
6 There needs to be some change to this endless  
7 disruption for the sake of my work, my neighbor's  
8 ears and our city's soundscape, please pass bills  
9 858 and 859 to help secure my livelihood and the  
10 livelihoods of countless other New Yorkers who are  
11 negatively impacted by these helicopters. Thank  
12 you.

13 CHAIRPERSON CONSTANTINIDES: Thank you,  
14 Mr. Abruzzo.

15 CRAIG ABRUZZO: Good afternoon. My name  
16 is Craig Abruzzo, I live at 187 Hick street in  
17 apartment 60 in Brooklyn Heights with my wife,  
18 Deborah Jean and my two children, Francesca who is  
19 two and Jasper who is four months old. I am a  
20 native New Yorker, I was born in Brooklyn and  
21 raised in Queens and I've lived in Brooklyn Heights  
22 for the better part of the last 15 years. I'm here  
23 today as the vice president of Stop the Chop to  
24 talk about discourage of carpet bagger helicopter  
25 tours that clutter our skies. First I want to thank

2 the New York city council committee on  
3 environmental protection and Chair Constantinides  
4 for this... for having this hearing on an issue that  
5 affects me and countless other individuals and  
6 families in New York City. Stop the Chop is a  
7 coalition of community groups residents and  
8 neighborhood activists that are fighting to protect  
9 New York City from this plague of sightseeing  
10 helicopter tours. These tours not only produce  
11 excessive noise pollution but also bring with them  
12 a host of quality of life issues which include  
13 health, environmental affects, and safety concerns.  
14 Over the past five years there have been a steady  
15 increase in tourist helicopter traffic to the point  
16 where today there's a constant pounding of  
17 helicopter traffic seven days a week. The sheer  
18 number of flights is extraordinary between take  
19 offs, landings and idling copters there is a  
20 constant den of noise. There is not a place in the  
21 neighborhood that you can go to avoid the incessant  
22 thud of the copter blades. At home leaving our  
23 windows open on a beautiful day is not an option,  
24 it is as though we live in an episode of Mash  
25 except for there's no laughter. It is clearly with...

1 a distraction for our children as well who's  
2 playtime is often interrupted by the sound of  
3 helicopters buzzing our building. Any outdoor  
4 activity in the neighborhood is also affected by  
5 the drone of these helicopters. There is not a  
6 street or park that can escape the noise.  
7  
8 Pierrepont Street playground for example which is  
9 adjacent to the promenade is ground zero because of  
10 its proximity to the heliport and the surrounding  
11 buildings the noise seems to be amplified not only  
12 is it subjected to the take-off and landing but you  
13 can clearly hear the copters on the helipad idling  
14 waiting to take off. It is truly a constant  
15 onslaught of noise; this is the playground to which  
16 I take my two-year-old daughter. The constant roar  
17 of the tour copters is a huge distraction and quite  
18 often we have to stop talking to each other and let  
19 a copter pass because it is too loud to hear each  
20 other. It is hard to describe what the experience  
21 is like but I would invite you all to drop by the  
22 playground at any day of the week and I do mean any  
23 day of the week because the flights fly seven days  
24 a week all day, every day. What you will hear will  
25 shock you, it is hard to believe that these flights

1  
2 have been allowed to continue for so long. As I  
3 stand in the playground I cannot help but think of  
4 the reports that I have read that cite the effects  
5 of constant noise on... that can have on children, I  
6 now worry for my children and their development.  
7 These studies show that there's a unique quality to  
8 helicopter noise and the constant den of these  
9 helicopters can cause developmental delays,  
10 learning disabilities, recognition memory issues,  
11 increase... and increase cardiovascular stress. The  
12 thought that my and other children are affectively  
13 being hurt in some way by these helicopter tours  
14 every day is nothing... and nothing is being done  
15 about it is both shocking and hurtful. These  
16 excessive flight sightseeing tours also cause  
17 effect... health effects in adults, aside from the  
18 sleep deprivation we all must endure. The excessive  
19 noise pollution can cause increase in hypertension  
20 in adults which studies show then medicated... are  
21 then medicated at a higher rate than those who are  
22 not subjected to such a noise pollution. Equally  
23 concerning is the shoddy safety history of the  
24 sightseeing tour industry, with... the incredible  
25 volume of unregulated daily flights it is only a

1 matter of time before there's another accident.  
2 From 1997 to 2011 there were five accidents that  
3 resulted in upward of 10 fatalities and other  
4 serious injuries to the tourists that take them.  
5 When I look out over the harbor it is just  
6 incredible to see how many there are in the air at  
7 any given moment. There's also no security for  
8 passengers that get on these flights as well as no  
9 TS... mandated TSA security scans screenings for... for  
10 them prior to boarding. Passengers are checked for  
11 weapons with a wand but that is all, with  
12 unobstructed access to the pilots and these  
13 helicopters the lack security and the buildings and  
14 monuments they fly around make these air crafts  
15 prime targets or for individuals with malintent  
16 towards the city. Furthermore, the excessive  
17 helicopters... excessive helicopters are helping to  
18 increase the emissions in our atmosphere in pumping  
19 cancer causing agents into the air as they  
20 uselessly buzz around our homes and neighborhoods.  
21 At... at a time when the city is doing all it can to  
22 cut emissions and be more environmentally friendly  
23 we should eliminate these air crafts and the  
24 negative effects they have on the atmosphere and  
25

1  
2 our greenhouse gasses. Lastly, there's a laughable  
3 claim that these purveyors of noise make relating  
4 to their contributions to the united... to the New  
5 York economy, these carpet baggers posit that their  
6 business contributes an upwards of 30 million  
7 dollars to the New York economy this number is both  
8 disingenuous and cynical. The math assumes that if  
9 not for the heli-tours these tourists would not  
10 come to New York city in addition to the amounts  
11 paid to take the tour they try to take credit for  
12 the entire amount the tourist spends in New York  
13 City and we can all agree that simply isn't true or  
14 fair accounting. While the exact number... their  
15 exact economic contribution is unclear I feel it  
16 is... I feel confident in saying that these tourists  
17 taking these sights did not come to New York city  
18 exclusively for the tour. Intros 858 and 859 will  
19 finally address this issue and eliminate these  
20 excessive air crafts. By barring take-off and  
21 landing of... by sightseeing helicopters that meets  
22 stage three noise requirements which is 82 decibels  
23 the city owned... from city owned helipads the city  
24 council will be helping the millions of New Yorkers  
25 that suffer through these tours annually and daily



2 and hourly. These companies did not reduce their  
3 noise pollution as they said they would and they  
4 didn't in the past and now a complete elimination  
5 is the only option in an industry that did not act  
6 in good faith and had many opportunities to do so.  
7 Thank you again for the hearing today on this  
8 important issue. I look forward to the city council  
9 resolving this issue and making the city a safer,  
10 healthier and more environmentally friendly place  
11 for everybody, thank you.

12 CHAIRPERSON CONSTANTINIDES: Miss  
13 Keller.

14 MICHELLE KELLER: Good afternoon  
15 Honorable Chairperson Costa Constantinides and the  
16 legislator of these bills. We stand in support of  
17 intro adoption of 858 and 859. My name is Michelle  
18 Keller-Ng first vice president of the Civil Service  
19 Technical Guild District Council 37, 7,000  
20 wonderful technical professional municipal  
21 employees and 35 agencies across the city reaching  
22 as far up as New York state. Greetings from Claude  
23 Fort, President. Today we want to join our  
24 community partners and demand true to our  
25 bargaining contract a safe, secure and adequate

2 working environment. Such conditions have been  
3 lacking over the past several months. At 55 Water  
4 Street not very far from here our employees of the  
5 department of transportation toil every day gazing  
6 out their picture windows they look at a very busy  
7 heliport moving planes hourly on pier six  
8 complaints of poor air quality have been consistent  
9 and regularly reported to the agency. Many of the  
10 symptoms of discomfort include breathing  
11 difficulties, skin and eye irritation and  
12 headaches, some members have to remove themselves  
13 from the environment completely to bring relief  
14 from noxious fumes. This has a serious impact on  
15 the worker's productivity fortunately this agency  
16 meets in labor management sessions with a mem... with  
17 a number of different locals. Our district council  
18 37 safety and health department is a fantastic  
19 resource documenting, tracking and helping to  
20 resolve these matters in a timely fashion. Our  
21 local has been told that air quality monitoring  
22 hasn't shown any legal levels of contaminants,  
23 indisputable and that the exhaust fumes from the  
24 helicopters aren't getting into the building. At  
25 least 100 flights a day lift out of this heliport,

1 where does the exhaust go? 200 members potentially  
2 at risk and 10 to 15 members too close for comfort  
3 on a fifth floor area just behind the heliport.  
4 D.C. 37 safety and health has requested an  
5 investigation by NIOSH, the National Institute of  
6 City Occupational Safety and Health and they have  
7 begun their investigatory process. Additional  
8 samplings and... and analysis will offer their  
9 recommendations. Cooperative and concerned DOT  
10 Safety Director, John Massey had provided NIOSH  
11 with the full specifications on the buildings  
12 ventilation system. The consultant hired by DOT  
13 bridges environment is supposed to return to assess  
14 the ventilation system in the next month or two. We  
15 don't go to work to die, when we leave home for  
16 work we all expect to return home, reunite with  
17 family and enjoy life now just imagine a hazard you  
18 cannot see, you cannot touch and you cannot smell  
19 but while at work you breathe it in totally unaware  
20 that it is attacking your lungs and may even be  
21 causing some damage. We need your assistance and  
22 advice city council not only for our employees but  
23 for the community at large. Thank you for hearing  
24  
25

2 us today and now let us all take just a simple deep  
3 breath.

4 CHAIRPERSON CONSTINIDES: Susan Shin.

5 SUSAN SHIN: Good afternoon. I'm here  
6 on behalf of... who is our Director of Safety and  
7 Health at D.C. 37. On behalf of the 121,000 members  
8 and 50,000 retirees of D.C. 37 the everyday heroes  
9 that make New York city run I want to thank Chair  
10 Costa Constantinides and the members of the New  
11 York City council for the opportunity to testify  
12 before you. D.C. 37 is the city's largest public  
13 employee union and I am here to speak on behalf of  
14 our members who are employed in over 1,000 job  
15 titles in dozens of city agencies and 1,000 of work  
16 sites throughout the five boroughs of New York.  
17 Nearly 700 D.C. 37 members work for the Department  
18 of Transportation in the agency headquarters at 55  
19 Water Street an office building which is located  
20 directly across the FDR drive from the downtown  
21 heliport. Ever since the DOT employees occupied  
22 offices at 55 Water Street union members employed  
23 as clerical associates, civil engineers, city  
24 planners and project managers among other titles  
25 have expressed concern about intermittent exposure

2 to strong chemical odors in their office  
3 environment in response to an information request  
4 from the union DOT provided more than 1200  
5 employees complaints about odors and fumes that  
6 have been submitted to the agency's internal help  
7 desk. I'll just mention some of them; April 18<sup>th</sup>,  
8 2011 staff worker complaining today of headache and  
9 nausea associated with a heavy odor of fumes today  
10 on the south side of 55 Water Street which is on  
11 the fourth floor. May 7<sup>th</sup>, 2013 at 11:05 we had to  
12 leave our work area due to fumes and feeling sick,  
13 we returned at 11:35 and the fumes are still  
14 present, we are leaving work area again. April  
15 29<sup>th</sup>, 2015 last night after 5:30 fumes permeated  
16 the 6<sup>th</sup> floor perhaps from the helicopters, I  
17 developed a headache and was ill all evening still  
18 have remnants this morning, what can be done about  
19 this. The parent source of these odors is engine  
20 exhaust from the dozens of helicopters taking off  
21 and landing each day at the downtown heliport. The  
22 exhaust is sucked into the air intakes for the  
23 building ventilation system at 55 Water Street and  
24 then is circulated to the office spaces within the  
25 building. Based on the volume of complaints the

1  
2 problem seems to be most acute on the 5<sup>th</sup> floor  
3 although complaints have come from every DOT  
4 occupied floor. We believe that other tenants at 55  
5 Water Street and tenants of neighboring buildings  
6 may be experiencing similar problems. Significant  
7 public resources have already been expended in an  
8 effort to address the situation. The issue has been  
9 discussed at several meetings of the joint Labor  
10 Management Safety and Health committee at DOT. the  
11 New York state department of labor's public  
12 employee safety and health bureau conducted two  
13 inspections in 2012 and 2013, New York city DOT has  
14 paid expert consultants to perform environmental  
15 sampling and to assess the design of the building's  
16 ventilation system. New York city DOT has paid to  
17 retrofit charcoal filters and ionization devices  
18 onto the building's ventilation system. Over two  
19 days last August DOT management and labor  
20 representatives accompanied investigators from the  
21 national institute for occupational safety and  
22 health on a comprehensive investigation of the  
23 occupied office spaces and to the building's  
24 mechanical spaces and more than 30 DOT employees  
25 were interviewed by medical staff from the centers

2 for disease control. Based on the activities  
3 outlined it appears New York City DOT is making  
4 every reasonable effort to address this difficult  
5 problem unfortunately our joint efforts have been  
6 hampered by the fact that the chemical components  
7 of the exhaust appear to be present at  
8 concentration below an established permissible  
9 exposure limit. Most occupational exposure limits  
10 are calculated based on the average exposure over  
11 an eight-hour shift and have remained unchanged for  
12 decades despite advances and understanding of the  
13 health effects of chemical exposures. While the  
14 chemical concentrations may be below action levels  
15 the exposure of DOT employees to helicopter exhaust  
16 is not harmless as evidenced by the symptoms  
17 experienced by our members on any given day. Some  
18 members who are most sensitive have requested  
19 reasonable accommodations and have been relocated  
20 to other work locations however many members are  
21 still assigned to work at 55 Water Street and  
22 continue to complain about headaches and  
23 respiratory irritation. The long term health  
24 effects of these exposures are also of concern.  
25 Eliminating sightseeing helicopter traffic from the

2 downtown heliport will not completely solve this  
3 problem but it will greatly reduce the exposures  
4 experience by D.C. 37 members employed at the DOT  
5 headquarters. For this reason, D.C. 37 supports  
6 adoption of intro 858 and 859. Thank you.

7 CHAIRPERSON CONSTANTINIDES: Thank you  
8 for your testimony just quickly first stop for Mr.  
9 Abruzzo and Miss Sweeney, in your opinion is there  
10 any other solution here beyond these two bills or  
11 any other way that we can come to an agreement that  
12 we can protect the quality of life and that's...  
13 that's what we've been asking... that's what been  
14 sort of asked of EDC... [cross-talk]

15 SARAH SWEENEY: Right... [cross-talk]

16 CHAIRPERSON CONSTANTINIDES: I want to  
17 make sure I... and I'll be asking the industry a very  
18 similar question but is there another way here  
19 beyond these... this legislation in your opinion?

20 SARAH SWEENEY: I mean honestly I  
21 believe it was Mr. Squadron who mentioned earlier  
22 that no matter where you put the helipads no  
23 neighborhood should endure this noise. I... I mean I...  
24 I... I don't have an answer.



2 CRAIG ABRUZZO: I... I think that's a good  
3 point there, there's no... if there's nowhere else  
4 for them to leave from then I don't know of a  
5 solution. There are enough other traffic leaving  
6 from there the... these... the volume that these guys  
7 bring is... is... is out of control but there's other  
8 traffic that's there as well to reduce the volume  
9 you have to reduce it to such a level that would  
10 effectively put them... ban them anyway and I don't  
11 really see a solution other than A ban. If these...  
12 in my opinion and obviously I'm biased there... there  
13 is... they don't bring much value to the city at all,  
14 I mean I've only spoken to people who are tourists  
15 in our neighborhood, we have many tourists in our  
16 neighborhood who hear the noise and complain about  
17 it and they're tourist so I don't... I don't see the  
18 value in this... in this industry and I'm sorry for  
19 the 219 people who'd lose their jobs but that's  
20 definitely letting the tail wag the dog in this  
21 situation, there are 219 people. There are... to have  
22 all of these legislators from federal, city and  
23 state level come here today to talk about this  
24 obviously it's a large issue, 219 jobs is not worth  
25 letting that tail wag the dog.

2 CHAIRPERSON CONSTANTINIDES: And so the...  
3 the... my next question would be Manhattan... if you  
4 could touch a little bit on it and talk a little  
5 bit about the work issues you're having and talk... I  
6 mean I have a six-year-old myself being able to  
7 enjoy the parks is an important issue how else has  
8 this effected quality of life, what other... I mean  
9 I've heard many... we have lots of different e-mails  
10 and correspondence but in your own words talk to me  
11 about some of the other issues you've heard from...  
12 from people in your organization that... how their...  
13 how their quality of life has been affected?

14 SARAH SWEENEY: Just to let the record  
15 show this is not my organization, I... [cross-talk]

16 CHAIRPERSON CONSTANTINIDES: Okay, I  
17 apologize... [cross-talk]

18 SARAH SWEENEY: Yeah... [cross-talk]

19 CHAIRPERSON CONSTANTINIDES: But your...  
20 your fellow residents and yourself?

21 SARAH SWEENEY: Absolutely, I've... I...  
22 [cross-talk]

23 CHAIRPERSON CONSTANTINIDES: From first-  
24 hand knowledge... [cross-talk]

2 SARAH SWEENEY: There have been times  
3 that my husband and I will be having dinner in our  
4 home with the windows closed and we just stop  
5 talking because we're just waiting for the noise to  
6 pass by because it's not worth shouting at one  
7 another. I mean other than trying to make a clean  
8 recording for my work I just find you know this can  
9 wake us up if its early or in the evening and in  
10 general it... it really boils down to a quality of  
11 life issue.

12 CRAIG ABRUZZO: So I... so I know of other  
13 members of the... of the group who have serious  
14 hypertension issues because of the noise, the  
15 constant noise and it's disturbing that... that these  
16 health issues are just sort of ignored but I do  
17 know that there are serious health effects on  
18 people in the group and that's one of the reasons  
19 why there's so many in the group. Personally for me  
20 it's a quality of life issue, I've lived in the  
21 neighborhood for 15 years it's getting to the point  
22 where we're really thinking about leaving the  
23 neighborhood because of the... of the noise and the  
24 economic impact of people who live in the city who  
25 are looking to leave the city I think would

2 definitely be greater than the impact that this  
3 industry brings to the city because people  
4 seriously consider leaving and I think that the  
5 city council should think about the impact that it  
6 has on the residents and their decision to stay,  
7 you want people to stay and raise families if they  
8 make it unbearable for them they're just going to  
9 move to the suburbs.

10 CHAIRPERSON CONSTANTINIDES: Council  
11 Member Menchaca.

12 COUNCIL MEMBER MENCHACA: Thank you  
13 Chair and I also wanted to explore options and  
14 some... I'm thankful that... that you were able to kind  
15 of answer what other options we have and the kind  
16 of creativity that you're wanting to bring to the  
17 conversation and for D.C. 37 I'm kind of curious  
18 about the... the data and you... you've mentioned a  
19 report that... that came out of a... and remind me  
20 again what... how long ago was that report done on  
21 air quality?

22 SUSAN SHIN: There were two inspections...  
23 [cross-talk]

24  
25

2 COUNCIL MEMBER MENCHACA: Well there's  
3 two inspections, right so there's... there's a 12 and  
4 13?

5 SUSAN CHIN: Yes.

6 COUNCIL MEMBER MENCHACA: Are there any  
7 plans to do further inspections?

8 SUSAN CHIN: Well NICOSH came in  
9 apparently and they're waiting... we're awaiting the  
10 results. It takes about six months for them to  
11 generate a report so we're anxiously awaiting their  
12 report.

13 COUNCIL MEMBER MENCHACA: Great, thank  
14 you. Can you share with us a fuller... fuller version  
15 of the report on the air quality components?

16 SUSAN SHIN: I would have to talk to our  
17 director of safety and health so once we get it I'm  
18 sure we will be able to share that with you.

19 COUNCIL MEMBER MENCHACA: Great, thank  
20 you. And then I kind of want to ask Craig about...  
21 there's a lot of discussion about 3-1-1 calls and  
22 can you tell us a little bit about data maybe that  
23 you might have that talks a little bit about the  
24 process in which we're all talking about regarding  
25

2 the 3-1-1 interactions and the requirements that  
3 are necessary for a full complaint to go through?

4 CRAIG ABRUZZO: Sure, so it is a very  
5 frustrating process. I generally text my complaints  
6 and in the text I tell them that... where I am if I'm  
7 in the park they will not accept the call so I have  
8 to give them an address which isn't relevant  
9 because if I'm in Brooklyn Bridge Park and I give  
10 them my home address it's not accurate, that's not  
11 where the noise complaint is and if I tell them I'm  
12 in the Pierrepont Playground they also won't take  
13 the... they won't take the complaint.

14 COUNCIL MEMBER MENCHACA: So they refuse  
15 your... your call completely... [cross-talk]

16 CRAIG ABRUZZO: they say we cannot  
17 accept your complaint unless you give us an  
18 address. And not an address of... my address, an  
19 address of where I am so that doesn't seem to make  
20 any sense and then if... they also ask what type of  
21 helicopter is it and I... and they say is it a police  
22 helicopter, a tourist helicopter, or other and  
23 frankly I... I default to tourist helicopter but I  
24 don't know, I look up in the sky it's a helicopter,  
25 it's making noise and if I... they won't take... I

1 don't... and if it... I don't say tourist helicopter  
2 they... I get a different response; I get a response  
3 saying that it was submitted to the police or  
4 whomever the only... when I say specifically it's a  
5 tourist helicopter do I get a response that it was  
6 submitted CDC... or the EDC. So I'm assuming that a  
7 lot of the complaints that they get are just it's a  
8 helicopter, I don't know what it is and they don't  
9 know specifically about the EDC arrangement with 3-  
10 1-1 to log those complaints if they're specifically  
11 denoted as tourist helicopters.  
12

13 COUNCIL MEMBER MENCHACA: Got it.

14 CRAIG ABRUZZO: yeah.

15 COUNCIL MEMBER MENCHACA: And this is an  
16 important piece that's constant... [cross-talk]

17 CRAIG ABRUZZO: yeah... [cross-talk]

18 COUNCIL MEMBER MENCHACA: Constant theme  
19 through this discussion is understanding the data  
20 and there's a lot of data being put on the table  
21 and you're saying that there's a discrepancy..  
22 [cross-talk]

23 CRAIG ABRUZZO: I think it's... [cross-  
24 talk]

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2 COUNCIL MEMBER MENCHACA: And even...

3 [cross-talk]

4 CRAIG ABRUZZO: completely faulty, yeah.

5 COUNCIL MEMBER MENCHACA: It's faulty,  
6 got it, thank you.

7 CHAIRPERSON CONSTANTINIDES: Thank you  
8 Council Member Menchaca. We were joined previously  
9 by councilmember Eric Ulrich. We are currently  
10 joined by our public advocate, Letitia James, thank  
11 you public advocate... madam Public Advocate for  
12 being here.

13 PUBLIC ADVOCATE JAMES: Thank you.

14 CHAIRPERSON CONSTANTINIDES: And I'm  
15 about to call her up, yes. So thank you panel for  
16 your good testimony, we appreciate your advocacy...

17 [cross-talk]

18 COUNCIL MEMBER MENCHACA: Thank you very  
19 much... [cross-talk]

20 CHAIRPERSON CONSTANTINIDES: On behalf  
21 of your members and your... your... fellow residents  
22 and neighbors, thank you. Next up very quickly  
23 before our... our next panel I'll... I'll bring up the  
24 Manhattan Borough President, Gale Brewer.

25



2 BOROUGH PRESIDENT BREWER: Thank you  
3 very much. Thank you very much. I'm joined here by  
4 just so you know Matthew Washington whose deputy  
5 Borough President and I want to thank the chair and  
6 everyone whose here today. Downtown Manhattan  
7 heliport I believe handled over 56,000 sightseeing  
8 helicopter flights in 2014 so it's no wonder that  
9 oppressive disorienting noise has become an ever  
10 present part of our life for many constituents. I  
11 think you know that as council member for maybe, I  
12 hate to say ten years we worked with EDC and  
13 colleagues at all levels to come up with a  
14 sightseeing plan and we released it April 29<sup>th</sup>,  
15 2010 that was after many many meetings and it  
16 eliminated the short tours, the banned flights... it  
17 banned flights over central park and the empire  
18 state building and mandated a route above water  
19 whenever possible. We requested that the FAA  
20 require that helicopters prominently display their  
21 registration number in a large legible font on the  
22 underside of the air craft much as city busses have  
23 their number on the roof and to answer your 3-1-1  
24 call and question the issue there is that when you  
25 make a 3-1-1 call even with binoculars on a west

1  
2 83<sup>rd</sup> Street building as people here do you have no  
3 idea what the helicopter is because you cannot  
4 identify it so that's the problem with... not only is  
5 it a problem being in the park it's also a problem  
6 even if you're at your home. As I said that request  
7 for the numbers was not honored and in 2014, 2015  
8 we all hear about Shakespeare in the park  
9 organizers complaining, theatre goers they are  
10 complaining and certainly as I know, Council Member  
11 Chin knows we've gotten a lot of complaints on  
12 Governors Island and from the school. I must admit  
13 and I'll tell you this honestly a lot of city  
14 employees complained to us but they won't say  
15 anything publicly so you will find many city  
16 employees who care desperately about the people  
17 whom they serve will not say anything. So we're  
18 doing it for them as well as constituents in  
19 general I'm... we heard earlier from Washington  
20 Heights but also in Harlem community board 10 has  
21 had a huge increase through them, 3-1-1 complaints  
22 regarding helicopters and I don't need to tell you  
23 more about upper west side and lower Manhattan  
24 constituents who call their neighborhood the wild  
25 wild west because of the helicopter noise and we

1  
2 hear about walls cracking and pieces of art falling  
3 off the wall because of low flying helicopters and  
4 central park is the same issue. We don't know who's  
5 flying there, we believe... we were told after  
6 hundreds of meetings no tourism over central park  
7 but because we don't know for sure and because it  
8 is a constant overflight we don't actually know and  
9 it's not a law, it was simply a memorandum of  
10 understanding. I also want to just like everyone  
11 else testify in support of intro 858 and intro 859  
12 and you know what it will do, it was a very  
13 creative solution to trying to figure out how to  
14 deal with the downtown heliport. We know that these  
15 bills respond to the fact that the plan that we  
16 came up with in 2010 which had required helicopters  
17 to transit the Hudson River at 1500 feet or above,  
18 I'm not saying it happens I'm just saying that's  
19 what was in the memorandum and it's not really a  
20 law, it was something that we just worked out so  
21 there's nothing that... there's no carrot there and I  
22 think within the Hudson River special flight rules  
23 area which covers all of the Hudson River between  
24 the Verrazano Bridge and the Armstrong Tower in New  
25 Jersey all local area aircraft operations including

2 helicopters are supposed to fly below 1,000 feet  
3 meaning sea level so in effect sightseeing  
4 helicopters can fly as low as they... as they see  
5 fit. The FAA allows and so you can see that our  
6 memorandum did not have a stick. So we know the  
7 helicopters are held to a noise standard  
8 substantially more lax than the city noise code  
9 under federal regulations depending on certified  
10 maximum take-off weight, a stage three helicopter is  
11 subject as you know to noise limits ranging from 82  
12 decibels measured at sound exposure level up to 109  
13 decibels when on its approach to landing and  
14 whether it is 82 decibels or 109 decibels  
15 helicopters are permitted to make noise levels at...  
16 levels two or three times the 42 decibels limit for  
17 background noise or HVAC devices which is what our  
18 noise call... code in New York City calls for. I know  
19 I've met with... with groups like Eastern Regional  
20 helicopter council in the past and they've been  
21 very cooperative but they have their own agenda and  
22 helicopter jobs and tourism council known as  
23 previously as Helicop-Matters and they continue to  
24 iterate and talk about the loss of jobs and annual  
25 tourism revenue but instead of reigning in its

1  
2 worst practices this industry commissioned its own  
3 survey attempting to downplay its impact vis-à-vis  
4 other quality of life complaints. At the same time  
5 helicopter tour operators continue to advertise  
6 quote "private flight time and custom route"  
7 unquote deals such as a 30 minute six-person tour  
8 for 2100 dollars offered by one of the two  
9 operators and these trips do circumvent the  
10 sightseeing routes regulation set forth in 2010 so  
11 we're not dealing with a collaborative process. I  
12 think we can talk about the security issues, I know  
13 that people do get checked before they go up into  
14 the helicopter but there is a security issue and we  
15 know what happened, I don't want to bring up 09-11  
16 but it comes up. I want to talk about the impact  
17 and risks of allowing helicopters to operate in  
18 this barely regulated wild west environment, we  
19 really do need strong controls and 858 and 859  
20 represent a solid step in that effort. The tours in  
21 particular because we're never going to  
22 understandably get rid of some of the airport  
23 connectors and the police and the press but the  
24 helicopter tours are not essential to national air  
25 transportation, they're not aligned with the

2 quality of life interest of our communities and  
3 constituents, they're not consistent with the  
4 federal objective of a safe and efficient air space  
5 for the most congested skies nationwide, they're  
6 not a form of interstate or foreign commerce and  
7 intro 858 I believe as you know is within the  
8 spirit of the federal airport noise and capacity  
9 act of 1990, I see no reason for the Secretary of  
10 Transportation to reject the stage three  
11 sightseeing helicopter ban proposing this bill.

12 There should be many clear, valid and prudent  
13 reasons to do so. So I applaud the two bills I just  
14 wanted to add that I don't think that New Yorkers  
15 who are tourists, people coming to New York,  
16 tourists will go to New Jersey which is also what  
17 we've been told in order to take a helicopter ride  
18 to look at our city and that's been another reason  
19 why we couldn't possibly limit and get rid of the  
20 lease at the downtown heliport which is what we  
21 should do. So I want to say that reasonable levels  
22 of peace and quiet as well as public safety should  
23 not come second of the profits of those who claim a  
24 right to sacrifice these essential qualities for  
25 personal reimbursement and revenue so thank you for

2 the opportunity like I said I support these two  
3 intro's, I do think that this is a... a real issue  
4 for New Yorkers and I hope that we find a solution,  
5 I think your question Mr. Chair about other ideas  
6 is very relevant but really the helicopter industry  
7 will continue it just should not be for tourists.  
8 Thank you very much.

9 CHAIRPERSON CONSTANTINIDES: Thank you  
10 Madam Borough President actually any questions I  
11 had you answered as part of your testimony so thank  
12 you for your advocacy and... and your work on behalf  
13 of the people of the borough of Manhattan and  
14 congratulations on your new Deputy Borough  
15 President, Mathew Washington.

16 MANHATTAN BOROUGH PRESIDENT GALE  
17 BREWER: Thank you very much.

18 CHAIRPERSON CONSTANTINIDES: Alright,  
19 the next... next panel Brian Tolbert downtown  
20 Manhattan heliport Saker Aviation, Chris Vellios  
21 Liberty Helicopters, Sam Goldstein Helicopter  
22 Tourism and Jobs Council, Ron Riccardi Saker  
23 Aviation.

24  
25

2 CHAIRPERSON CONSTANTINIDES: Samara can  
3 you please... no, the next... after... after this one. If  
4 you can swear them in please.

5 ATTORNEY SWANSON: Gentlemen can you  
6 please raise your right hand. Do you swear affirm  
7 to tell the truth, the whole truth and nothing but  
8 the truth today?

9 SAM GOLDSTEIN: I do.

10 CHAIRPERSON CONSTANTINIDES: Mr....  
11 Mr. Tolbert.

12 SAM GOLDSTEIN: Thank you Mr. Chair  
13 briefly in the interest of wanting to answer  
14 questions that the committee may have we have two  
15 people giving testimony but the other two of us  
16 will forego in order to answer any questions that  
17 we can meet you know the most about our operations  
18 and every other question we have.

19 CHAIRPERSON CONSTANTINIDES: Okay, thank  
20 you. And just state your name before you give your  
21 testimony please.

22 BRIAN TOLBERT: My name is Brian  
23 Tolbert.

24 CHAIRPERSON CONSTANTINIDES: Okay.  
25



2 BRIAN TOLBERT: Good afternoon, my name  
3 is Brian Tolbert and I am the manager of the  
4 downtown Manhattan heliport operated by Saker  
5 Aviation. I have worked in the helicopter industry  
6 in New York city for almost 30 years. I am a  
7 veteran of the United States navy, a Bronx  
8 resident, a homeowner and the president of the  
9 Bronx River Homeowner's Association. I am here on  
10 behalf of the employees of the air tour industry in  
11 New York City. The city council is putting at risk  
12 hundreds of good paying middle class jobs with the  
13 effort to ban helicopter sightseeing in New York.  
14 As a city resident I am particularly concerned with  
15 the city council taking any action that will  
16 unilaterally disseminate an entire safe and legal  
17 industry and put employees and their families at  
18 risk. I am asking this committee to please save our  
19 jobs, our families and our livelihoods. Our  
20 industry is diverse represent... is a diverse  
21 representation of the many faces of New York city.  
22 Among the tour companies we employ are over 100  
23 women, people of color and veterans, we are your  
24 neighbors, customers, constituents, parents, and  
25 classmates. Our mechanics and technicians and

1 pilots are highly trained and offer our customers  
2 the highest levels of customer service and safety.  
3 The average job in our industry pays nearly 6,000  
4 per year more than the average tourism sector job  
5 in the city. The employees also enjoy long tenures  
6 in this position with many employees with me at the  
7 heliport enduring careers of more than ten years  
8 with the companies. The New York City skyline is  
9 one of the most recognizable sights in the world.  
10 There is tremendous demand for the experience we  
11 provide and over 80 percent of those customers are  
12 from foreign countries. I don't understand why the  
13 city council would want to limit a potential  
14 visitor's opportunities especially as the city has  
15 a stated goal of drawing ten million more visitors  
16 annually over the next several years. We interact  
17 with other sectors of the tourism economy working  
18 collaboratively with concierge, other types of tour  
19 companies and hotels to ensure visitors to New York  
20 City get the most out of their highly anticipated  
21 vacation, spend money with local businesses and  
22 most importantly leave determined to return to our  
23 great city. We generate millions of dollars for the  
24 local economy. Banning the types of helicopters, we  
25

2 fly will guarantee massive job losses. All of our  
3 companies fly these stages of helicopter, there is  
4 no way to see intro's 858 and 859 as anything other  
5 than an outright elimination of our services and  
6 careers. We are a reasonable industry and we ask  
7 that you work with us to seek a compromise which  
8 can satisfy local communities while saving our  
9 jobs. Myself and my colleagues on this panel are  
10 happy to answer any questions you may have. Thank  
11 you.

12 CHAIRPERSON CONSTANTINIDES: Thank you.

13 CHRIS VELLIOS: Good afternoon Chairman  
14 and Council Members. My name is Chris Vellios and I  
15 am the Chief Operating Officer of Liberty  
16 Helicopters and President of the Board of the  
17 Helicopter Tourism and Jobs Counsel. Liberty  
18 Helicopters is the largest and most experienced air  
19 tour company in New York City flying visitors to  
20 our city for over 25 years. In that time the air  
21 tour industry has undergone significant changes.  
22 Often with the tour industry leading the charge to  
23 address concerns of the local community groups,  
24 elected officials and neighbors. Among the changes  
25 we have voluntarily adopted are reductions in our

1  
2 hours of operation, route alterations and the  
3 wholesale elimination of flights over specific  
4 parts of the city including the elimination of any  
5 tours up the east river and the elimination of any  
6 flights over land. If you see or have helicopter  
7 noise complaints over land or near buildings that  
8 is not us. NYPD and news gathering helicopters,  
9 corporate helicopters share the air space. Air tour  
10 operators understand that satisfied neighbors and  
11 communities are key to us being able to best  
12 service our customers. We are an industry that is  
13 willing to make compromises and accommodations as  
14 long as the safety of our passengers remain in the  
15 forefront of any operating decisions. With intro's  
16 858 and 859 the city council is ignoring our years  
17 of being good partners to New York city. Destroying  
18 our industry and the jobs of our employees, make no  
19 mistake about it these bills will destroy the air  
20 tour industry. The only helicopters being flown in  
21 the United States are stage one, two, and three  
22 plus air tours are the only city regulated  
23 helicopter flight over New York city. We are the  
24 only flights that operate within the parameters of  
25 a set hour of operations, set routes and a contact

1 point compliance system complete with fines to  
2 ensure we are not operating out of bounds. We  
3 currently operate with the consent of the city of  
4 New York, when we made our agreements with both the  
5 EDC and the heliport operator in 2008 we did so  
6 with the understanding that New York city  
7 understood we would be operating under agreement  
8 safely and legally. Our fleets are financed with  
9 this current operating agreement as a basis for our  
10 business plans. The city council banning our fleets  
11 from operating will render our companies unable to  
12 meet our financial obligations. This is a very  
13 heavy price to pay for what the city's data  
14 demonstrates to be a relatively small number of  
15 noise complaints. Less than half of one percent of  
16 300,000 plus noise complaints to 3-1-1 last year  
17 were related to helicopter tour flights. In the  
18 absence of a clear public safety menace the city  
19 council should not consider wholesale elimination  
20 of a legally run industry. We will not be able to  
21 operate under this ban affectively eliminating an  
22 industry which has had a presence in New York city  
23 since 1960, the 60's this legislation is a zero sum  
24 game. Air tours generate millions of dollars  
25

2 directly for New York city and its core services as  
3 well as millions more indirectly for local  
4 businesses, restaurants, hotels and other tourism  
5 and travel offerings. We show the world New York  
6 City; we are often one of the first points of  
7 contact in this city for someone traveling from  
8 either a nearby state or distant country. Our  
9 customer service representatives are shining  
10 examples of the diversity of the city with many by  
11 necessity being bilingual, trilingual or perhaps  
12 even greater in fluency of other languages. The  
13 wholesale elimination of tours from the downtown  
14 Manhattan heliport returns nothing to the groups  
15 pushing for our demise and starves many millions of  
16 dollars for its residents in a public face proudly  
17 showcasing its beauty to the rest of the world.  
18 This is not an action... this is not an action a  
19 world class city should undertake. We ask you to  
20 please deal with us as partners, save the jobs of  
21 our employees and keep available a beloved tourist  
22 attraction. Thank you for the opportunity to  
23 testify.

24 CHAIRPERSON CONSTANTINIDES: And so I  
25 have a few questions before I turn it over to my

2 colleagues I guess the biggest question I'll ask is  
3 you don't... in your testimony you don't speak to  
4 some of the noise complaints but how do... how do we...  
5 what is the happy medium here because we have  
6 residents, congress people, state senators, borough  
7 presidents who feel that this noise is unbearable  
8 and that the revenues that you're raising are not  
9 worth the... the... the... the aggravation of the... the  
10 residents, the peace of mind, the quality of life  
11 concerns that have... that... that they're stating are...  
12 are destroying the lives of these residents,  
13 they're not able to work, issues of PS... PTSD,  
14 issues of their children not being able to enjoy a  
15 park, issues of... of our veterans feeling  
16 uncomfortable, our seniors feeling that their lives  
17 are being destroyed, how do we... how do we reconcile  
18 you know what you're talking about and the real  
19 policy concerns that the residents are bringing up?

20 SAM GOLDSTEIN: We acknowledge that  
21 there are helicopter noise complaints, we  
22 acknowledge that helicopters make noise we also  
23 want to point out and we... we are key to that we're  
24 not always as an industry of tour operators  
25 positive that the helicopter noise disturbances are

2 being caused by our fleets, we have set hours of  
3 operation, we have set routes we fly. So we believe  
4 that we are at some points unfairly lumped into the  
5 general aviation traffic over the city of New York.  
6 I can't speak to every single complaint that is... is  
7 called into a non 3-1-1 number because we don't  
8 have access to that so all I can say is we want to  
9 work as partners, we are willing to make  
10 compromises as we have in the past but it's very  
11 difficult with these bills to start to think about  
12 that when our entire industry is at stake.

13 CHAIRPERSON CONSTANTINIDES: No, I... I  
14 understand what you're saying I also see that you  
15 know nine o'clock in the morning on a Sunday is... is  
16 rather early that... to be running tours but we can  
17 speak to... [cross-talk]

18 SAM GOLDSTEIN: I... and I think it's  
19 something that can be discussed. I...

20 CHAIRPERSON CONSTANTINIDES: Okay, next  
21 how many... how many helicopters per hour per day do  
22 you have running up?

23 RON RICCARDI: I think the average would  
24 be approximately 14 flights an hour.



2 CHAIRPERSON CONSTANTINIDES: 15 flights  
3 an hour?

4 RON RICCARDI: 14.

5 CHAIRPERSON CONSTANTINIDES: How... about  
6 how many per day, is that on a consistent basis, 14  
7 15 per hour?

8 RON RICCARDI: Yeah, I think... I think if  
9 we look over the course of a year that the... the 14  
10 per hour is consistent.

11 CHAIRPERSON CONSTANTINIDES: Alright, so  
12 and... and you're running from eight hours a day so  
13 that's about 120, right if I do my... my math right  
14 for eight... the eight hours that you're open during  
15 the weekends and then during the week a larger  
16 number, correct?

17 RON RICCARDI: Yes.

18 CHAIRPERSON CONSTANTINIDES: Okay and  
19 how much revenue do you see; I mean what... what is  
20 the... the revenue to generate per year?

21 RON RICCARDI: Are you talking about for  
22 the... the... [cross-talk]

23 CHAIRPERSON CONSTANTINIDES: For the  
24 city... [cross-talk]

25 RON RICCARDI: City... [cross-talk]

2 CHAIRPERSON CONSTANTINIDES: Yes... for  
3 the city.

4 RON RICCARDI: I... I think our  
5 information would be consistent with Mr. Hopkins  
6 from EDC, I think we... we generated 2.9 million in  
7 fees to EDC in this past program year.

8 CHAIRPERSON CONSTANTINIDES: And EDC was  
9 saying that it was based on the salaries paid and  
10 the direct taxes of the... the price of the... of the  
11 particular helicopter tour, the salaries that you  
12 pay out, the taxes that are paid, and so on,  
13 correct?

14 RON RICCARDI: I apologize; I'm  
15 answering a different question. I thought you were  
16 asking what do we... [cross-talk]

17 CHAIRPERSON CONSTANTINIDES: The impact...  
18 [cross-talk]

19 RON RICCARDI: Contributed to the...  
20 [cross-talk]

21 CHAIRPERSON CONSTANTINIDES: To the  
22 city... [cross-talk]

23 RON RICCARDI: To the... [cross-talk]

24 CHAIRPERSON CONSTANTINIDES: The... the  
25 EDC was saying that the... the... the 30 million

2 dollars generated was related to the wages paid to  
3 your employees, the taxes that were paid, the... what  
4 people were actually paying for the helicopter tour  
5 and so on it had no connection to you know someone  
6 going to a movie afterwards, someone going out to...  
7 [cross-talk]

8 SAM GOLDSTEIN: Yeah... [cross-talk]

9 CHAIRPERSON CONSTANTINIDES: Dinner  
10 these... [cross-talk]

11 SAM GOLDSTEIN: Yes, that's... [cross-  
12 talk]

13 CHAIRPERSON CONSTANTINIDES: Are  
14 independent... [cross-talk]

15 SAM GOLDSTEIN: That's heard from...  
16 [cross-talk]

17 CHAIRPERSON CONSTANTINIDES: From one  
18 another, correct?

19 SAM GOLDSTEIN: Yeah, that's... that's per  
20 the 2012 Rudin Center study, correct.

21 CHAIRPERSON CONSTANTINIDES: Right and  
22 that is independent from what we've talked but some  
23 people have talked about it on dinners and so on  
24 this is just generated from wages... [cross-talk]

25 SAM GOLDSTEIN: Direct... [cross-talk]

2 CHAIRPERSON CONSTANTINIDES: And...

3 [cross-talk]

4 SAM GOLDSTEIN: Direct revenue, yes.

5 CHAIRPERSON CONSTANTINIDES: What are  
6 some of the... What are... Alright, what are some of  
7 the jobs... so run to me... so what are the various  
8 positions and... and... that are available through this  
9 industry and would they be able to... would you be  
10 able to operate... would any of these jobs be able to  
11 stay if not... if these two bills went forward?

12 CHRIS VELLIOS: We have positions such  
13 as sales and marketing positions, accounting  
14 positions, pilots, air craft maintenance  
15 technicians, street sales agents; there's an  
16 enormous amount of jobs at stake here and if you  
17 eliminated sightseeing tours in New York city those  
18 jobs would not exist.

19 CHAIRPERSON CONSTANTINIDES: And do you...  
20 do you have... do you... are you currently flying any  
21 stage three helicopters?

22 CHRIS VELLIOS: Our helicopters are  
23 stage two.

24 CHAIRPERSON CONSTANTINIDES: Are stage  
25 two so no... no one has stage three as of yet?

2 SAM GOLDSTEIN: My understanding... My  
3 best knowledge is the... the FAA manufacturing  
4 standards just went into effect in May so... [cross-  
5 talk]

6 CHAIRPERSON CONSTANTINIDES: Okay.

7 SAM GOLDSTEIN: That would be a... a bit  
8 of a short turnaround.

9 CHAIRPERSON CONSTANTINIDES: Alright. I...  
10 I guess I'm going to turn this right quickly over  
11 to Council Member Chin and then Council Member  
12 Manchaca if it... we're going to go back to that  
13 three minute...

14 COUNCIL MEMBER CHIN: Can you tell us  
15 what is your high season, when is your high season  
16 and during that how many sightseeing helicopters  
17 tour happens each day?

18 RON RICCIARDI: Go ahead.

19 SAM GOLDSTEIN: I... I... I would say our  
20 high season is probably about a seven-month season  
21 from April through October as for generation of... of  
22 number of flights, is this something we could get?  
23 It's something we can get.

24 SAM GOLDSTEIN: It's something we could  
25 get for you, I... we didn't... in that period I just

2 don't... I'm not sure we know exact... in that exact  
3 period.

4 COUNCIL MEMBER CHIN: Can you get that  
5 statistic to us?

6 SAM GOLDSTEIN: Absolutely.

7 COUNCIL MEMBER CHIN: Yeah and the other  
8 thing you just talked earlier you were saying that  
9 at the downtown heliport an hour you only have  
10 what, 12 flights leaving in an hour?

11 RON RICCIARDI: I believe the number is  
12 14.

13 COUNCIL MEMBER CHIN: 14? Now before the  
14 flight... [cross-talk]

15 RON RICCIARDI: Average... [cross-talk]

16 COUNCIL MEMBER CHIN: ...before the  
17 helicopter takes off they're... the propeller right  
18 it's moving and making noise?

19 COUNCIL MEMBER CHIN: I mean like I live  
20 right near there and when I go to our park that's  
21 on the... the upper level park near 55 Water and I  
22 see what's going on there it looks more than 14, I  
23 mean it's like every couple of minutes someone  
24 leaves but the other ones are you know moving their  
25 propellers so the noise is not just from the take-

2 off and then you have another one coming back, I  
3 mean it's... it's just crazy out there, I mean do you  
4 guys... do the people who work at the heliport do you  
5 wear some kind of headset to prevent the noise?

6 BRIAN TOLBERT: We wear hearing  
7 attenuators.

8 COUNCIL MEMBER CHIN: You do that,  
9 right?

10 BRIAN TOLBERT: Yes.

11 COUNCIL MEMBER CHIN: But someone going  
12 to the park living close by... [cross-talk]

13 BRIAN TOLBERT: You're not... [cross-talk]

14 COUNCIL MEMBER CHIN: We don't wear  
15 those... [cross-talk]

16 BRIAN TOLBERT: In direct... [cross-talk]

17 COUNCIL MEMBER CHIN: Things... [cross-  
18 talk]

19 BRIAN TOLBERT: Contact with them, we're  
20 there every day and that's why we wear them.

21 COUNCIL MEMBER CHIN: But I'm just  
22 saying that it's much more than what you're saying  
23 and the way the noise level that travels it matters  
24 and the next thing that you've heard earlier about  
25

2 the fumes, you know the smell of... of the... the fumes  
3 that you guys use.

4 BRIAN TOLBERT: Well I can say... I've  
5 been there 30 years, I'm healthy as an ox as of  
6 right... [cross-talk]

7 COUNCIL MEMBER CHIN: Well you may have  
8 genes and god bless you for that, okay? But there  
9 are people whose... whose... whose gotten sick, I mean  
10 like I represent lower Manhattan I hear the  
11 complaints, I mean I... in my opening statement as I  
12 would in the... the last three month I've gotten  
13 close to 200 complaints people are finally calling  
14 us, they're not calling 3-1-1 they're calling us,  
15 they're calling our office so something has got to  
16 give. And the jobs that you're talking about... there  
17 might be other ways to fill those tourism jobs, I  
18 mean you are flight pilot, there are other... you  
19 know you can get other flying jobs, I mean there's  
20 still... there's still other helicopter jobs so we're  
21 not eliminating you know all these jobs but we're  
22 looking at as we said earlier what is the economic  
23 benefit to the city versus the negative economic  
24 impact. So that's something that we have to  
25 consider. Thank you chair. And I... I... you know they...



2 they could supply the statistic that was asked for  
3 earlier.

4 SAM GOLDSTEIN: Right.

5 COUNCIL MEMBER CHIN: That would be  
6 great, thank you.

7 CHAIRPERSON CONSTANTINIDES: If you can  
8 please give those... that data that'd be very  
9 helpful, thank you.

10 SAM GOLDSTEIN: Absolutely.

11 CHAIRPERSON CONSTANTINIDES: Council  
12 Member Vallone and then Council Member Menchaca.

13 COUNCIL MEMBER VALLONE: Thank you  
14 chair. There's also resolution 892 and I don't know  
15 if any of you've had any comments on that, I... I see  
16 that you're willing to come up with solutions and  
17 some help and I heard no land flyover you know our  
18 resolution is... is basically asking for relief from  
19 the heliports of Manhattan that fly over anywhere  
20 from... from Brooklyn to Astoria, to Long Island  
21 city, to College Point to Whitestone, right  
22 overhead to Whitestone, to Bayside, to Littleneck,  
23 to Douglas and then take the Throggs Neck route  
24 which is what they've designated at LaGuardia  
25 Airport because of our friends decided to protect

2 our friends on Long Island but forgot about the  
3 people in the city so we're not happy about that  
4 and part of this conversation and the reason why  
5 and I think that's not helping you is the rest of  
6 the city is jumping on board especially the outer  
7 boroughs on Queens because whether it... now it's  
8 whether it's tourism or any helicopter like you  
9 said you can't distinguish whether it's NYPD or  
10 anything people were just stunned and we can't even  
11 log a proper 3-1-1 pinpoint we have to have our own  
12 folks that are here that are taking data, we can't  
13 find out what the helicopters are, we can't get any  
14 type of assistance on how to even raise the flight  
15 from 1,000 feet to maybe 2,000 feet something to  
16 give back to the folks to say we hear you, we're  
17 going to do something why do I have to legislate  
18 it, why do I have to take this step to ban it, why  
19 do we have to get to this point to actually then  
20 plead for jobs when we're asking for some type of  
21 help and resolution to the people that... you give us  
22 no choice because we're at a point where there's  
23 every one of our jobs are dependent on a  
24 constituents and our constituents are done, they're  
25 done. So when we get the calls pleading for relief

2 that I get every day especially over College Point  
3 and Whitestone I have no answers to give them  
4 because there has been nothing offered back to us  
5 and if I have to go track down some port authority  
6 LaGuardia airport guy, transport control man, to  
7 tell him hey listen raise the flight that's never  
8 going to happen. So I need something, anything and  
9 nothing has been offered other than the hard work  
10 of the veterans and some of the guys that are  
11 working there. There's got to be something to tell  
12 the people that have come today to say we hear you  
13 we're going to do what, what are we going to do so  
14 mine is the resolution that's going out to... that's  
15 destroying the folks of Queens in which is united...  
16 united Queens with everyone in Manhattan so is  
17 there anything on the resolution asking for Albany  
18 and the FAA to change parameters to the north shore  
19 route and the Throggs Neck route?

20 SAM GOLDSTEIN: As... as a representative  
21 the air tour industry I can only tell you that none  
22 of our tours fly up the east river or anywhere  
23 along that route so our organization has not taken  
24 a... a position on it.

2 COUNCIL MEMBER VALLONE: Has there been  
3 any contact with any of the other organizations or  
4 any conferences or... [cross-talk]

5 SAM GOLDSTEIN: I... I... I... [cross-talk]

6 COUNCIL MEMBER VALLONE: Put together  
7 because I mean you guys... [cross-talk]

8 SAM GOLDSTEIN: I... [cross-talk]

9 COUNCIL MEMBER VALLONE: are all going  
10 to get... [cross-talk]

11 SAM GOLDSTEIN: I... I... I believe that the  
12 eastern region helicopter council's here and  
13 they'll be testifying later and I think perhaps  
14 you... you can ask them about that since they  
15 represent a bit of a larger swap of the... [cross-  
16 talk]

17 COUNCIL MEMBER VALLONE: I look forward  
18 to having a... [cross-talk]

19 COUNCIL MEMBER VALLONE: Dialog, the  
20 system changes that we can make. Thank you Chair.

21 CHAIRPERSON CONSTANTINIDES: Thank you  
22 Council Member Vallone. Council Member Menchaca.

23 COUNCIL MEMBER MENCHACA: Thank you.  
24 Thank you for your testimony. I just have a few  
25 questions, I know we have... we're on a timer and we

2 might have a second... second round how much are you  
3 paying in terms of lobbying for say the year, we'll  
4 just take this last year, how much did you spend in  
5 lobbying and lead up to today?

6 SAM GOLDSTEIN: We... we formed our  
7 organization as... as myself representing the  
8 Helicopter Tourism and Jobs Counsel we formed our  
9 organization about 15 months ago and we've had a  
10 lobbying counsel for the majority of that time I  
11 think anywhere... anywhere from five to 9,000 dollars  
12 a month I think.

13 COUNCIL MEMBER MENCHACA: Okay, so  
14 that's all you're paying right now is five to  
15 10,000 dollars a month for lobbying on this  
16 particular conversation?

17 SAM GOLDSTEIN: Correct.

18 COUNCIL MEMBER MENCHACA: Okay. Is there  
19 any other lobbying that's happening at the dais  
20 here? Is there anybody else contributing to  
21 lobbying fees in this conversation, is... is it just  
22 essentially what Liberty?

23 SAM GOLDSTEIN: Yeah.

24 COUNCIL MEMBER MENCHACA: Helicopters?  
25

2 SAM GOLDSTEIN: Yeah, and we have our  
3 own lobbyist.

4 COUNCIL MEMBER MENCHACA: Okay. Okay,  
5 great. So how much did that ad cost in the  
6 newspaper or the series of ads in the newspaper?

7 SAM GOLDSTEIN: That's... I don't have the  
8 PR figures in front of me.

9 COUNCIL MEMBER MENCHACA: Okay, great.  
10 We'd like to know that so we... let's follow up and  
11 figure out what that... what that is. Let's move over  
12 to environment, topic of environment, you heard us  
13 ask questions about how important it is to us... for  
14 us to move in advance the environmental agenda in  
15 the city. Do you have a sense about what the impact  
16 is of a helicopter in the air and do you measure  
17 that as part of... as part of a... a company?

18 SAM GOLDSTEIN: I don't...

19 COUNCIL MEMBER MENCHACA: You don't so  
20 you've never kind of taken a... your own initiative  
21 to understand how much fuel and exhaust you're  
22 putting into the air for a helicopter? No?

23 SAM GOLDSTEIN: No.

24 COUNCIL MEMBER MENCHACA: Okay, that  
25 makes the rest of the questions very difficult or

2 actually simple because this is part of the point  
3 we're trying to make is that... that we... we need to  
4 understand as an industry how... how important it is  
5 and what you're valuing here in our city that we're  
6 trying to make a greener... a greener place. Do you  
7 have any plans in the future to measure this impact  
8 that you have in our skies on pollution?

9 SAM GOLDSTEIN: Not that I'm aware of.

10 COUNCIL MEMBER MENCHACA: Not that  
11 you're aware of, okay. How much cost... how much  
12 does it cost for surface maintenance, earlier EDC  
13 talked about maintaining the pier from the water up  
14 and you take on the surface what does that cost you  
15 today for maintenance, you can do it for a year or  
16 however you measure it?

17 RON RICCARDI: Yeah, I don't have a hard  
18 figure for you today, I'll certainly get back to  
19 you on that.

20 COUNCIL MEMBER MENCHACA: Got it so you  
21 don't understand today at this testimony and  
22 conversation with public about how much you're  
23 paying for maintenance of your own... of your own  
24 location for this lease?

25 SAM GOLDSTEIN: That's... [cross-talk]

2 COUNCIL MEMBER MENCHACA: Okay... [cross-  
3 talk]

4 RON RICCARDI: I think the question of  
5 maintenance includes capital expenditures and... and  
6 includes what we've done to improve the facility  
7 and... and as is part of the public record our  
8 commitment to the EDC was that we improve the  
9 facility to two million dollars in capital  
10 expenditures which we exceeded particularly after  
11 hurricane Sandy when the work that we had  
12 accomplished on the first floor essentially was  
13 decimated so I... I... I would suggest to you that...  
14 that in... in capital improvements which is a little  
15 bit different from maintenance we're... we're in  
16 excess of three million over the seven years we've  
17 been in place at the heliport.

18 COUNCIL MEMBER MENCHACA: Seven years?

19 RON RICCARDI: Correct.

20 COUNCIL MEMBER MENCHACA: Got it, okay.

21 Let's see if we can get all this together and then  
22 the final question and then we... I'll come back in  
23 the second round will you... if we... and we plan to  
24 have a really big impact in... in this and for  
25 whatever reason these bills particularly pass will



2 you move to New Jersey and head up... head up a  
3 headquarters over there?

4 CHRIS VELLIOS: I... I've been tasked with  
5 the responsibility of running a business and I will  
6 do whatever I... I have to do in order to make that  
7 business run.

8 COUNCIL MEMBER MENCHACA: Great, thank  
9 you.

10 CHAIRPERSON CONSTANTINIDES: Thank you.  
11 Public Advocate Letitia James.

12 PUBLIC ADVOCATE JAMES: So... so in the  
13 event that... first of all to the gentleman who  
14 testified who opened up the... this hearing we thank  
15 you for this... your service, we recognize that you  
16 are really a hero in our eyes and you stood up for  
17 all of us and you stood up for our freedoms and we  
18 appreciate your service. That being said in the  
19 event that this industry does travel to New Jersey  
20 or relocates to New Jersey will all of these men  
21 who have testified here today and those who are not  
22 only in the roster but on the floor will their jobs  
23 continue?

24 CHRIS VELLIOS: If I'm operating out of  
25 New Jersey it would make sense I believe to the

2 company and to the employees to have New Jersey  
3 employees.

4 PUBLIC ADVOCATE JAMES: So despite the  
5 fact that they're here testifying on your behalf  
6 and doing all that they can do to support your  
7 company you're not prepared to rehire them in the  
8 event... in the eventuality that you are relocated to  
9 New Jersey?

10 CHRIS VELLIOS: It... it's all theoretical  
11 we would have to look at that situation and discuss  
12 it with the employees if that time comes.

13 PUBLIC ADVOCATE JAMES: No, I  
14 understand. But for me it's really all about  
15 commitment and since they've take... taken time out  
16 of their busy schedules to support your company you  
17 would... you would think that you would extend to  
18 benefit to them whether or not you're in New York  
19 and or New Jersey and particularly since they're  
20 war heroes. That being said it's my understanding  
21 that the decibel level of helicopters is around 80  
22 to 120 decimeters, when was the last time the  
23 noise... you've measured the sounds of the  
24 helicopters or has anyone measured the sounds of  
25 the helicopters since this really is all about the

2 quality of life issues, has anyone measured the  
3 sound?

4 CHRIS VELLIOS: No, ma'am.

5 PUBLIC ADVOCATE JAMES: No, has anyone  
6 taken into account or had any conversation with any  
7 elected official with regards to quality of life  
8 complaints in the last 60 days? I take that as a  
9 no.

10 SAM GOLDSTEIN: I mean yeah... we've...  
11 we've been in discussions with our landlord of the  
12 EDC to address local complaints, we've also spoken  
13 with members of the council when these bills came  
14 out so...

15 PUBLIC ADVOCATE JAMES: And the... what  
16 has been the extent of your conversations, we're  
17 trying to reach a middle ground because we  
18 recognize that you do hire war heroes and that you  
19 do employ 200 some odd individuals the question is  
20 what can we do to reach some sort of compromise  
21 which will address the quality of life issues that  
22 so many constituents throughout the city are  
23 complaining about not only to the respective  
24 council members but also to my office as a city  
25 wide elected official what can we do to address

2 this... these... these complaints and is anyone taking  
3 them serious, you must... you must understand that  
4 the reason why the council members decided to  
5 initiate and sponsor this legislation and I co-  
6 sponsored it was because of the number of  
7 complaints and no one was addressing them?

8 SAM GOLDSTEIN: Council member and... and...  
9 [cross-talk]

10 PUBLIC ADVOCATE JAMES: It's Public  
11 Advocate... [cross-talk]

12 SAM GOLDSTEIN: I'm... I'm sorry... [cross-  
13 talk]

14 PUBLIC ADVOCATE JAMES: That's okay...  
15 [cross-talk]

16 SAM GOLDSTEIN: Madame Public Advocate...  
17 [cross-talk]

18 PUBLIC ADVOCATE JAMES: I was once a  
19 council member, it's an honor.

20 SAM GOLDSTEIN: Madame... I'm... please  
21 excuse me. In January of this year we eliminated a...  
22 the... the final tour that went over land which went  
23 across 147 streets to see Yankee Stadium so as of  
24 the beginning of this year we eliminated that tour

2 due to complaints from the section of northern  
3 Manhattan.

4 PUBLIC ADVOCATE JAMES: What other tours  
5 can be eliminated?

6 SAM GOLDSTEIN: Routes can be altered.  
7 There's only down to one route essentially left.

8 PUBLIC ADVOCATE JAMES: And how often  
9 does that route operate?

10 SAM GOLDSTEIN: As... as we mentioned  
11 before probably 14 times an hour.

12 PUBLIC ADVOCATE LETITIA JAMES: 14 times  
13 an hour? You recognize that that's really  
14 unacceptable, right?

15 SAM GOLDSTEIN: We... we recognize that we  
16 have an... an operating agreement with the city of  
17 New York and we signed in 2008.

18 PUBLIC ADVOCATE JAMES: Okay, so  
19 obviously the city council has regulation over  
20 franchise agreements with the city of New York and  
21 I'm confident that the members of this city council  
22 as well as the chair and the co-chair and the  
23 sponsors of this legislation will continue to have  
24 conversations with EDC obviously we... all of us our  
25 concerned about ensuring that New Yorkers maintain...

2 retain their jobs and that we continue to hire  
3 veterans who stood up for our freedoms but at the  
4 same time we've got a responsibility and our... and a  
5 duty to address the complaints of constituents  
6 who've been dealing with quality of life issues for  
7 I think we're going on ten years now, it's got to  
8 be addressed and it's really unacceptable. Thank  
9 you.

10 CHAIRPERSON CONSTANTINIDES: Thank you  
11 Public Advocate James, Helen Rosenthal, Council  
12 Member Rosenthal.

13 COUNCIL MEMBER ROSENTHAL: Thank you  
14 very much. I'm sorry I'm going in between hearings  
15 and meetings today but I was briefed on your  
16 testimony, I see it here thank you. And I  
17 appreciate your coming today to talk to the  
18 council. Would you... is it in... would you be willing  
19 to have as part of the conversation for a lease  
20 discussion that there be standards, noise standards  
21 set and monitored and then enforced?

22 SAM GOLDSTEIN: Yes, that can be part of  
23 conversation.

24 COUNCIL MEMBER ROSENTHAL: Thank you.  
25

2 CHAIRPERSON CONSTANTINIDES: Okay. Thank  
3 you for your testimony. As... as I said before this  
4 is something that we... for the families, the  
5 residents that are... are dependent on this industry  
6 but also for those that are dealing with this...  
7 these complaints, dealing with these issues and  
8 their communities not being able to enjoy a solid  
9 quality of life we will continue this discussion.

10 SAM GOLDSTEIN: Thank you.

11 CHAIRPERSON CONSTANTINIDES Next up we  
12 have George Mitropoulos, Daniel Aronoff, and Warren  
13 Schreiber. Samara will you please swear them in.

14 [background comments]

15 CHAIRPERSON CONSTANTINIDES: Phil  
16 Conisburg... Phil... [cross-talk] Mr....

17 ATTORNEY SWANSON: ...please raise your  
18 right hand? Can you please raise your right hand?

19 CHAIRPERSON CONSTANTINIDES: Raise your  
20 right hand.

21 WARREN SCHREIBER: Oh I'm sorry.

22 ATTORNEY SAMARA SWANSON: Do you swear  
23 affirm to tell the truth, the whole truth and  
24 nothing but the truth today?

25 [combined affirmations]

2 CHAIRPERSON CONSTANTINIDES: Warren if  
3 you want to start us off?

4 WARREN SCHREIBER: Yeah, sure. Are we...  
5 are we... okay, now we're on. Chairperson  
6 Constantinides, committee members, council members  
7 thank you for allowing me to offer testimony in  
8 support of resolution 892. I'm Warren Schreiber  
9 President of Queens Quite Skies and Aviation Chair  
10 and Vice Chair of Community Board 7, Queens  
11 Community Board 7 which represent many of the  
12 communities being negatively impacted by noise from  
13 charter helicopters traveling between the east end  
14 of Long Island and Manhattan. This afternoon you're  
15 going to hear testimony containing technical  
16 aviation terms and confusing data the truth though  
17 is that none of this is terribly difficult, it's  
18 merely about unwanted noise coming from companies  
19 doing business in New York city. While passengers  
20 may view the helicopters as a convenience for  
21 communities under the flight path the helicopters  
22 are... are a nuisance. Passengers heading out east  
23 depart Manhattan arrive in the Hamptons and proceed  
24 to spend large sums of money on the east end. These  
25 charters while victimizing the communities below



2 provide little or no financial benefit to New York  
3 city in addition the charters are used solely for  
4 recreational travel. Noise from helicopters will  
5 often be greater than that from large commercial  
6 planes, helicopters fly at lower altitudes which  
7 puts... puts the noise closer to the ground, they  
8 travel at lower speed which results in the  
9 disturbance lasting longer and they don't have the  
10 same amount of separation which means they can fly  
11 closer together because they don't have the issue  
12 of wake turbulence that's associated with larger  
13 commercial air... airlines. Helicopters can be  
14 thought of as oversized lawn mowers however there  
15 is a solution. The FAA must mandate an all water  
16 route for chartered helicopters traveling between  
17 Manhattan and the east end of Long Island. I just  
18 want to take a minute to talk about a personal  
19 experience every year the fire department, the FDNY  
20 they hold the 9/11 memorial ceremony observance on  
21 Fort Totten which is located in northeast Queens  
22 and more than once... in the last two years more than  
23 once the somber ceremony was disrupted by the  
24 jarring sound of chartered helicopters above even  
25 while observing a moment of silence which was

2 indifference to the time when the planes actually  
3 struck the tower helicopters shattered what was a  
4 time of reflection and remembrance, I'm sure those  
5 aboard the charters enjoyed their vacations and I  
6 just want to quickly say that in Queens we  
7 absolutely support our friends in Manhattan and we  
8 hope that now our friends in Manhattan will begin  
9 to recognize that there's also a problem in Queens  
10 and support us as well because this is one city and  
11 we have to work together and we urge the passing of  
12 resolution 892, thank you.

13 CHAIRPERSON CONSTANTINIDES: Go ahead  
14 there.

15 DANIEL ARONOFF: Yes, okay. I would like  
16 to thank the Environments Protection Committee and  
17 Council Member Vallone for inviting me here to  
18 speak today in support of resolution 892.

19 CHAIRPERSON CONSTANTINIDES: Everyone  
20 can stop thanking us and the committee just... in the  
21 interest of time... [cross-talk]

22 DANIEL ARONOFF: Okay... [cross-talk]

23 CHAIRPERSON CONSTANTINIDES: If you're  
24 thanking us in your testimony we're here, it's a  
25 part of our job so I appreciate all of the respect

1 that's paid but in the interest of time let's just...

2 [cross-talk]

3 DANIEL ARONOFF: Sure... [cross-talk]

4 CHAIRPERSON CONSTANTINIDES: Just keep  
5 it moving and... and just... just jump right in... I...

6 [cross-talk]

7 DANIEL ARONOFF: I... I retract my...

8 [cross-talk]

9 CHAIRPERSON CONSTANTINIDES: I  
10 appreciate... [cross-talk]

11 DANIEL ARONOFF: Thank you... [cross-talk]

12 CHAIRPERSON CONSTANTINIDES: I... I... I... I  
13 appreciate the respect but I want to keep... for... for  
14 everyone I want to keep things moving.

15 DANIEL ARONOFF: Okay. I will... I will  
16 then continue. The need for today's resolution did  
17 not make itself apparent overnight, long time  
18 Whitestone residents can attest that nobody paid  
19 any attention to a passing helicopter when daily  
20 operations did not exceed a dozen a day however we  
21 are at a point where during peak season we're  
22 likely to see that many in half an hour. The  
23 dramatic growth of helicopter traffic in Queens is  
24 due to multiple reasons some of which was already  
25

1 addressed today by the council member. The first of  
2 the concentration of flights on the Throggs route  
3 that takes helicopters to the newly mandatory north  
4 shore route that starts off of Port Washington.

5 Previously helicopter pilots had much more  
6 discretion route but now this mandatory FAA order  
7 has concentrated many helicopters over the same  
8 neighborhoods in Astoria, College Point and

9 Whitestone. I'd like to just say on the side we see  
10 this pattern again, you move the noise to one place  
11 it concentrates, okay some... some neighborhoods will  
12 benefit and others will get the concentrated brunt

13 of the noise, it's the same thing with the downtown  
14 heliport and the tourist helicopters. A less  
15 discussed, but perhaps more troubling reason for

16 the increase, has been new app-based services that  
17 seek to allow people to share helicopter charter  
18 flights whereas before only the very well healed  
19 could spend up to 3500 hundred dollars on a weekend

20 helicopter trip to the Hamptons now only the

21 moderately well off could buy a fractional share of  
22 the charter for 600 dollars, essentially turning  
23 charter helicopter operations into normal  
24 commercial service without any of the regulatory  
25

1 oversight that comes with it. These app-based  
2 services are looking to expand by offering  
3 helicopter trips to other areas as well such as the  
4 Woodbury Commons. Such a dramatic growth in service  
5 will also undoubtedly lead to more pollution and  
6 more noise in the future. Again if you're in an  
7 area today that's not affected by helicopter noise  
8 you can very well be in an area in the future  
9 that's affected by it. In trying to find a remedy  
10 for this solution I came to the realization that  
11 there was no environmental governance for these  
12 flights, nobody had any idea how many helicopters  
13 were taking off from local heliports, where they  
14 were going and at what altitude and speed they were  
15 flying over densely populated areas and despite the  
16 fact that many of these charter... charter operations  
17 use one of the city owned heliports the EDC which  
18 owns the heliports will close a complaint from one  
19 of the residents in Queens because it is likely not  
20 from a tourist helicopter and we've heard them say  
21 that today. For that reason, I created a website,  
22 air noise report dot com an effort to track and map  
23 noise complaints from residents in areas we believe  
24 the city and the EDC has advocated its  
25

1 responsibility to account for the noise pollution  
2 its heliports have created. Since launching on June  
3 21<sup>st</sup> we have collected over 3,000 noise complaints  
4 from residents in Queens, Brooklyn, and Nassau who  
5 otherwise would have nobody to complain to. Today's  
6 resolution is a first positive step in calling for  
7 the FAA to provide relief by moving current Throggs  
8 route to the east river however I asked the council  
9 to consider some changes, our understanding is that  
10 expanding the north shore route eastward is not  
11 viable due to class B air space at LaGuardia, I  
12 therefore asked the council to amend the resolution  
13 to call in the FAA to mandate Atlantic Ocean travel  
14 if extending the north shore route east is not  
15 feasible. I also asked the council to consider  
16 reforms to the EDC's heliport mandate to make it  
17 work for all New York city residents and not just  
18 helicopter operators. Finally, I asked the council  
19 to consider an update to the 1999 heliport and  
20 helicopter masterplan authored under the Giuliani  
21 administration, that report was authored when those  
22 long time Whitestone residents I mentioned before  
23 were subjected to a dozen helicopters a day. It's  
24

2 time we have a new masterplan for the dozen per  
3 half hour era. Thank you.

4 CHAIRPERSON CONSTANTINIDES: Thank you,  
5 Mr. Mitropoulos.

6 GEORGE MITROPOULOS: Thank you. My name  
7 is George Mitropoulos, I'm a current resident of  
8 Whitestone for 30 years. I'm also the Vice  
9 President of We Love Whitestone Civic Association  
10 and I'm here to speak about the increase helicopter  
11 and sea planes also which are involved in this  
12 flying over our community. This past summer the  
13 volume of helicopters and sea planes... sea planes  
14 increased significantly and it's been an assault on  
15 our senses it's sort of equated to that scene from  
16 Apocalypse Now where the helicopters are flying and  
17 you hear the flight of the Valkyries playing in the  
18 background because that's what it's gotten to be in  
19 my neighborhood. The low flying traffic is almost  
20 non-stop, my house at times literally shakes from  
21 the helicopters flying over. I sit in my backyard  
22 or on my deck or on my pool and they fly over one  
23 after another sometimes in groups of twos and  
24 threes going east and west, side by side, you can  
25 have a helicopter, a sea plane, another helicopter

1 and it's just insane at this point. Myself and my  
2 community can no longer enjoy our summers while  
3 those who utilize this method of transportation  
4 have a great time flying mostly to the Hamptons for  
5 their peaceful getaways. To demonstrate the impact  
6 on the quality of life in our neighborhood I sat on  
7 my deck on June 26<sup>th</sup> from 4:30 to 5:30 in the  
8 evening and I counted 33 helicopters and nine sea  
9 planes that flew over my house in that time frame,  
10 okay that's a lot, it really is. To date my wife  
11 and myself have logged in over 230 complaints to  
12 the website Dan has set up for us to track these  
13 helicopters and sea planes that fly over. So why  
14 not fly over a water route, does it take a little  
15 longer, is it more fuel, pass it along to the  
16 people who want to pay for it you know it's an  
17 inconvenience... it's a convenience to them, it's an  
18 inconvenience to us. Give us our peace and quiet  
19 back in addition flying over water is a bit safer  
20 than flying over densely populated areas of  
21 northeast Queens. A downed air craft could have  
22 devastating consequences. While I'm here to speak  
23 about Whitestone this issue affects most of  
24 northeast Queens and its time for it to stop. So  
25



2 all of us along the north shore will suffer the  
3 noise and the potential safety hazards just for a  
4 few... just for companies that want to make money and  
5 for the wealthy people who have their summer  
6 weekend to begin a few hours earlier so in the end  
7 all our communities suffer the inconvenience. I  
8 want to just thank Councilman Vallone for bearing  
9 with us because we've been knocking on his door for  
10 a while now just to get to this point and I thank  
11 you for your reference and we appreciate it. That's  
12 it, thank you.

13 CHAIRPERSON CONSTANTINIDES: Cronenberg.

14 CRONENBERG: Hello Council Members. I  
15 have a... actually I have a... a letter that one of my  
16 close friends who lives in Whitestone but couldn't  
17 make it here today, I think her letter is... has more  
18 impact than my personal testimony so if there's  
19 time left I'll... I'll put in a few of... of my own  
20 words. Picture this, a bright sunny day in July, it  
21 is seven a.m. and you are outside as part of your  
22 regular exercise taking a walk under the Throggs  
23 Neck Bridge, we are attempting to have a  
24 conversation with... you... you are... you are attempting  
25 to have a conversation with your walking buddy but

2 you cannot because of frequent interruptions by  
3 helicopter noise. Every minute, one day I timed it,  
4 it takes me 17 minutes to complete one mile, I am  
5 slow and there were about 14 helicopters going in  
6 both directions. In the evenings my husband and I  
7 wanted to relax and read by our community pool, we  
8 live in Le Havre under the Throggs Neck Bridge, we  
9 would meet some neighbors and try to have a  
10 conversation but you can't because of the  
11 helicopter noise. There was about seven in the  
12 evening and it continued well past eight in the  
13 evening when the pool would close. Helicopter noise  
14 continued all day, all... all day long throughout the  
15 summer, you can't keep your windows open because of  
16 the constant helicopter noise. Helicopters fly  
17 lower and create greater sound effects than living  
18 in the flight path of the airport. Numerous health  
19 issues have been attributed to constant noise  
20 pollution such as high blood pressure and sleep  
21 problems. Surely there must be something that can  
22 be done to improve this quality of life issue for  
23 those of us in the flight path of the helicopters,  
24 respectfully submitted, Lori Gordon. And if I can  
25 give a few of my own comments I... and... and full

2 disclosure I took a tourist helicopter flight and I  
3 took one of the flights before it was banned that  
4 went up to Yankee Stadium and it's a thrill, I'll  
5 never forget it, I also know how much I paid for  
6 it, it was my own birthday present but the... the  
7 point is and there's an expression, a Yiddish  
8 expression, it shook the kishkes out of me, I... I  
9 don't think I would ever want to do that again. The  
10 body shakes, it... it's not a very pleasant  
11 experience. I know Grand Canyon had fixed wing  
12 flights curtail because of the... the concern of the  
13 environment and... and for everything in... in that  
14 area but what about us, what about New York city,  
15 our citizens, the people that live here and exposed  
16 to this all the time and one last thing and it  
17 doesn't mean to be in... in a funny situation but  
18 over 30 years ago there was a movie that came out  
19 called Blue Thunder and I remember they had a... a... a  
20 engine or the... you... you heard no noise, it was like  
21 mute why can't there be something in the future for  
22 these helicopters to have a better control of the  
23 noise. Thank you very much.

24 CHAIRPERSON CONSTANTINIDES: I want to  
25 thank you all for your testimony. This committee

2 takes this very, very seriously and as a resident  
3 of Queens as... as my... my colleague Paul Vallone here  
4 I've been working very closely with him and you  
5 know in a story on Long Island city, western Queens  
6 we're... we're spiriting the very same issues, we're  
7 experiencing the consistent and persistent  
8 helicopter at base, I don't want to name any names  
9 but at based helicopter noise that is just making  
10 residents lives unbearable and so we're going to  
11 continue to advocate and... and this resolution's one  
12 part of that and getting more data is something  
13 that is going to help us and I know that... the...  
14 we're working with Council Member Vallone on that  
15 as well so we will continue to look at this issue  
16 and how we can get relief not only to the residents  
17 of northeast Queens but western Queens and all of  
18 Queens and New York city together so thank you for  
19 your great testimony and I appreciate your advocacy  
20 and work. With that I'll turn it over to my  
21 colleague Paul Vallone

22 COUNCIL MEMBER VALLONE: I just wanted  
23 to thank you each one more and Dan and Phil and  
24 George you know perseverance for today and every  
25 day you really have been leading the fight to unite

1  
2 now you see the city because it's not just  
3 Manhattan's fight anymore, it's... it's hearing the  
4 people of Queens that we have a voice in this  
5 process. And I think people should know that Dan  
6 went above and beyond and actually created his own  
7 website because of the problems with 3-1-1 and the  
8 inability to log a proper complaint and the  
9 inability to get any data whatsoever from the  
10 helicopter industry that he spent his own time to  
11 create a website and how many complaints now have  
12 been registered?

13 DANIEL ARONOFF: 3,200 since... [cross-  
14 talk]

15 COUNCIL MEMBER VALLONE: And... [cross-  
16 talk]

17 DANIEL ARONOFF: June.

18 COUNCIL MEMBER VALLONE: And how... what  
19 time period?

20 DANIEL ARONOFF: Since June 21<sup>st</sup>.

21 COUNCIL MEMBER VALLONE: That's... [cross-  
22 talk]

23 DANIEL ARONOFF: Yeah... [cross-talk]

24 COUNCIL MEMBER VALLONE: that's quite a  
25 number since June 21<sup>st</sup> and that's just... and... and if

2 more people knew about it and what is that website  
3 Dan?

4 DANIEL ARONOFF: Air noise report dot  
5 com.

6 COUNCIL MEMBER VALLONE: And the other  
7 thing that I think we should know is we all heard  
8 today there's no data, there's nothing, I mean you  
9 heard our questions and... and when my... my friends  
10 come from... whenever they come and ask me for  
11 information just like George was telling me about  
12 the frustration in Whitestone I don't have anything  
13 to give them because there's no data so there's  
14 another bill that's pending that Dan you're a big  
15 part of which was the data recording bill and all  
16 of us Council Member Menchaca and Council Member  
17 Costa Constantinides, Helen Rosenthal, Margaret  
18 Chin are working to get the wording right on that  
19 and that's going to be the next hearing that you  
20 see and that's coming straight from the advocates  
21 so when you're thanking... just give you that update  
22 to let you know what's happening.

23 DANIEL ARONOFF: Thank you council  
24 members... [cross-talk]

25 COUNCIL MEMBER VALLONE: Thank you.

2 CHAIRPERSON CONSTANTINIDES: Thank you  
3 all for your testimony. Our next panel will be Mike  
4 Campbell New York Helicopter, Robert Grotell  
5 Eastern Region Helicopter Council, Luz Herrera  
6 Liberty Helicopters, Jeffrey Smith Eastern Region  
7 Helicopter, Jessica Walker Partnership for New York  
8 city. The next panel after that just so you... if  
9 you're in the room to be prepared Adrian Benepe,  
10 Joseph Chinn, Lauren Cosgrove, Patty Riley, and  
11 Vincent Montalbano so if you can please make sure  
12 you're in the room after this panel, thank you.

13 ATTORNEY SWANSON: Not... not yet. Can you  
14 please raise your right hand do you swear affirm to  
15 tell the truth, the whole truth, and nothing but  
16 the truth today?

17 JEFFERY SMITH: Good afternoon, I'm not...  
18 thank you but I'm not go into the detail. My name  
19 is Jeffery Smith, I'm the Vice President of  
20 Operations for the Eastern Region Helicopter  
21 council and former chairman. For nearly 40 years we  
22 have continuously promoted safety professional and  
23 proficiency and community compatibility among our  
24 many helicopter and heliport related members. I'm  
25 joined by Robert Grotell here on my left there our

1 Special Advisor. Thank you for the opportunity to  
2 testify before the... this afternoon regarding intros  
3 0858 and 0859 proposal... local laws that combined  
4 will prohibit helicopter air tours at all in New  
5 York city owned heliports. The eastern region  
6 helicopter council is deeply concerned and strongly  
7 objects to these two local laws that will eliminate  
8 a long standing and thriving industry employing  
9 hundreds of people and seriously jeopardizing the  
10 city's transportation infrastructure of which the  
11 heliports play a vital role and I'd just like to  
12 stop real quickly right there, we had a great... we  
13 had a very great showing of heliport and air tour  
14 employees here that left just after the last  
15 comments because in the... in the... in the comments I  
16 heard in the hallway was I never heard anybody hate  
17 us so bad and they're trying to get rid of our  
18 jobs, I think... I thought I would pass that on so  
19 there is a... there's a sensitivity to talking about  
20 219 jobs and then actually having those people that  
21 have those jobs here and listening how that... that...  
22 the road is going in that direction. Helicopter air  
23 tours have been the key attraction in New York in...  
24 in New York City for 50 years providing



1 breathtaking views to the most beautiful skyline in  
2 the world. It is beyond comprehension that the city  
3 council is pursuing such a misguided draconian  
4 regulatory approach to what is an undefined issue.  
5 There are no city or federal noise damage being  
6 violated and only one... and only seven out of nearly  
7 870,000 Manhattan households file air tour related  
8 noise complaint with 3-1-1 on a monthly basis. The  
9 city councils proposed use of the FAA's stage three  
10 noise standards is completely inappropriate since  
11 this metric was specifically designed for the  
12 development and manufacture of new helicopter  
13 designs. The FAA never intended stage three levels  
14 to be used in a punitive manner. The FAA requires  
15 all helicopters under 75,000 pounds to meet stage  
16 two requirements and the entire New York city  
17 helicopter air tour fleet is in full compliance  
18 with the standard. These two proposed local laws  
19 are unwarranted; regulations should be the last  
20 resort not the first. In the past when helicopter  
21 noise became an issue ERHC worked with effected  
22 stakeholders including local elected officials met  
23 cooperatively in an attempt to resolve concerns  
24 before they escalated to this level. This critical  
25

1  
2 step in addressing quality of life concerns has  
3 been completely ignored by the city council and for  
4 some unknown reason this body has made the  
5 instantiated determination that a complete ban of  
6 helicopter air tours is the only solution. Before  
7 any solution can be implemented you have to first  
8 identify the problem, it is unclear to us, the  
9 entire agencies, what metric or standard is not  
10 being met by helicopter air tour industry that  
11 necessitates a complete ban. Sound levels generated  
12 by helicopter air tours are not in violation of the  
13 city's noise codes since aviation noise is only  
14 regulated by the federal government through the...  
15 the federal aviation administration. Sound levels  
16 generated by helicopter air tours do not exceed FAA  
17 and route noise standards and guidelines since they  
18 simply do not exist so why is the city council  
19 calling for a ban? Tourism is one of the most  
20 important industries in the city of New York and  
21 helicopter sightseeing is a thriving business  
22 putting hundreds of hard working individuals out of  
23 work and short changing the city of New York of  
24 almost 40 million in annual economic impact is  
25 totally unacceptable. If enacted these two bills

2 will place the livelihoods of many pilots,  
3 mechanics, sales agents, customer service  
4 representatives, line crew, safety officers,  
5 administrative staff, managers, and others in  
6 peril. The air tour industry provides good paying  
7 jobs to many military and law enforcement veterans,  
8 pilots and mechanics which I happen to be one.

9 Additionally, the industry hires students directly  
10 out of local aviation high schools as such as the  
11 New York city's aviation high school providing job  
12 growth and development opportunities for young New  
13 Yorkers who are passionate about aviation. The air  
14 tour industry allows them to take advantage of  
15 taxpayer funded vocational training and gain  
16 invaluable experience to further their careers, we  
17 cannot allow these jobs to be lost or these  
18 individuals to move to other places. ERHC has  
19 successful track record of working, collaborating  
20 with stakeholders on noise and community  
21 compatibility issues. We work closely with the  
22 helicopter operators, elected officials, community  
23 groups, and residents alike. Early this year  
24 without any fanfare or any response to noise  
25 concerns expressed by the city of New York and

2 Council Member Levin ERHC in coordination with the  
3 other tour operators have eliminated all Hamilton  
4 Heights and the Yankee Stadium over flights. ERHC  
5 continually reviews the tour routes we developed in  
6 2010 as part of the New York city helicopter  
7 sightseeing plan and modifies them as the need...  
8 needed to minimize noise sensitive... noise  
9 sensitivities. We eliminated shore tours, night  
10 tours, tour flights over... over flights of Brooklyn  
11 and specifically Red Hook by moving downtown  
12 Manhattan heliport departures over the Buttermilk  
13 Channel. We eliminated all tour flights over  
14 Governors Island by establishing a new arrival  
15 procedure into the heliport. We also worked with  
16 the FAA to increase the altitude of air tour routes  
17 as the tour air craft fly up and down the Hudson  
18 River. Time and again we worked with the  
19 stakeholders to address noise sensitive... noise  
20 sensitivities whenever possible. ERHC's two  
21 existing tour routes, they eliminated tour...  
22 overflights in Central Park, the Empire State  
23 building and other areas of Manhattan. These  
24 concerns were brought to us by the city as well as  
25 former council member now Manhattan Borough

1 President, Gale Brewer. Consistent with the city's  
2 sightseeing plan Saker Aviation services the  
3 manager of downtown Manhattan heliport and the ERHC  
4 developed an ongoing tour route compliance  
5 monitoring program that reviews radar tracks of  
6 tour aircraft to ensure they are following the  
7 routes and compliances were nearly perfect for over  
8 these last five years. ERHC tours modifications in  
9 conjunction with the compliance monitoring program  
10 successfully mitigated noise concerns and were all  
11 made within the existing voluntary framework that  
12 allows ERHC to quickly identify noise sensitivities  
13 and take decisive action. Regulatory action is  
14 unwarranted and will discriminate this industry.  
15 Without helicopter sightseeing the downtown  
16 Manhattan heliport will be become unprofitable and  
17 will likely close or because it's a transportation  
18 hub for VIP travel and the President of the United  
19 States the bills that we are talking about  
20 servicing and pilonce will become a taxpayer  
21 responsibility. After... likely close will turn...  
22 elerminate [phonetic] critically needed time to  
23 access lower Manhattan by... as I just mentioned law  
24 enforcement, government, any fortune 500  
25

1 corporations. Millions of dollars in rental revenue  
2 to the city will stop flowing. Should the heliport  
3 close the city owned East 34<sup>th</sup> Street heliport  
4 cannot accommodate the resulting increase in  
5 traffic due to its physical size and operational  
6 capacity... cap imposed by the City Planning  
7 Commission. Instead let's work... let's work together  
8 to first identify and define the helicopter noise  
9 issues and then develop and implement practical and  
10 balanced solution. The ERHC therefore suggests that  
11 all the parties sit down together at everyone's  
12 earliest convenience to address helicopter noise  
13 issue in a fair and equitable manner. [coughs]  
14 Excuse me. Let's bring together residents, local  
15 elected officials, helicopter operators, manage..  
16 heliport managers, ERC officials and others to  
17 resolve this matter once and for all. Our vast  
18 experience in working with communities and solving...  
19 noise concerns to the area shows that it's through  
20 cooperation and open communication that community  
21 compatibility and quality of life issues are best  
22 addressed, not through needless and unwarranted  
23 legislation. As such Eastern Region Helicopter  
24 requests that the New York City Council withdraw  
25

2 Intros 0858 and 0859, instead work directly with  
3 the local helicopter industry to ensure that your  
4 specific noise concerns are resolved quickly and  
5 fairly. We offer the... welcome the opportunity to  
6 meet with all stakeholders and are committed to  
7 begin that effort immediately. Lastly we encourage  
8 everyone with helicopter issues or concerns to  
9 contact the ERHC's noise complaint system at  
10 (800)319-7410, that's (800)319-7410 or via our  
11 noise complaint web form fly neighborly dot net,  
12 one-word fly neighborly dot net. Constituents can  
13 also file their concerns with the city's 3-1-1  
14 sinic [sp?]. Again thank you for this opportunity.

15 ROBERT GROTELL: Thank you. I'd like to  
16 thank the council for this opportunity to speak. I  
17 don't have specific testimony to present this  
18 afternoon but I just wanted to be here for the  
19 question and answer. I know that I've met with a  
20 number of you over the years. And I talked with  
21 Council Member Vallone's staff specifically in a  
22 great deal of detail regarding the Throggs Neck  
23 Route issue. I've been working this issue for 30  
24 plus years. The forter [phonetic]... former city  
25 official at EDC on aviation matters, former

2 director of the Mayor's Office of Transportation,  
3 former Deputy Director with the Mayor's Office of  
4 Environmental Coordination and former Deputy  
5 Commissioner of Transportation for the city. So I'm  
6 very well familiar with this issue. And we've...  
7 would be happy to answer any of your questions at  
8 the appropriate times. Thank you.

9 CHAIRPERSON CONSTANTINIDES: Thank you.

10 LUZ HERRERA: ... Luz Herrera... employee of  
11 Liberty Helicopter... Customer Service and Sales. And  
12 I know Washington Heights Residents by my house... So  
13 all the airplane from LaGuardia, all the ambulance  
14 from the Columbia hospital, all the fire  
15 department, all that noise is 24 hours. Should I  
16 say let's ban LaGuardia? Should I say let's ban the  
17 Columbia? No. I'm an employee, I need my job, and I  
18 do my living like everybody does. So we are  
19 minority employees, the majority okay. And if we  
20 run the helicopter companies so we going to the  
21 unemployment. Can the unemployment provide us  
22 health insurance? A lot of them... most employee are  
23 single parents with children. They need their job.  
24 They need a health insurance. They need to feed  
25 their family and they need to pay the rent. One of



1 the thing the mayor has been doing right now is  
2 facing the amount increasing of homeless people. If  
3 you ban the helicopter there will be more homeless  
4 people. So you will increase the number instead. So  
5 I guess for the city people who live by LaGuardia,  
6 people who live by Kennedy Airport and most of the  
7 people who are here complaining about the  
8 helicopter no it's... okay... they might pay taxes but  
9 we do too. We pay taxes to the city. We pay taxes  
10 to the state. We pay federal taxes too. I guess  
11 that we have the same right like they... they do okay  
12 to complain and to save our job. So as for me on a...  
13 probably the... the oldest one that they might be  
14 some people older like me here retire too okay.  
15 With the job that we do we support the city. I was  
16 talking to somebody else and telling I can greet  
17 you in five language. I can say good morning. I can  
18 say [speaking foreign language]. I can say  
19 [speaking foreign language]. I can say [speaking  
20 foreign language] in Arabic. I can say also  
21 [speaking foreign language] in Española. All of us  
22 in customer service we do that. Working hand with  
23 hand with the hotels with another tourist company...  
24 sellers and everybody making the tourist coming to  
25

1  
2 New York for comfortable days themselves... Some  
3 people come over here for two days. In two days  
4 they are not able to go to the Statue of Liberty...  
5 take one day. They are not able to go to the Empire  
6 State Building because it'll take a probably half a  
7 day. And they want to do some shopping. The only  
8 way they can make this program is they take the  
9 helicopter tour, see what they have to see, go for  
10 shopping, go for dinner, and do what they have to  
11 do and go. This is how the people feel about the  
12 helicopter that we are world-wide company, yes we  
13 are, that we will have an impact on the... on the  
14 tour... on the tour operations, yes it does. You know  
15 why? Because it like... as I say people come over  
16 here for two days. They want to see and do as much  
17 as they can. Short of time, a lot of traffic, and  
18 not able to do anything else if they go to the  
19 statue of Liberty or they go to the Empire State  
20 Building there is no time probably for dinner or  
21 Broadway show or for nothing else. So we help them.  
22 We made them feel comfortable at home. So we give  
23 you all the information they do even though they  
24 don't fly the helicopter, we help them. Thank you.

2 MICHAEL CAMPBELL: Alright, how is  
3 everybody doing today? My name is Michael Campbell.  
4 I'm the Chief Pilot of New York Helicopters; Miami  
5 Helicopters. I'm also a former air medical pilot  
6 for PHI and a former news pilot. So I can answer  
7 questions in regards to the news operations,  
8 charter operations, etcetera. There's been a couple  
9 issues at play here. You know you're talking about  
10 the helicopters; you know which... we have a lot of  
11 issues but we don't have solutions. You know we  
12 need to start collective bargaining. You talk about  
13 in... you know insecure heliports. If they want  
14 better security procedures at the heliports that's  
15 something we can work on collectively. Everybody's  
16 willing to compromise. Chin mentioned you know how  
17 much money is the heliport bringing into the city?  
18 If there's an issue of you know if they're losing  
19 money in regards to the heliports those are things  
20 that are all willing to negotiate. To ban the  
21 helicopters outright puts people out of work. I  
22 have 15 guys beneath me, four ex-veterans. And I  
23 can tell you that the helicopter market right now,  
24 it's not an easy market to find jobs. The oil and  
25 gas sector, North Sea is done. The Gulf of Mexico

1 is done. There's no hiring. There's hiring freezes.  
2 There's wage freezes all the way up to the  
3 executive level. Okay so to... to cut back and to cut  
4 these jobs and to... to... this industry this is one of  
5 the... the stepping stones. If you have a dream you  
6 come here to fly in New York. You know the... there's  
7 things that we can do in place. As far as the  
8 routes are concerned you know when I trained the  
9 guys we... we strictly adhere to those routes. As a  
10 news pilot... news pilots we're lazy. We fly Monday  
11 through Friday. We can't get 2,000 feet we're not  
12 going over Manhattan. You know we're doing  
13 everything we can in our power to provide a safe  
14 and quality of life to the people of Manhattan. You  
15 know but what we need is we need solutions. We  
16 can't keep talking... banning the helicopters is not  
17 a viable solution you know. It doesn't work for  
18 anybody. We're willing to compromise you know. We  
19 know you guys are want to enjoy the parks in the  
20 city. You know we're doing everything we can...  
21 adhering to the routes are strict but you know... you  
22 know the 3-1-1 system, it's flawed, you know be  
23 honest right. It hasn't worked you know because  
24 there's too many variables in play with that  
25

2 system. As far as the health concerns associated  
3 with the helicopters... talk about where the  
4 emissions are going you know. Matter can't be  
5 created nor destroyed. I don't know if you guys are  
6 familiar with what jet fuel is. Jet fuel is  
7 essentially kerosene used to put the... the older  
8 jets from when... from when we... the helicopters in  
9 somebody's diesel car, clean diesel you know so  
10 that's why when Bryan sat here and said oh he  
11 worked on helicopters for 30 years... didn't have  
12 any... problems because eventually you know it's  
13 almost you know your car, the trucks that you know  
14 are driving around your city are polluting the city  
15 more than the helicopters are. You talk about their  
16 city impact plan you know. Why isn't New York City  
17 implemented the same emissions policy that  
18 California has in place, you know as far as  
19 residential and commercial vehicles that are going  
20 around. I know the city's working on that with  
21 their fleet of NFTA brown cars etcetera but you  
22 know that could help with the noise pollution...  
23 impact. If you close downtown Manhattan, you know  
24 what I'm saying, they're going to move, you know  
25 what I'm saying. It's... it's a revenue generating

1 business. This is regulated with the city council  
2 and we want to work together why does it have a  
3 separation between us and them? Let's work  
4 together. Let's get some ideas on the board. Let's  
5 collectively bargain. There's never going to be a  
6 perfect solution you know. There has to be give and  
7 take you understand. But something has to be done  
8 without banning the helicopters you know because  
9 it's just... I had a dream you know. I'm the youngest  
10 chief pilot in New York City. I was a pilot in the  
11 year... back in 2013. I love this city and I'm going  
12 you know to do anything I can to... to make sure the  
13 jobs stay and to make sure that the guys who use  
14 this to live their dream and to follow their dreams  
15 are able to have this platform because if not then  
16 you're going to have a shortage of helicopter  
17 pilots qualified. The military is cutting back.  
18 Most guys they got in the military don't have the  
19 hours required to go and fly air medical. I've  
20 trained a handful of NYPD guys. I have a guy who  
21 just came back from Afghanistan who barely has  
22 enough hours to go and fly EMS and who's asking me  
23 hey Mike can I fly part time tours with you, you  
24 know, and he's one of the NYPD guys you know. And  
25

1  
2 so you know they talk about identifying the  
3 helicopters, etcetera. Every application is  
4 different. You know we know that we... we generate a  
5 lot of noise in the Red Hook area. You know you  
6 talk about the level three aircraft that just came  
7 through to stage three... that policy just came in  
8 place. A lot of the... the noise cancelling  
9 technology is still reserved for the military or it  
10 costs so much that it's just... it's not... it's not  
11 the kind of viable solution you know so let's get  
12 together. Let... let's figure out time, let's figure  
13 out route reductions you know. Let's put some  
14 numbers together you know. Because that's what you  
15 want. You guys want solutions. You don't want to  
16 keep hearing you know we're going to do this... we  
17 want you know solutions. And like I said you talked  
18 about the health issue... it's clean diesel you know  
19 what I'm saying. I mean it... it's... you know people  
20 have been around aviation you know for... for years  
21 and there's not that many issues associated health  
22 wise that you... you don't get. As far as noise  
23 pollution it's Manhattan. Everything produces  
24 noise. A taxi driver laying on his horn is going to  
25 produce noise you know. So you know that's pretty

2 much my take on it. I can answer any questions in  
3 regards to you know the news or the air medical  
4 sector but you know they talk about the north shore  
5 routes. That was us trying to keep the helicopters  
6 over water you know. But that's different sector...  
7 the charter sector. We're talking about tours here  
8 you know. So it's just you know we're willing to  
9 work, we're willing to compromise. But let's... let's  
10 get some things going together and not have this be  
11 the separation and they... Robert said we voluntarily  
12 got rid of the... the Yankee Stadium route over land.  
13 That was one of the most popular routes that we got  
14 rid of. You know but we don't want to get rid of  
15 the tours all together. So help us help you and let  
16 us all work together and get something going you  
17 know not 10 years from now. You know put some time  
18 lines on it.

19 CHAIRPERSON CONSTA CONSTANDINIDES: Miss  
20 Walker.

21 JESSICA WALKER: Thank you. I'm Jessica  
22 Walker with the Partnership for New York City. And  
23 we are... we represent the city's business leaders  
24 and the largest private sector employers here in  
25 the city. We also work together with government



2 labor and non... non for-profit organizations to  
3 promote economic growth and job creation. We  
4 understand the council's desire to address  
5 nuisances associated with the operation of  
6 helicopters horrors but we hope this conversation  
7 takes place in the broader context of the  
8 industry's important contributions to our economy.  
9 The industry... we've heard these numbers today  
10 throughout the day but the industry generates over  
11 33 million dollars in economic output to New York  
12 City. More important helicopter tours which flew  
13 278,000 city visitors in 2014 contribute to making  
14 New York our nation's number one tourist  
15 destination. Tourism is now one of the most  
16 important drivers of jobs and economic growth here  
17 generated an estimated 61.3 billion dollars in  
18 economic impact and 3.7 billion dollars in city tax  
19 revenues as well as supporting 359,000 tourism  
20 related jobs. Thriving tourism has also injected a  
21 much needed boost into the retail and entertainment  
22 sectors throughout the city. To build upon these  
23 successes Mayor de Blasio set an ambitious goal of  
24 attracting a record 67 million annual visitors by  
25 the end of 2021. And that's up from 55.6 million

1  
2 visitors in 2014. I'm sorry these are so many  
3 numbers. But you see that that is a huge goal. So  
4 this requires working alongside businesses large  
5 and small to showcase all that our five boroughs  
6 have to offer. An outright ban on helicopter tours  
7 might be a quick fix to limit noise complaints but  
8 it's at odds with this important economic goal for  
9 our city. Further it could simply send helicopter  
10 operators to New Jersey as we've... we've heard  
11 throughout the day where they would still be  
12 allowed to enter the city's airspace but without  
13 having to adhere to any of the city's restrictions.  
14 Instead of a ban this is an instance where  
15 government and industry must work together to find  
16 a workable solution as there's a great deal at  
17 stake for all involved. And also we heard today  
18 compromise is achievable. Tour operators have  
19 already demonstrated a willingness to work with  
20 concerns local elected officials and community  
21 groups. Over the years the industry has made  
22 voluntary concessions such as adhering to certain  
23 set flightpaths and agreeing to never fly over  
24 land. We trust that the council members will again  
25 work with the industry to strike a balance that

2 allows New York to continue to benefit from the  
3 economic activity generated by this industry. Thank  
4 you for your consideration.

5 CHAIRPERSON CONSTANTINIDES: Thank you  
6 all for your testimony. Several of my colleagues  
7 have questions. I'm just going to jump in and allow  
8 them to ask their questions. Do you operate on  
9 holidays?

10 MICHAEL CAMPBELL: Yes.

11 JEFFREY SMITH: Yes.

12 CHAIRPERSON CONSTANTINIDES: Full... full  
13 schedule...

14 [background comments]

15 CHAIRPERSON CONSTANTINIDES: ...these  
16 here...

17 MICHAEL CAMPBELL: Yes.

18 CHAIRPERSON CONSTANDINIDES: ...open from  
19 9:00 a.m....

20 MICHAEL CAMPBELL: Yeah most... most  
21 holidays are on... [cross-talk]

22 CHAIRPERSON CONSTANTINIDES: On all  
23 holidays you're open...

24 MICHAEL CAMPBELL: Unless there's a TF5  
25 via presidential, vice president etcetera.

2 CHAIRPERSON CONSTANTINIDES: So  
3 everything's open?

4 MICHAEL CAMPBELL: Yes.

5 CHAIRPERSON CONSTANTINIDES: When it  
6 comes to I mean you addressed the noise complaints  
7 and I don't... I didn't... want to make sure this is  
8 communicated and I think you understand... It's more  
9 than just noise complaints. There's real quality of  
10 life that's attached to the residents. You know  
11 they're talking to us about not being able... about  
12 waking up on a Sunday morning and not being able to  
13 enjoy their families, not being able to go to a  
14 park without having to wear a headset, not being  
15 able to enjoy a soccer game. It's not that... no one...  
16 I appreciate...

17 MICHAEL CAMPBELL: Yeah... [cross-talk]

18 CHAIRPERSON CONSTANTINIDES: I mean I...  
19 the committee has been very careful to recognize  
20 that jobs are... I don't... we don't... those jobs at  
21 all. We want to make sure that we're also finding a  
22 balance between the industry and the residents that  
23 they are each able to enjoy their quality of life...  
24 have 10 hours a day is a long time. 14... and I'm  
25 looking at my math that that's 140 helicopter rides

1  
2 per day. That's... that's only... and yeah that's not  
3 counting the time that you're on the ground and 112  
4 on Sunday that's correct.

5 MICHAEL CAMPBELL: And... and yes and that  
6 can fluctuate depending on the weather. Worse  
7 weather days you know the volume is down, the  
8 better weather days the volume is up. You know  
9 there's things we can put in place though you know  
10 you talked about you know going up to the GWB and  
11 coming back down. Maybe we can work on the routes  
12 on alternating routes you know maybe not going up  
13 the river. And then you know we'll stay... you know  
14 one week we'll stay to one sector and one week we  
15 alter to a different sector... you know breakup the  
16 impact of noise instead of banning them. Let's...  
17 let's get... let's get... let's get creative. Let...  
18 let's go to the drawing board. You know let... let's  
19 get some solutions down you know and we can always  
20 alternate you know this way the... the impact of the  
21 noise isn't affecting one neighborhood constantly  
22 every day instead of banning you know. I mean...

23 CHAIRPERSON CONSTANTINIDES: And just  
24 quickly talk about the charter the... you know the...

2 the resolution 892 which you don't address in your  
3 testimony...

4 JEFFREY SMITH: I... [cross-talk]

5 CHAIRPERSON CONSTANTINIDES: ...if you can  
6 speak to that... [cross-talk]

7 JEFFREY SMITH: I can talk... [cross-talk]

8 CHAIRPERSON CONSTANTINIDES: ...support of  
9 or... [cross-talk]

10 JEFFREY SMITH: I can talk to... [cross-  
11 talk]

12 CHAIRPERSON CONSTANTINIDES: ...not...  
13 nonsupport for it. I mean I represent you know  
14 Western Queens and... and the charter helicopter  
15 noise has become unbearable. I... I think I share  
16 that concern with Council Member Vallone and many  
17 of my other colleagues... communities have become...  
18 You know just being able to open your window is not  
19 something you're able to do. So what is your...

20 JEFFREY SMITH: So... I've been in the  
21 eastern region helicopter council since 2007 and  
22 I've been the chairman since 2009. I was very much  
23 a part of the voluntary agreement that was put  
24 place with Senator Schumer for the North shore  
25 route in... in 2008. There wasn't even a blue line.

2 In 2008 we made the rule... the voluntary agreement  
3 to get off of Long Island and fly over the North  
4 Shore if we're flying the north part of Long Island  
5 going out to East... into the East end. In 2012 that  
6 became a mandatory rule. One of the things that you  
7 have to understand about the Throggs Neck route and  
8 the Queens issue is the North shore route actually  
9 goes to Execution Rock. It's north of great neck.  
10 The problem is... is not only is Manhattan surrounded  
11 by water but New York metropolitan area's  
12 surrounded by three very big airports and one very...  
13 almost the biggest business aviation airport and  
14 that's Teterboro. So when the route coming in or  
15 out of the North Shore they can't even... So let's  
16 say we're going to extend it as the resolution does  
17 and make it over water. It's not... it's just not  
18 doable right now to get into the metropolitan area  
19 because you have to go over those airports. It's an  
20 air space issue of dealing with other traffic in  
21 the air.

22 CHAIRPERSON CONSTANTINIDES: I think we  
23 can all come to a... we... we can try to... we can figure  
24 out I'm assuming. It's not... [cross-talk]

25 JEFFREY SMITH: There... [cross-talk]

2 CHAIRPERSON CONSTANTINIDES: ...it's not  
3 insurmountable...

4 JEFFREY SMITH: There's... there's... Well  
5 there's many solutions, there's many solutions.  
6 It's just which one do we... because if we go north  
7 to the airport, north to LaGuardia... right now we  
8 fly over LaGuardia 2,000 feet. If we go North of  
9 Arroyo and north of the airspace, we have to be  
10 below 14 hundred feet going over Van Cortlandt  
11 Park, Co-Op and... and the Bronx Zoo.

12 ROBERT GROTELL: Yeah I think it's also  
13 important to add Council Member that the... the  
14 structure that's in place was established by the  
15 FAA. And that pilots and the operators are  
16 following exactly what the FAA has asked them to do  
17 whether it be on the route chart...

18 COUNCIL MEMBER VALLONE: Is it not a  
19 suggested route?

20 ROBERT GROTELL: The New York City...  
21 [cross-talk]

22 COUNCIL MEMBER VALLONE: ...not a  
23 suggested route. The Throggs Neck... [cross-talk]

24 ROBERT GROTELL: FAA... [cross-talk]



2 COUNCIL MEMBER VALLONE: ...not mandatory.  
3 Is a suggested route.

4 ROBERT GROTELL: It is a published FAA  
5 route chart that has existed for many years. And...  
6 [cross-talk]

7 COUNCIL MEMBER VALLONE: Fancy answers...

8 ROBERT GROTELL: given the complexity...

9 COUNCIL MEMBER VALLONE: ...say no it is  
10 not. It is not a mandatory route.

11 ROBERT GROTELL: The FAA route charts  
12 for helicopters across the country... [cross-talk]

13 COUNCIL MEMBER VALLONE: You can call it  
14 whatever you want.

15 ROBERT GROTELL: Right but I...

16 COUNCIL MEMBER VALLONE: And what we're  
17 trying to... [cross-talk]

18 ROBERT GROTELL: but I understand but...

19 COUNCIL MEMBER VALLONE: ...say is thank  
20 you very much. This is my committee and I will  
21 speak. Now what I'm saying at this point is there's  
22 a level of frustration that you have managed to  
23 unite everyone now because... not getting any  
24 suggestions. I'm getting answers that it's an FAA  
25 problem, that it's a state problem, that it's

2 LaGuardia Airport problem, it's a residential  
3 problem... [cross-talk]

4 ROBERT GROTELL: I understand that.

5 COUNCIL MEMBER VALLONE: And... and you're  
6 interrupting. In a New York City Council, we will  
7 have a say. And if we're left with no choice that's  
8 what this hearing is about. So it's a matter of...  
9 and your testimony was the best one of the day. You  
10 spoke from the heart and from the passion and  
11 talked about we can make changes. We haven't heard  
12 that. Haven't heard it at all. So I thank you. And...  
13 and I am the most reasonable person you're going to  
14 find... my frustration that will get to the point  
15 where I'm at now. And I keep hearing the wonderful  
16 answers... nobody has seen the change. Help us work  
17 with the FAA, work with the port authority, work  
18 with the LaGuardia airport. What other way can we  
19 do this? It's the same thing that's happening with  
20 Queens quiet skies and the airplanes. You've  
21 managed to get caught in this firestorm at the same  
22 time. When one community is sacrificed at the  
23 benefit of everyone else that community's going to  
24 scream and scream and scream. We live in Queens. I  
25 know there's major airports. I know there's going

2 to be airplanes. I know there's going to be  
3 helicopters. I just don't want to be the sole  
4 person to share... shoulder the entire burden of that  
5 inconvenience. And... and that's where... I think the  
6 same thing happened when the FAA... when we set up  
7 these regulatory commissions and we set up our  
8 noise monitoring and we set up all the... all the...  
9 they're not listening. They're doing the same  
10 flight path over and over and over again. So if we  
11 can get some help in trying to alter a flight path  
12 at heights. And maybe some change... not take the  
13 same route over and over so George Mertz... Meant...  
14 Mitropoulos?] and his family again doesn't have to  
15 see the same helicopter, that folks in Manhattan  
16 don't have to see the same route over to... maybe  
17 there'd be some talk. And that's where we need your  
18 help because you have the experience way more than  
19 I do.

20 ROBERT GROTELL: And we agree with you.

21 That's...

22 COUNCIL MEMBER VALLONE: So then let's  
23 sit down and figure this thing out.

24 ROBERT GROTELL: That's why we're here.

25 And as Jeff indicated in his testimony we're

2 prepared to start that conversation immediately.

3 We've had that conversation with the city and  
4 council members and city officials for many many  
5 years. And we're here at the table to discuss it.

6 COUNCIL MEMBER VALLONE: Well that's the  
7 good news... I think if we can get away from that and  
8 talk about that this resolution in... the data bills  
9 that coming... people need some answers and we just  
10 need to see them change. And without change then  
11 they're left with no other reason and you're going  
12 to see these type of bills.

13 ROBERT GROTELL: Sure.

14 COUNCIL MEMBER VALLONE: Thank you.

15 CHAIRPERSON CONSTANTINIDES: Alright.

16 Council Member Menchaca.

17 COUNCIL MEMBER MENCHACA: Thank you  
18 Chair. I want to start with Mr. Campbell and also  
19 commend you for your... your spirit and the ten...  
20 tenor... tenor of the voice that you're giving to the  
21 workers. I think that I heard you loud and clear  
22 that there are some real tension here. And I think  
23 obstruction of... of what we're trying to get to  
24 which is a solution.

25 MICHAEL CAMPBELL: Yeah.

2 COUNCIL MEMBER MENCHACA: And that...

3 there's... this is not about removing jobs and people  
4 and attacking people but it's about getting to a  
5 solution. And I'm going to leave the words of  
6 Council Member Vallone who basically said why we're  
7 here. The tension is high. So let's talk a little  
8 bit about the industry. And there's two places that  
9 I want to concentrate on as a pilot and stage three  
10 helicopters. And you're talking about this being  
11 military, this is new. What role do you feel as a  
12 pilot that is... flying these helicopters... what role  
13 does the industry have in taking us to that level?  
14 And what timeline would you put as a... as a pilot on  
15 a helicopter to get us to that place. There's a  
16 reason why we're elevating this conversation.

17 ROBERT GROTELL: Is that... is that open  
18 or do you want that from Mr....

19 COUNCIL MEMBER MENCHACA: I want that  
20 from...

21 ROBERT GROTELL: Okay.

22 MICHAEL CAMPBELL: So... so let... let me  
23 just get the question straight. You're... you're...  
24 you're asking for a timeline on a viable solution  
25 that can... [cross-talk]

2 COUNCIL MEMBER MENCHACA: And the role  
3 that the industry has in getting us to the place  
4 that the federal government is saying we should be  
5 at. Like what... what responsibility does industry  
6 have? And you heard them speak earlier.

7 MICHAEL CAMPBELL: Yeah no I mean the...  
8 the industry plays a major role in just you know  
9 enhancing pilots' abilities, helping them to  
10 further grow their careers you know. We... we bring  
11 on the best. They're... they're skilled when they get  
12 here. But from here there's so many more  
13 opportunities that they can move on to. As far as  
14 you know timelines in place for... for getting to  
15 where we need viable solutions, I mean some things  
16 to happen... you know before you ban us that's  
17 actually the biggest thing is you know we sit down  
18 and all the tour operators sit down with... with  
19 these guys and we... we put some... some plans together  
20 and see what we collectively can all agree on.

21 COUNCIL MEMBERS MENCHACA: I guess what  
22 I'm getting to is we have... we have a couple of  
23 goals to meet here. We're trying to decrease the  
24 sound. We're trying to actually decrease the number  
25 of helicopters and we're trying to decrease the

2 pollution we have in our... in our air. And at this  
3 point in conversation with the direct industry  
4 leaders and the owners of the... of the... of the lease  
5 they've done nothing to show us that they're making  
6 studies. And so the strongest testimony I've heard  
7 thus far is from you. And I get that because you  
8 are actually flying these helicopters. And so I'm  
9 hoping that... that... that you inspire your... your...  
10 your employer to really take that... that passion  
11 that you're... you're exuding today and... and take us...  
12 take us there. And... and the last thing I want to... I  
13 want to say on the enforcement. You... you heard from  
14 council members earlier today that there are... there  
15 are helicopters that actually deviate from the  
16 plans of FAA and Queens. Staten Island, there are  
17 helicopters that are going... What is... what is... what  
18 is your suggestion on the enforcement piece as a  
19 pilot? And what can we do to help you do that job  
20 better and not deviate? How... how would... how would  
21 you want to be enforced and how would you recommend  
22 an enforcement plan?

23 MICHAEL CAMPBELL: As far as the tour  
24 pilots are concerned we follow the routes as  
25 published for the agreement. And... [cross-talk]

2 COUNCIL MEMBER MENCHACA: So what  
3 happens when that doesn't happen?

4 MICHAEL CAMPBELL: Any deviation would  
5 be in regards to maybe some general aviation  
6 traffic, or maybe a controller telling us to  
7 deviate, and in regards to that we have to comply.  
8 So the operators are complying with the routes as  
9 published in regards to safety. Deviations are  
10 generally caused by a controller telling us to turn  
11 right ten degrees for so many seconds to generate  
12 spacing but it's... it's not something we would  
13 normally deviate from. It's more of just you know  
14 we're complying with you know who we need to answer  
15 to and but we're complying with the laws that we  
16 have to follow in the sky.

17 COUNCIL MEMBER MENCHACA: Okay. I'm  
18 trying to get you to understand that... that we're  
19 trying to find a solution and one of them is  
20 enforcement. We... we haven't found a way to do that.  
21 So that's where we go to ban. So it'd be great to  
22 hear from a pilot and you can speak if you like  
23 but...

24 JEFFREY SMITH: Well I'm a pilot...  
25 actually going to... I am a pilot so do you want... do



2 you want... the answer to your question is the... the  
3 airspace around the New York area is pre-exempt  
4 from the FAA. There are... this is one of the most  
5 heavily regulated industries in transportation  
6 this... the air tours. The air tours do not fly over  
7 Staten Island. There is another segment... many  
8 segments of the industry that do fly over the  
9 Staten Island area coming from airports that are  
10 Southeast New Jersey, Philadelphia... that area. Most  
11 of those traffic actually come up on the west side  
12 of Newark and go overhead Newark at 14 hundred feet  
13 into the Hudson River Basin. So enforcement, just  
14 to answer your question about enforcement. Minus  
15 the air tour issue which we discussed earlier which  
16 is the control of the... of New York City is the  
17 concession agreement at downtown. That is your  
18 mechanism for regulating the air tours is the fact  
19 that the air tours operate out of the downtown  
20 Manhattan Heliport. Anything as far as enforcement  
21 would fall under the FAA and the guidelines and the  
22 regulations that the FAA has.

23 ROBERT GROTELL: And if I could just add  
24 I... I developed the compliance program that the  
25 industry uses. And my company actually conducts the

2 radar flight analysis to ensure that the operators  
3 in the aircraft are following the two specified  
4 routes. And the procedure and the methodology that  
5 we developed in concert with the industry and with  
6 Saker Aviation which implements the program is  
7 looking at a regular random component of the  
8 monthly operations and checking them again as I  
9 said with the radar flight tracks available to us.  
10 And if in fact it's... becomes very apparent that an  
11 aircraft is straight off the line which rarely  
12 happens I should mention, rarely happens, we notify  
13 the manager of the heliport and it's the heliport  
14 management responsibility to coordinate with the  
15 operator to find out as... as was just stated if  
16 there is other general aviation traffic in the  
17 airspace that required a deviation. So we have the  
18 very specific information in terms of the  
19 compliance program. And I should also mention that  
20 I'm... I... I am the principal author of... of the New  
21 York City Helicopter and Heliport Master Plan. I  
22 wrote that in 1998.

23 CHAIRPERSON CONSTANTINIDES: Council

24 Member Chin.

2 COUNCIL MEMBER CHIN: Yeah. I mean just...  
3 just a quick question. That... we're gotten to this  
4 point is because we haven't been able to find a  
5 solution. I mean we had meetings with the FAA. And  
6 ever since I started in the city council, that's  
7 almost six years ago. So in this past five six  
8 years we still haven't had a solution. And  
9 meanwhile my constituent is... is facing you know all  
10 this problem and we're getting all the complaints  
11 and for my neighbors. I mean luckily I live you  
12 know in the side of the building. I don't get as  
13 much as people who live in the front of the  
14 building. But we got to find a way to solve the  
15 problem. I mean we go to the downtown heliport  
16 especially on a Sunday it's every couple of minutes  
17 that they fly out there. The noise is constant.  
18 There is no break. So something has got to give.  
19 Right. And the fumes you know... and this is the  
20 first time. And I thank you for your suggestion. I  
21 think it's an... you... I mean you the only... the first  
22 one that talked about mentioning you know maybe  
23 there's ways of dealing with the fume... fume... you  
24 know the... the... the smell right. But it is affecting  
25 peoples' health. And so it took a long time for us

2 to get to this point, to even get to this  
3 conversation going. And hopefully you know we could  
4 find some solution that's what we're hoping for.  
5 We're not out to kill jobs or whatever but even  
6 with a partnership okay tourism is important to the  
7 city. But at a certain point we have to look at the  
8 negative impact. People who live here. People who  
9 work here. And you heard testimony. And that's why  
10 it's so important to get it on public record.  
11 Peoples' been complaining for years and years. So  
12 we got to you know come together. It took a long  
13 time for us to introduce the legislation. So it's  
14 not that we haven't given the industry a chance.  
15 But hopefully you would hear the message that we  
16 are serious. So we hope that you will take this  
17 opportunity to work with us. And how can we  
18 mitigate the negative impact that's happening on  
19 our constituent New Yorkers who live here and  
20 people who work here.

21 JESSICA WALKER: May I respond? Just  
22 because you... you mentioned... no, no I think that  
23 that's correct. And I think like I said going back  
24 to our testimony that really was what we were  
25 trying to talk about... We don't think that the ban

2 is... is the right way to go, that it's about trying  
3 to compromise. And it sounded like... testimony both  
4 by EDC today and on the side of the industry  
5 operators that there is room for these types of  
6 discussions.

7 COUNCIL MEMBER CHIN: Thank you Chair.  
8 And we just want you to feel the urgency. Okay?  
9 That's all. Thank you.

10 CHAIRPERSON CONSTANTINIDES: Thank you  
11 Council Member Chin. Council Member Rose.

12 COUNCIL MEMBER ROSE: Thank you Chair.  
13 I... I'm... I just... I... I can't believe that in the year  
14 of 2015 that there's no technology that exists that  
15 could muffle or mitigate the noise that helicopters  
16 produce. Is there... is the industry looking into  
17 technologies that might address noise as... as well  
18 as the fumes that you know are created? You know  
19 we've looked into... in other industries biofuels,  
20 all types of energy sources that minimize you know  
21 fumes and particulate matter. Is there nothing that  
22 exists that could address the... the volume, the... the  
23 noise? And if so is the industry looking at it?

24 ROBERT GROTELL: Of course, yes. Yeah  
25 it's a... it's an evolutionary process and

2 unfortunately it does take a long time. And it  
3 takes a significant amount of money. But in the... in  
4 the past helicopters had two blades. And the... the  
5 current trend is for multi-blade helicopters which  
6 had reduced the... the outputted noise. And so there  
7 is as the fleets the majority of the airport fleets  
8 have multi-blade helicopters now where in the 1960s  
9 and 70s they did not. And the aircraft are much  
10 quieter. Can they be more quiet; the answer is yes.  
11 And that's going to unfortunately be an  
12 evolutionary process. And the eastern region  
13 helicopter council we do work with the  
14 manufactures. They are members of our organization.  
15 And we express our concerns to them on a regular  
16 basis.

17 COUNCIL MEMBER ROSE: So you're saying  
18 that it's evolving but it... it doesn't exist other  
19 than the double blade...

20 ROBERT GROTELL: Oh no no there's  
21 constant technological improvements that are being  
22 implemented by the industry specifically on noise.  
23 My point is that it does unfortunately, it takes a  
24 long time for the technology to hit the fleets and  
25 for the... excuse me before the constituents will

2 feel the benefit of that. But it has been a slow  
3 evolution over the years... the 50 years that air  
4 tours have been operating in New York City.

5 COUNCIL MEMBER ROSE: So is that  
6 something that we should be pushing the industry  
7 toward? You know actually implementing the  
8 establishment of these measures that are going to...

9 ROBERT GROTELL: I... I think your voice  
10 is very important in this process, of course, yes.

11 COUNCIL MEMBER ROSE: And my last  
12 question is we heard from James Katz, the Chief of  
13 Staff of EDC where all of the designated tour  
14 routes are now over water. We know that in 1999  
15 there was an agreement that helicopters would not  
16 fly over Staten Island, that they would take a... a  
17 water route back and forth to their base. Can you  
18 tell me why then we're still experiencing  
19 helicopters flying over Staten Island?

20 ROBERT GROTELL: Well I can tell you  
21 that Jeff and I had worked personally on that issue  
22 for many many years. So Jeff do you want to  
23 discuss...

24 JEFFREY SMITH: So the Staten Island  
25 issue, I was... I was there when we... there was

2 actually if you... if you know that there's a  
3 helicopter route with all the blue lines that we  
4 keep talking about there was actually what was  
5 called the Staten Island Route. And it came from  
6 the Southern part of New Jersey, came over Staten  
7 Island into the Verrazano. That was eliminated in  
8 1999. The traffic that you see in Staten Island  
9 it's more than likely the traffic from either news  
10 helicopters or aircraft based right in... Airport  
11 which is south of Newark... Newark Airport. So the  
12 options for those aircraft leaving Linden are  
13 either to come over Staten Island to get into the  
14 water south of the Verrazano or north of the  
15 Verrazano. And air traffic control dependent  
16 whether they can go up the west side of Newark  
17 Airport and go overhead. That... that's probably... if  
18 you're seeing aircraft on Staten Island from my  
19 experience that's probably what you're seeing.

20 ROBERT GROTELL: And... and I can also...

21 COUNCIL MEMBER ROSE: So what... we  
22 actually have evidence that one of my constituents  
23 will show this evening where it is actually a  
24 helicopter that is coming out of the heliport.  
25 We've identified it by the vehicle ID numbers. And



2 I... I guess apparently there are bases somewhere in  
3 Jersey but we're talking about separate and aside  
4 from news and police helicopters that there is  
5 constant flights over Staten Island. And... and since  
6 your... you... you said that there was a dedicated  
7 route that was coming over Staten Island that the  
8 1999 agreement... I... I'm not sure why that would not  
9 apply to these helicopters that are coming over. I...  
10 I know that the helicopter news and the police  
11 helicopters are sort of a separate category but we  
12 clearly have evidence that these are the tourism  
13 helicopters that are coming out of the heliport.

14 JEFFREY SMITH: The Staten Island route  
15 actually started at the bottom of Staten Island and  
16 went to the Verrazano Bridge. And when we  
17 eliminated that that was specifically for the  
18 aircraft coming from Trenton, Northeast Philly...  
19 Philadelphia. There was no way to... without  
20 eliminating the Linden Airport there was no way to  
21 eliminate the traffic leaving Linden to get either  
22 into Hudson Bay or go up and around and over Newark  
23 Airport. If you have a radar track or a track from  
24 a helicopter leaving any one of the three heliports  
25 going back to Linden Airfield then that is what

2 you're seeing is an aircraft actually going back to  
3 its base, not doing an air tour.

4 COUNCIL MEMBER ROSE: So you're telling  
5 me that the... the... the over water route that applied  
6 for the other helicopters are not... it's not  
7 applicable for these helicopters?

8 JEFFREY SMITH: It's the over water  
9 routes... the two defined routes for the air tours  
10 are the... the actual act of performing commercial  
11 air tours. They actually have tourist passengers on  
12 board. The aircraft leaving a heliport and going to  
13 South Jersey have no tourists on board and they're  
14 actually going back to their home base more than  
15 likely. There's no tour... [cross-talk]

16 COUNCIL MEMBER ROSE: Okay so they're  
17 just going back to their base. They have no  
18 tourists and that's fine, but they're still flying  
19 over Staten Island. Why can't they use the water  
20 route to get back to their base?

21 ROBERT GROTELL: Oh Council Member if I  
22 can suggest if you have specific dates and times of  
23 these events taking place I ask that you provide  
24 them to me and I will look at the fly tracks on the  
25 radar and as we have done for many many years, we

2 reach out to the operators directly. And ask them  
3 why are you operating in the manner you are? And... I  
4 can guarantee you that given the appropriate facts  
5 with your issue we can resolve this

6 COUNCIL MEMBER ROSE: Okay Thank you.

7 I'm sure you'll hear more specific information from  
8 my constitute when they testify. Thank you.

9 CHAIRPERSON CONSTANTINIDES: Thank you

10 all for your testimony. We appreciate your coming  
11 here today to testify. In the interest of time and  
12 allowing everyone to be able to testify we are  
13 going into our fourth hour. I do want to make sure  
14 we have 30 people to testify. So we are going to go  
15 to a clock. We are going to go to a two-minute  
16 clock for everyone. That's not that we... we want to  
17 make sure that everyone here has the opportunity to  
18 testify this evening. I don't want to lose people.  
19 I see people leaving. So Adrian Benepe, Trust For  
20 Public Land. Joseph Chin, Lauren Cosgrove, National  
21 Parks Conservation Association. Vincent Montalbano  
22 and Patty Riley Governors Island National Monument  
23 Park services.

24 CHAIRPERSON CONSTANTINIDES: Samara if

25 you could... [cross-talk]

2 ATTORNEY SWANSON: If you could raise  
3 your right hand. Do you swear affirm to tell the  
4 truth, the whole truth and nothing but the truth  
5 today?

6 [combined affirmations]

7 CHAIRPERSON CONSTANTINIDES: Mr. Benepe.

8 ADRIAN BENEPE: I'm Adrian Benepe. I've  
9 spent the better part of 40 years in parks and  
10 public spaces including 11 years as an inner city  
11 parks commissioner. I now work for the Trust for  
12 Public Land working in dozens of cities across  
13 America to advocate for and to build new parks. So  
14 I was recently in San Francisco as part of that I  
15 rented a bike and rode along the water fronts. And  
16 besides the amazing views what really struck me was  
17 quiet in this beautiful city of San Francisco there  
18 were not helicopters taking off every two minutes  
19 and destroying the peace. And you could hear the  
20 birds and the sound of the water and the sound of  
21 children. And without the noisy helicopter flights.  
22 I contrast that with my recent visits to Water  
23 front parks in Manhattan, Brooklyn, and on  
24 Governors Island. Over the last 20 years your city  
25 has invested well over 1.5 billion dollars in

2 building new parks, and improving existing parks  
3 along the water front including Hudson River Park,  
4 Riverside Park, Riverside south, The Highline, West  
5 Harlem Piers Park, Battery Parks, City Parks,  
6 Battery Park east river walk, Brooklyn Bridge Park,  
7 and Governors Island to name just a few. These  
8 parks in turn have attracted the development of new  
9 buildings worth billions more. Generating huge new  
10 tax revenue for the city of New York in creating  
11 tens of thousands of jobs. New residential  
12 communities have sprung up in lower Manhattan,  
13 along the Brooklyn water front in Harlem. In places  
14 where no one lived decades ago. Tourists now come  
15 to New York to visit its extraordinary parks and to  
16 walk and ride along the shore line. I'd like to  
17 note just briefly that the 2.9 million dollars in  
18 revenue to the city from the helicopter tours from  
19 over Manhattan is less than what is generated by  
20 hot dog carts in Central Park. And is one fifth of  
21 what we generated in revenues for Brooklyn Bridge  
22 Park. But most important these new parks have  
23 created quality of life benefits for New Yorkers  
24 and visitors that are too numerous to mention.  
25 Parks offer ways to get exercise, they improve

2 public health, they clean the air and water, they  
3 reduce the temperature in hot days, raise property  
4 values, and most important create important outdoor  
5 spaces. Well you have my testimony Brooklyn... Just  
6 let me say this. When Brooklyn Bridge Park was  
7 built they built a sound wall to block the noise  
8 from the BQE... BQE. It works. Unfortunately, there  
9 is no sound wall high enough to block the noise of  
10 the helicopters all along the waterfronts. The  
11 helicopter flights put simply have destroyed the  
12 park experience. It destroyed the park experience  
13 and what should be an oasis on Governors Island.  
14 They have destroyed the park experience in Brooklyn  
15 Bridge Park. They have destroyed the park  
16 experience in Hudson River Park. They have  
17 destroyed the park experience for millions of New  
18 Yorkers. That should really count. So I would say  
19 that tourist helicopters qualities... tourist  
20 helicopter flights have destroyed the quality of  
21 life for millions for the private profit perhaps as  
22 much as 100 million dollars a year for a handful of  
23 operators it must end now.

24 CHAIRPERSON CONSTANTINIDES: Thank you.

2 LAUREN COSGROVE: Good afternoon Mister  
3 Chairman, Council Members. My name is Lauren  
4 Cosgrove. And I'm here to provide testimony on  
5 behalf of the National Parks Conservation  
6 Association. Before I begin I would also like to  
7 say that I have copies of a written Testimony up  
8 here. The National Parks Conservation Association  
9 is a 97-year-old National Parks Advocacy  
10 Organization that works to protect and enhance our  
11 national parks throughout the country. With over a  
12 million members and supporters nationwide and 40  
13 thousand here in New York, NPCA is aware of the  
14 challenges caused by low flying helicopter tours in  
15 and around our national parks, especially the  
16 national parks that the New York, New Jersey  
17 harbor. Many New Yorkers recognize that peaceful  
18 quiet places in our great city are hard to find.  
19 And those that do exist are highly valued by all.  
20 National parks provide a peaceful respite from the  
21 hustle and bustle of city life and allow New  
22 Yorkers to rest and reflect, to learn about their  
23 culture and history, and to enjoy places like  
24 Governors Island with its beautiful waterfront  
25 views of our majestic city and harbor. At Governors

2 Island in addition to providing a place for rest  
3 and recreation, The National Park Service and the  
4 Governors Island Alliance offer a multitude of  
5 outdoor educational programs, artistic and cultural  
6 performances, tours of historic Fort Jay and Castle  
7 Williams, as well as many other public programs  
8 that enrich the visitors experience on the island.

9 However, the ability to facilitate affective park  
10 programs has been significantly affected by the  
11 frequency and decibel level of these helicopter  
12 tours. Helicopter tours fly directly over the  
13 island causing excessive noise and unnecessary  
14 commotion overhead. These disturbances are not only  
15 creating a negative impact on the visitor  
16 experience but they're prohibitive to interpretive  
17 programing, public performances, and to any number  
18 of other activities occurring on the island.

19 Interpretive National park rangers and educators  
20 are like are forced to halt guided tours while  
21 distracting helicopters fly above. Visitors appear  
22 alarmed by this noise and they're forced to cover  
23 their ears for up to a minute. I'd like to just say  
24 that on behalf of the National Parks Conservation  
25 Association we invite the New York City Council to



2 consider these bills as one of the ways to protect  
3 the integrity and solitude of our national parks in  
4 the New York, New Jersey harbor. Thank You.

5 CHAIRPERSON CONSTANTINIDES: Thank you  
6 for testimony. Thanks.

7 JOE: Hi everybody my name is Joe. And  
8 I'm just representing myself, my wife, and my  
9 daughter. So we live here in Manhattan and we lived  
10 in our apartment for about 3 years. And we live 2  
11 blocks away from the downtown heliport. So we have  
12 windows on two sides of our apartment and you know  
13 we open those windows, we get a nice breeze in,  
14 except the problem is we rarely ever open them even  
15 during the summer time when its hot out and we're  
16 boiling in there. Simply because when we do as my  
17 daughter says our apartment always becomes like a  
18 war zone with the helicopters. She says she can't  
19 open her window because the noise keeps her from  
20 doing homework, keeps her from taking naps. For me  
21 it keeps me from doing work or if I'm trying to  
22 read a book, which is very distracting. I feel like  
23 almost like we're almost like a prisoner in our own  
24 apartment and we're like being deprived of fresh  
25 air in essence you know for us we also have a very

1 nice British garden in front of our apartment  
2 building. We never hang out there for more than  
3 like a few minutes during the summer time  
4 especially because the noise is just unbearable.  
5 Promenade is really nice, same thing, we go down  
6 there we can only hang out there for a few minutes.  
7 We actually head north to where the seaport is just  
8 to even get away. It's like just so loud. So I've  
9 been frustrated by this issue for a long time and  
10 I'm so happy that I happen to read an article about  
11 this and heard it was going on. I had some thoughts  
12 about the 3-1-1 issue, to be honest I never even  
13 thought about calling 3-1-1. I think probably a lot  
14 of people wouldn't because it doesn't seem like  
15 there's anything that could be done. It's almost  
16 like you're calling to complain about you know  
17 Gatorade putting too much sugar in their drink.  
18 It's like... It's like a corporate thing. And I've  
19 called because we also live around the corner from  
20 Stone Street so when they get a little noisy I'll  
21 call about that because I know what will happen.  
22 Cops will come, you know if they're over staying  
23 their permit, They'll quiet down. But this never  
24 even... never even crossed my mind. But the only  
25

2 thing I... I'd want to leave is especially with the  
3 people who are on the other side of this bill,  
4 wherever you live if someone came to your  
5 neighborhood and said they were going to out a  
6 heliport to blocks away, would anybody ever think  
7 that that's acceptable? I mean it's crazy. That's  
8 just my view.

9 CHAIRPERSON CONSTANTINIDES: Thank you  
10 for Testimony. Mr. Montalbano.

11 VINCENT MONTALBANO: Yes, I'm Vincent  
12 Montalbano. I live in Staten Island and Council  
13 Member Rose's District and I support the  
14 legislation before you. Contrary to what the  
15 industry panel has just said, sightseeing and other  
16 helicopters have for many years used a North Short  
17 Staten Island, which is my community as a short cut  
18 from their New Jersey bases to New York City and  
19 points on Long Island and I submitted to the Chair,  
20 some photo evidence of such which I can explain to  
21 you at your convenience. In 1999 I have a different  
22 reading of this agreement, then congressman Beto  
23 Vesela got the FAA to issue a letter stating, and  
24 its attached to my testimony, it is our intention  
25 to publish a new helicopter route of concern to you

2 be deleted and a new route around the South side of  
3 Staten Island will appear in its place. This new  
4 route was entirely over water, not over land. Thus  
5 mitigating this constant disturbance of our  
6 communities. The helicopter industry agreed to  
7 these changes. That blessed quiet lasted about 3  
8 years when the helicopter decided not to follow it  
9 anymore. That has led to mayhem in the Skies over  
10 my house and our community. As a recent retiree I  
11 get to see this every day. Helicopters flying  
12 literally no more than 200 feet above my roof top.  
13 Helicopters flying a quarter of a mile from each  
14 other in opposite directions. Helicopters roaring  
15 through the neighborhood several times an hour  
16 throughout the day. But the city can control these  
17 flights since we heard earlier. This was affirmed  
18 by a federal court in 1998 after the city moved to  
19 reduce helicopter traffic on 34<sup>th</sup> Street. Took 50  
20 percent of ban weekend flight. The same power can  
21 surely be applied to the tourist helicopter  
22 operators who receive the privilege of being a  
23 concessionaire at the downtown Manhattan heliport.  
24 My request for my Staten Island community is  
25 simple. Make the Helicopter operators once again

2 honor their 1999 agreement with the FAA. So that  
3 everyone of their helicopters that fly back and  
4 forth between New Jersey and the downtown heliport  
5 fly entirely over a water route either to the North  
6 of Staten Island over the Kill Van Kull or to the  
7 south over the Raritan and New York Bays. Let me  
8 just say this one last thing. New York considers  
9 itself a world class city and we are. I was able to  
10 last six years to visit two other world class  
11 cities, Rome and London. In neither city did I see  
12 any helicopters flying sightseers over the  
13 Colosseum, the Forum, Westminster Abbey, or even  
14 the London Wheel. So we should keep our cities  
15 claimed to that kind of world class status in mind  
16 as we consider whether to continue to allow this  
17 route intrusion into our lives. Thank You.

18 CHAIRPERSON CONSTANTINIDES: Now Council  
19 Member Menchaca I know you had a question?

20 COUNCIL MEMBER MENCHACA: Thank you,  
21 commissioner. Mr. Montalbano I have one question.  
22 You had a really significant role in the city and  
23 the and really kind of laying the ground work for  
24 so much in the city and I know you're a private man  
25 and I'm really happy that you're here to testify.

2 My question to you is, it's a question I have asked  
3 already a couple times. What is your role, not your  
4 role, what is the role of the industry in the  
5 conversation we had today and then in the context  
6 of what you heard today, what is the role of the  
7 industry to move this question forward?

8 VINCENT MONTOBONO: Just... the industry  
9 could be Hollywood, what industry do you mean park,  
10 hill... [cross-talk]

11 COUNCIL MEMBER MENCHACA: The helicopter  
12 industry specifically, essentially the holder of  
13 the lease and property. What would you say their  
14 role is in this conversation?

15 ADRIAN BENEPE: It would be wrong for me  
16 to try to speak for the industry that represented  
17 themselves for today, but I think any industry and  
18 I have worked with a lot of different industries in  
19 my career. Having heard what they heard today from  
20 elected officials representing millions and  
21 millions of New Yorkers and from New Yorkers who  
22 came here and spent hours waiting to testify. This  
23 is a serious problem. This is not an issue of a  
24 couple of people who did or didn't call night 311  
25 and I would... any industry hearing that I would

2 think would say we need to have some conversations  
3 with this city council and work out and come to the  
4 table with some you know not meaningless but truly  
5 impactful suggestions as to how they can reduce  
6 dramatically the as... your brother council member  
7 said it, the misery. And I hear people giggling  
8 about that. There's nothing funny about misery  
9 being inflicted on people. That's why noises are  
10 used as form of torture in war. And this noise is a  
11 form of torture and it is rendering a lot of people  
12 miserable, so I think that they should hear that.  
13 Listen and come to the table with some very  
14 specific suggestions and if they don't then it's up  
15 to our... elected officials to represent their  
16 constituents and reduce this misery.

17 COUNCIL MEMBER MENCHACA: Thank you and...  
18 and I think what you pointed to is... is  
19 responsibility and the accountability of  
20 responsibility of an industry that wants to keep a  
21 relationship with the city and so thank you for...  
22 for really kind of hitting that straight on and  
23 thank you for the rest of your... [cross-talk]

24 ADRIAN BENEPE: I... I also think the city  
25 honestly should do a cost benefit analysis. It's a...

2 a really tiny, tiny rounding error in the city's  
3 budget, this 2.9 million dollars especially if  
4 you're spending millions to support the  
5 infrastructure on it. It's... the cost benefit  
6 analysis may turn out to be really not worth it.

7 COUNCIL MEMBER MENCHACA: Agreed.

8 Agreed, thank you.

9 CHAIRPERSON CONSTANTINIDES: Mr.

10 Commissioner and I thank you all for your testimony  
11 today, I appreciate your advocacy on behalf of the  
12 people to save New York, thank you for your time.  
13 Our next panel, I'm going to read two panels, one  
14 that we're having right now and the next panel so  
15 if you're in on this next panel the panelist going  
16 up currently; Connie Fishman Governors Island  
17 Association, Murray Fisher Harbor Foundation,  
18 Doctor Canburamaradi [phonetic] Stop the Chop,  
19 Clacey [phonetic] Newitt... Newlet [phonetic] and  
20 Peter Bray if you can all please come forward and  
21 be seated at the dais. Our next panel after that is  
22 going to be Catherine Hughes, Patrick Kennell,  
23 Marisa DeDominicis, sorry about that with  
24 Constantinides I always try to make sure I get it  
25 right, Richard Lloyd and Sheri Campbell. So please



2 if... if you're in that next panel try to stay in the  
3 room. We are going to stick to the two minute clock  
4 if you can... Samara if you can swear in the panel  
5 please.

6 ATTORNEY SWANSON: Can you please raise  
7 your right hand. Do you swear affirm to tell the  
8 truth, the whole truth today?

9 [combined affirmations]

10 CONNIE FISHMAN: I'm Connie Fishman from  
11 the Governors Island Alliance, you have my prepared  
12 testimony which I hope you'll read... [cross-talk]

13 CHAIRPERSON CONSTANTINIDES: Absolutely.

14 CONNIE FISHMAN: Keeping with the time I  
15 just want to make a couple of points, the panel up  
16 here before me made some wonderful points about  
17 Governors Island itself so I don't need to. There's  
18 been a lot of talk today about the routes over  
19 land, over water, what the agreement was back in  
20 the 90's. If you look at the geography of the  
21 harbor and where Governors Island is there is not  
22 very much water between either Brooklyn and  
23 Governors Island or Manhattan and Governors Island  
24 so what you get with helicopters taking off  
25 sometimes as frequent as two a minute, sometimes

1 when I'm on the island I can't count to 20 before I  
2 see another one take off. We had somebody watching  
3 one morning just early in the morning from nine to  
4 9:20, 24 took off in that 20 minutes so this is in  
5 part a problem of geography and in part a problem  
6 of volume. One of the helicopters going out is  
7 going on the right side, the other one coming back  
8 is coming back on the left side, it's a very narrow  
9 channel. You may say we're flying over water but  
10 there is not enough water in between the land of  
11 Governors Island, of Brooklyn, out of Manhattan to  
12 give enough room to not have the noise. We've got  
13 some metering equipment on the island that we bring  
14 out occasionally the level of... of the helicopters  
15 over certain places on the island in particular on  
16 the north where they make their turn gets up into  
17 the low 80's, that is not a level that normal life  
18 in the city takes place at and I think that if  
19 you're looking for compromises you have to consider  
20 not just what works for the industry and what works  
21 for certain residents but really what works for the  
22 whole city. One of the things that I admire about  
23 the effort Stop the Chop has been leading is they  
24 are not trying to put this in anybody else's  
25

2 backyard, they want a solution that doesn't just  
3 move helicopters to a different neighborhood but  
4 really solves the problem so thank you.

5 CHAIRPERSON CONSTANTINIDES: Thank you  
6 Miss Fishman. Murray Fisher.

7 MURRAY FISHER: Hi, my name is Murray  
8 Fisher. I'm the Co-Founder of the New York Harbor  
9 School and the Executive Director of the New York  
10 Harbor Foundation. We moved... We started the Harbor  
11 School in 2003, the entire point of the harbor  
12 school was to activate New York harbor as the best  
13 possible classroom for teaching and learning, for  
14 public school students in New York City. We started  
15 in Bushwick, Brooklyn and moved to Governors Island  
16 in 2010 and I started at that time the New York  
17 Harbor Foundation and the goal of the foundation  
18 was to try to activate the entire harbor to make it  
19 the best possible place for teaching and learning  
20 and for education that means access to the harbor  
21 and it's just... I... I think it's just sort of... I  
22 think what's happened for us is that we moved  
23 Governors Island to seek out a peaceful place for  
24 young people to be able to learn outside and in New  
25 York City it's so hard to find good places to

2 connect to nature and be outside with young people  
3 and Governors Island is such an ideal place to do  
4 that if it weren't for the helicopters so that  
5 single... the thing that makes it most difficult for  
6 us to do our work teaching and learning outside is  
7 the noise from the helicopters. It's a huge  
8 problem, we have 450 students, we have 40 teachers,  
9 we have six career and technical education programs  
10 teaching students to be able to work on and around  
11 New York Harbor and it just doesn't make sense to  
12 me at all that a harbor is a shared resource that  
13 we all want to use, we all want to enjoy, we all  
14 want to enjoy, we all want to be able to work  
15 there, to recreate there and that one single use  
16 would diminish the value of that use for everyone  
17 else, it just doesn't make any sense from a policy  
18 perspective I think. And I even also live in lower  
19 Manhattan so I walk down along the east river down  
20 to the... the ferry, the Governors Island Ferry. So I  
21 walk by the heliport every day. And I do want to  
22 say on a personal note that I look... I... and  
23 constantly thinking about and worrying about these  
24 helicopters. But I do on a personal note, I look  
25 and I think about the amazing work the pilots do

2 landing on that heliport and so I do give a lot of  
3 respect to the work in the industry and... and to the  
4 individuals in the industry but the impact it has  
5 on everyone else is... is... is... is I think... far  
6 outweighs any of the benefits and so I have to walk  
7 by it every day and I just think if... if... if the... if  
8 this committee were to go down and... and walk  
9 alongside the heliport, take the Governors Island  
10 Ferry over to Governors Island, try to conduct  
11 business it's virtually impossible because when  
12 you're outside the impact is so severe that what  
13 people do is they run back inside and close their  
14 windows and that's not what we need in New York  
15 City, we need to connect to nature and get people  
16 back outside.

17 CHAIRPERSON CONSTANTINIDES: Thank you.

18 I actually did that and... and I am... from my  
19 experience when I came to visit the harbor school  
20 which is an amazing place and we need more schools  
21 like the harbor school in New York City that's  
22 focused on the environment and getting children  
23 reconnected with our waterfront and... and... so you're  
24 doing a great job there but I heard the heli-tours,  
25 I mean you and I as we were eating lunch, as we

2 were discussing you know some of the projects that...  
3 that you're activating and working on as part of  
4 the Billion Oyster Project, I heard that noise on a  
5 consistent and persistent basis so we... on my  
6 fieldtrip to visit you I did have an opportunity to  
7 hear it firsthand so... that definitely has been  
8 taken into account.

9 MURRAY FISHER: Thank you.

10 KLARI NEUWELT: I'm Klari Neuwelt chair  
11 of the parks and environment committee of community  
12 board seven Manhattan, we heard from Queens  
13 earlier. CB7 Manhattan has been fielding complaints  
14 from our constituents since the prior millennium  
15 about helicopter noise disturbing the quality of  
16 life in our neighborhood. The noise particularly  
17 from sightseeing helicopters as well as the air  
18 pollution has been a major continuing concern for  
19 CB7. I'm testifying on behalf of CB7 as well as  
20 personally in support of intros 858 and 859 of  
21 2015. Sightseeing helicopters in particular serve a  
22 very small number of well off tourists and they  
23 provide revenues to a meniscal proportion of our  
24 business community. On the other hand, they daily  
25 disturb and disrupt the quality of life of many

2 thousands of regular New Yorkers including those  
3 who live or work on the upper west side. Most of  
4 Riverside Park which is a green urban gem that  
5 borders the Hudson River is in the CB7 district.  
6 Noise from helicopters disturbs the peace in  
7 Riverside Park as it does in the surrounding  
8 neighborhood for many of our residents who have  
9 outdoor space as part of their homes the seemingly  
10 constant helicopter noise is equally disturbing.  
11 Limiting sightseeing helicopters to a fly pattern  
12 over the river even if that were enforceable  
13 provides no real benefit to our residents because  
14 of the way that the noise carries onto the adjacent  
15 land as it does at Governors Island. CP... CB7 rather  
16 and our elected officials have grappled with the  
17 problem for well over a decade without success, it  
18 is time to stop the noise and the air pollution.  
19 The proposed limitations on sightseeing helicopters  
20 would not resolve all of the noise and pollution  
21 problems posed by helicopter traffic over Manhattan  
22 and the other boroughs but curbing sightseeing  
23 flight... sightseeing flights as these intros propose  
24 to do would certainly appear to be very beneficial

2 to our citizens. Thank you and I've submitted my  
3 testimony.

4 CHAIRPERSON CONSTANTINIDES: Thank you.  
5 Sir?

6 DOCTOR CANBURAMARADI: Good evening, so  
7 I'm going to talk about the... some of the well  
8 studied environmental detrimental health impacts of  
9 the aircraft noise on children and adults. There's  
10 a whole slew of literature starting with adults  
11 they started in 1977 with a large study in  
12 Netherland. The federation of environmental agency  
13 in Germany in collaboration with the National  
14 Institute of Public Health and Environmental  
15 Protection Agency of Netherland did a... did a... a  
16 study together, analyzed a... they analyzed 89  
17 studies including the ones that showed a doubling  
18 rate of a risk of cardiovascular diseases including  
19 hypertension as well as the use of cardiovascular  
20 medication used. Similar studies performed in  
21 Stockholm generated similar results and after  
22 evaluating all of these 89 studies performed across  
23 several European countries they've concluded that  
24 there is official evidence for positive  
25 relationship between aircraft noise and high blood



2 pressure and use of cardiovascular... use of  
3 cardiovascular medications. Similar studies were  
4 performed in... couple of years ago was published in  
5 British medical journal one of the most credible  
6 evidence based journals in the world across 22  
7 hundred zip codes. They evaluated more than six  
8 million Medicare enrollees and their conclusion was  
9 that there is a direct and proportional  
10 relationship between the increased risk of  
11 cardiovascular disease related hospitalization and  
12 exposure to aircraft noise. So when there is a cost  
13 analysis and income and revenue is considered this  
14 amount of expenditure needs to be included in that  
15 cost benefit analysis. More recent studies in  
16 France across 161 communes, over 1.9 million people  
17 living around three major airports demonstrated  
18 proportionate level of increased risk of death from  
19 cardiovascular disease, coronary artery disease and  
20 myocardial infarction. these studies were performed  
21 by governmental agencies, environmental protection  
22 agents in... in France. In children there has been  
23 very many studies linking learning abnormalities...  
24 learning... precognitive impairment and learning  
25 impairments to exposure to aircraft noise. One of

2 them done by western study.. Western London Study  
3 Group that demonstrated that noise exposure was  
4 associated with impaired reading on difficult items  
5 and raised annoyance as well as... as well as some  
6 links with hyperactivity and psychological  
7 morbidity. Munich Airport moving from one location  
8 to another provided an excellent opportunity to  
9 show that kids living in the old location of the  
10 airport showed improvement in their symptoms and  
11 their abnormalities and while kids in the new area  
12 where the new... the airport was... was moved to showed  
13 development of the same cognitive impairments.  
14 Lancet is the most... it's the second most credible..  
15 [cross-talk]

16 CHAIRPERSON CONSTANTINIDES: ...begin to  
17 wrap up... [cross-talk]

18 DOCTOR CANBURAMARADI: That it showed  
19 that over 28 hundred 44 children that showed  
20 cognitive affects, exposure and... due to exposure to  
21 aircraft noise that was associated with significant  
22 impairment in reading comprehension as... in a way  
23 that every five decibel difference in aircraft  
24 noise was equivalent to a two month reading delay  
25 in U.K. and one month reading delay in Netherlands.

2 Also it was associated with a significant  
3 impairment in recognition memory which did not  
4 defer by socioeconomically variables in response to  
5 the gentleman that said the aircraft... that we're  
6 living in a digital... in a... in an analog world as  
7 opposed to a digital world this is the way and I  
8 agree that we are living in an analog world, a  
9 world in which the increased level of aircraft  
10 noise is proportionately in an analog way is  
11 associated with increasing amount of impairment in  
12 reading comprehension and the children. This... also...  
13 as... as far as it goes with level of annoyance and  
14 measurement it has actually been measured and it  
15 has been published and it... and in this journal it  
16 was demonstrated that the level of annoyance of the  
17 children as measured by standard questionnaire  
18 follows a logarithmic pattern with increasing  
19 amounts of aircraft noise. Also federation... [cross-  
20 talk]

21 CHAIRPERSON CONSTANTINIDES: I... Sorry I  
22 really need you to... to wrap up. If you can please  
23 summarize the rest of... [cross-talk]

24 UNIDENTIFIED PERSON: ... agency committee  
25 on aviation noise performs similar studies among

2 which increase failure rate among all of the high  
3 school students both test types, math and science  
4 as well as literature was demonstrated for aircraft  
5 noise levels above 40 decibel as well as lower  
6 average test scores in a way that every five  
7 percent decrease in aircraft noise translated into  
8 seven to nine percentage of the average test scores  
9 and I guess the mechanisms are included in the  
10 handouts that I've... [cross-talk]

11 CHAIRPERSON CONSTANTINIDES: We'll...

12 we'll absolutely read all of it. Thank you all for  
13 your testimony, we greatly appreciate your  
14 advocacy, thank you. Next panel. So I'm going to  
15 read two panels. The one that's up now is Catherine  
16 Hughes, Patrick Kennell, Marisa, I'm not going to  
17 try to butcher your last name, Richard Lloyd and  
18 Sheri Campbell. The panel after that if you can  
19 still stay in the room; Norm Sutaria, James Cohen,  
20 Margaret Dunlevey, Daniel Watts, Roberto Galatea,  
21 and Anne Ellis. Samara if you could please swear in  
22 the panel.

23 ATTORNEY SWANSON: Can you please raise  
24 your right hands, do you swear affirm to tell the  
25

2 truth, the whole truth, and nothing but the truth  
3 today?

4 [combined affirmations]

5 PATRICK KENNEL: If I may... so Catherine  
6 Hughes couldn't be here, she's the Chair of  
7 Manhattan's Community Board 1. she had to leave to  
8 attend the lower Manhattan development corporation  
9 meeting but she asked... I'm also a member of  
10 community board one and she asked that I submit on  
11 behalf of CB1 that testimony and just point out  
12 that CB1 has been on record for years seeking to  
13 have this issue addressed, they've had numerous  
14 resolutions including one over the summer asking  
15 for a hearing such as this so on behalf of  
16 community board one thanks to the... to the... to the  
17 panel for... for holding this hearing and it's a very  
18 important issue because pier six is located  
19 entirely within CB1 but if I may I also wanted to...  
20 my name is Patrick Kennell wanted to testify on my  
21 own behalf as a concerned resident of the financial  
22 district. For over 13 years I've lived and worked  
23 in the financial district and my wife and I are  
24 raising our two very active sons, ages eight and  
25 five in this waterfront community that is home to

1 New York City's birthplace. As I mentioned I serve  
2 on Manhattan's community board one and I'm a  
3 founding member and president of the financial  
4 district neighborhood association. New York City's  
5 financial district is home to the city's fastest  
6 growing residential neighborhood in all of New York  
7 city. Some say in... in the entire country and the  
8 largest demographic of that growth is children  
9 under the age of nine. I know Council Member Chin  
10 has heard this over and over but it's true and we  
11 owe it to all of the residents of this and the  
12 surrounding neighborhoods but especially to all  
13 those children growing up here to fiercely protect  
14 our environment. The waterfront of the financial  
15 district in Battery Park City is where our children  
16 spend so much of their time outdoors from baseball  
17 and soccer games at pier 25 at the Battery Park  
18 ball fields, to climbing races and tag at  
19 Rockefeller Park, to letting their inner builders  
20 out at the Imagination Playground along the East  
21 River Esplanade and to the best and safest place to  
22 scooter and ride a bike at Governors Island the  
23 growing number of children in our neighborhood  
24 spend the most formative and most memorable years  
25

2 of their young lives along that waterfront. I would  
3 just... Okay, I... I would just say look at it this way  
4 we... we've heard a lot of testimony about this noise  
5 pollution and what it creates if someone was  
6 unloading fuel into the Hudson River or dumping  
7 garbage onto the grass at the Battery we would say  
8 that's pollution and we would do something about it  
9 now that's the same issue as I see it that we have  
10 before us here today, it's an issue of noise  
11 pollution, it's not just an issue of quality of  
12 life although that's very important and so I would  
13 urge the council to support 858 and 859.

14 CHAIRPERSON CONSTANTINIDES: Thank you  
15 very much for your testimony sir.

16 RICHARD LLOYD: Good evening, I'm  
17 Richard Lloyd representing Brooklyn Bridge Park  
18 Conservancy and I'm here today to testify in favor  
19 of the two bills to ban sightseeing helicopter  
20 flights from using city owned property. Tourist  
21 helicopters are now operating seven days a week  
22 from the downtown Manhattan heliport with  
23 approximately 300 flights every day. The... the  
24 constant den of helicopters has become an unwelcome  
25 sound track of... of Brooklyn Bridge Park. Earlier

1  
2 this year we were filming a short promotional video  
3 in the park and were unable to shoot for more than  
4 30 seconds at a time because of the steady stream  
5 of helicopter noise. The unsettling part of it is...  
6 is that we didn't notice the noise at first because  
7 we'd become so used to the relentless uproar of the  
8 aircraft. A park should be a quiet place, a haven  
9 where we can get away from the more aggressive  
10 sounds of the city. Speaking about the helicopters  
11 in a 2011 daily news article Michael Van  
12 Valkenburgh the designer of Brooklyn Bridge Park  
13 said we have started to build a park that everyone  
14 seems to like quite a lot at considerable public  
15 investment and the noise is horrendous and  
16 disturbing. Four years later the volume of tourist  
17 helicopters is worse than ever. Last month's  
18 opening of a new section of the park at the end of  
19 pier six which is directly across the water from  
20 the heliport has made our constituents even more  
21 aware of the continuous roar of tourist  
22 helicopters. The conservancy represents 3,000  
23 members and 175 people who enjoy the conservancies  
24 programs every year as well as millions of annual  
25 park visitors. They have reached out to us to voice



2 their displeasure and frustration with helicopter  
3 noise and on behalf of our neighbors and park  
4 visitors from around the world we applaud Council  
5 Members Carlos Menchaca, Helen Rosenthal, and  
6 Margaret Chin for introducing these bills and  
7 strongly support the ban to stop sightseeing  
8 helicopters from using city owned property, thank  
9 you.

10 CHAIRPERSON CONSTANTINIDES: Thanks.

11 MARISA DEDOMINICIS: Good evening and  
12 thank you for this opportunity. Dear members of the  
13 New York City council, as Director of Earth Matter  
14 New York and Educational not-for-profit that  
15 operates a compost learning center year round on  
16 Governors Island I wish to testify to the  
17 enormously negative impact of the noise from  
18 tourism helicopters that fly around lower Manhattan  
19 and across the New York Harbor. Governors Island is  
20 a New York City gem, a unique destination for  
21 residents and visitors who wish to enjoy the open  
22 space, art work and performance or just to unwind  
23 with their friends and families under the trees or  
24 in hammocks but the potential for blue collar rest,  
25 cultural enjoyment, and relaxation is ruined by the

2 frequent and excessive noise of the helicopters  
3 taking off flying along government Buttermilk  
4 Channel and coming in for a landing. In 2009 Earth  
5 Matter found a home on Governors Island to promote  
6 our mission of encouraging neighbor participation  
7 and leadership from composting. We created our  
8 compost learning center to assist us with this  
9 mission. Year round we host thousands of  
10 participants, visiting school children, groups of  
11 adults interested in learning about composting and  
12 reducing New York City waste, apprentices, and many  
13 hundreds of people who visit the center during the  
14 public open hours each year our staff and  
15 volunteers who work there daily. While helicopters  
16 fly nearby all these people are subjected to a  
17 level of noise that truly rattles the nerves and  
18 hurts the ears. People standing right next to each  
19 other need to shout to be heard. The problem is far  
20 beyond unpleasant and intrusive. Exposure to this  
21 level of noise is stressful, reeks the... wrecks that  
22 feeling of being of being in nature on the island  
23 and is detrimental to all of our programming and  
24 drastically reduces the quality of Governor Island  
25 experience. Tomorrow during our weekly Friday

2 volunteer and training program where we're hosting  
3 Pace University's Environmental Justice class we  
4 will have to pause minimally six times in our ten-  
5 minute introduction and orientation session at the  
6 beginning of our day. Concerning the long term  
7 investment the city is making in improving the  
8 grounds, facilities, and activities on Governors  
9 Island to create an unparalleled destination for  
10 residents and tourists, one minute? Half a minute?

11 CHAIRPERSON CONSTANTINIDES: Just  
12 summarize, go ahead.

13 MARISA DEDOMINICIS: It is. I'm grateful  
14 the council is examining this important issue and  
15 I'm hopeful that soon the island and everybody on  
16 Governors Island can enjoy a peaceful experience.

17 CHAIRPERSON CONSTANTINIDES: Thank you  
18 so much, thank you.

19 UNIDENTIFIED FEMALE: Good afternoon.  
20 All day every day those of us who live and work on  
21 the upper west side are bludgeoned with noise from  
22 tour helicopters. They shatter the peace all day  
23 long. I cherish my neighborhood and my life there  
24 and chose my small apartment expressly because it  
25 was in a quiet residential neighborhood now the

2 racket of tour helicopters bounces off the walls of  
3 nearby buildings and slams through my apartment and  
4 my ears. Now as I work in my office incidentally  
5 teaching young children tour helicopters spew a  
6 huge amount of noise overhead not to mention toxic  
7 air pollution. Now on my one day off a week I  
8 cannot rest in my own place, I have to leave my  
9 neighborhood to get away from the incessant den of  
10 helicopters. Tour helicopters should not be driving  
11 New Yorkers out of their homes and offices. We who  
12 live here, work here, raise our families here, we  
13 are the heart of the city. These helicopters are  
14 not quote normal city sounds, they make excessive  
15 noise, they're a daily torment and they are  
16 derailing our quality of life. The bottom line is  
17 this, to withstand noise is extremely stressful  
18 ultimately bearing that continuous level of stress  
19 will damage people's health. This is an assault by  
20 noise and it must stop, excuse me. We need you... we  
21 need you our elected representatives to stand up  
22 for us and pass these bills to stop the noise,  
23 thank you.

24 CHAIRPERSON CONSTANTINIDES: I want to  
25 thank you all for your patience today and testimony

2 and as you've heard every member of this committee,  
3 every council member is taking this issue very  
4 seriously and we'll continue to look for a good  
5 resolution but thank you for your time and... and  
6 your advocacy.

7 [background comments]

8 CHAIRPERSON CONSTANTINIDES: Next panel;  
9 Norm Sutaria, James Cohen, Margaret Dunlevey,  
10 Daniel Watts, Robuto... or Roberto Galatea, Anne  
11 Ellis. And the next panel after that if... if you're...  
12 to be... and make sure you're still in the room;  
13 Rhonda Wagner, Jeffrey Smith...

14 [background comments]

15 CHAIRPERSON CONSTANTINIDES: ...Jim... Jim  
16 Harrington and Jean Winoski.

17 ATTORNEY SWANSON: Can you please raise  
18 your right hand. Do you swear affirm to tell the  
19 truth, the whole truth, and nothing but the truth  
20 today?

21 [combined affirmations]

22 NORM SUTARIA: So my name is Norm  
23 Sutaria, I'm a resident of Astoria, Queens and I  
24 support resolution 892 and I urge the city council  
25 to support it as well. It's a great start, don't

1 stop there. One of the things that really wasn't  
2 addressed today was the actual science of  
3 helicopter noise, what causes it and what the  
4 helicopter manufacturers know to be the root cause  
5 of... of what... you know what generates the noise that  
6 affects all of us. It's... its partially turning but  
7 there are four primary things; altitude, weight of  
8 the helicopter which equates to its size, air speed  
9 and air temperature and you're probably wondering  
10 how in the world do I know this I'm not an engineer  
11 by trade, the helicopter association international,  
12 HAI, their website is rotor dot o r g, they  
13 actually have a flying neighborly guide where they  
14 encourage helicopter operators to voluntarily abide  
15 by manufacturers speed and altitude restrictions.  
16 Its public information that is listed out there or  
17 you can go and you could look up a specific type of  
18 helicopter and see exactly how they should fly to  
19 minimize noise. So that's... that's how I know this,  
20 sort of exacerbating the problem here in New York  
21 City is that it reflects in reverberates off of  
22 walls. So there are two things; design of the  
23 helicopter or the technology but also the way the  
24 helicopter is flown and if we're looking for  
25

2 immediate change from helicopter operators in my  
3 case it's the charter operations on the Throggs  
4 route which impact me significantly from April  
5 through October. The biggest thing is to have them  
6 fly slower and abide by their own fly neighborly  
7 procedures. I would like to call on the council to  
8 work on four things from here; number one work with  
9 the FAA and work with helicopter operators to have  
10 a 110 knott... knott indicated air... Throggs route and  
11 the tourist routes, two, utilize their flight  
12 neighborly... [cross-talk]

13 NORM SATARIA: ...procedures, three, work  
14 with the FAA to have a minimum of three to 4,000  
15 feet altitude for charter helicopters along the  
16 Throggs route, and four, work with the Volpe Center  
17 for transportation research, it's a DOT funded  
18 research center and they do research in terms of  
19 aircraft and their speeds and they will provide us  
20 in addition to the citizen science and the citizen  
21 data, they will provide us with the data from the  
22 FAA that could help affect changes and finally the  
23 last question that we could pose to all of the  
24 helicopter operators, how many tour, charter and  
25 cooperate flights adhere to fly neighborly

2 procedures given their type, altitude and weight  
3 when flying over New York City, they need to come  
4 to us with that data so that we can start a  
5 conversation, thank you.

6 CHAIRPERSON CONSTANTINIDES: I really  
7 appreciate it and thank you for your e-mail as  
8 well, thank you Norm...

9 JAMES COHEN: Hi, my name is James  
10 Cohen. I live on the upper west side, born and  
11 raised in Manhattan, lived my whole life in the  
12 upper west side. The upper west side now is nothing  
13 but helicopter noise. I complained to... on three... to  
14 3-1... 311 and they sent me to the EDC and I  
15 complained to EDC and they never investigated the  
16 complaints. On the EDC website they have for the  
17 tour operators the suggested path which is to go  
18 out to the middle of the Hudson, fly up the Hudson,  
19 turn towards New Jersey at 79<sup>th</sup> Street and go back  
20 down, none of them do that, they all fly up West  
21 Street, up the Henry Hudson Parkway and then they  
22 turn somewhere around the mid-80's. The effect of  
23 this is not only is Riverside Park a mess and you  
24 can... you can't hear yourself think but you can also  
25 hear it in the west side of Central Park so you're...



2 it's a constant barrage of noise. It's constant  
3 noise. When you add to that the commuter  
4 helicopters that are flying east to west between  
5 the airports there are times in Central Park, upper  
6 west side, upper east side and Queens where all you  
7 hear throughout the day is helicopter noise. You  
8 can go entire hours where there's no time where  
9 there isn't helicopter noise. I... I was really  
10 outraged by the ERHC because they don't care about  
11 the noise, they care about trying to fly their  
12 helicopters which is why now they want to make  
13 changes and they want to try to compromise. They  
14 didn't care about this before, they're flying those  
15 helicopters right over Manhattan and causing people  
16 lots of problems, lots of distress and they don't  
17 want you know... they haven't tried to mitigate this  
18 anytime before. I don't have sympathy for them  
19 anymore, the... the needs of at least a million  
20 people outweigh the few jobs that we're going to  
21 lose. This is... this is a... a quality of life issue  
22 and you have to take that into account and I'm  
23 sorry for the jobs that may be lost but at the same  
24 time we need to be able to feel at... like we have  
25 peace and quiet in our own homes. Thank you.

2 CHAIRPERSON CONSTANTINIDES: Thank you.

3 ANNE ELLIS: My name is Anne Ellis I  
4 live in Washington... [cross-talk]

5 NORM SATARIA: Is it on...

6 ANNE ELLIS: Is it on?

7 NORM SATARIA: There you go.

8 ANNE ELLIS: My name is Anne Ellis; I  
9 live in Washington Heights. I'm just going to edit  
10 what I wrote because it's... a lot of it has already  
11 been said but I live about five blocks east of the  
12 Hudson River and I can see and hear the tourist  
13 helicopters going by and I've pretty... I've observed  
14 them so much I can pretty much tell because they  
15 follow the same path at short intervals and I can  
16 watch them turn around and go back down. I called  
17 3-1-1 recently, they didn't ask me for a number but  
18 they... on their own they read me the whole rule  
19 about where they're supposed to fly and they  
20 emphasized over water only and all of these  
21 helicopters fly over the highway and buildings, all  
22 of them, they fly over near my... getting closer and  
23 closer to my window and its noticeable when I walk  
24 up to Fort Tryon Park and the Heather Garden which  
25 is very beautiful and granted there's other noise,

2 ambient noise from the highway or the airports but  
3 I see them almost like a conga line go you know one  
4 after another and then they turn around and you can  
5 hear it and so I'm very disturbed about how it  
6 affects other New Yorkers and I hope these bills  
7 are passed, thank you.

8 CHAIRPERSON CONSTANTINIDES: I want to  
9 thank you all for your... for staying here today and  
10 making sure that your... your voice was heard as part  
11 of these... these panels and that you're on the  
12 record and thank you for your advocacy on behalf of  
13 your communities and the people of the city of New  
14 York, thank you.

15 [background comments]

16 CHAIRPERSON CONSTANTINIDES: Our next  
17 panel; Rhondner [phonetic]... Rhonda Wagner, Jeffery  
18 Smith, Jean Winoski, Jim Harrington. And you are?  
19 Rhonda? And... and sir you are? What's your name?

20 [background comments]

21 CHAIRPERSON CONSTANTINIDES: What's...  
22 what's his... what's his name?

23 [background comments]

24 JEFFREY SMITH: My name is Jeffrey  
25 Smith... [cross-talk]

2 [background comments]

3 CHAIRPERSON CONSTANTINIDES: Jeffrey  
4 Smith, okay... [cross-talk]

5 [background comments]

6 JEFFREY SMITH: I live in Brooklyn  
7 Heights... [cross-talk]

8 [background comments]

9 CHAIRPERSON CONSTANTINIDES: So I'm  
10 going... so... Is there anyone else in the chamber that  
11 still wishes to give testimony on the record?

12 ATTORNEY SAMARA SWANSON: Do you swear  
13 affirm to tell the truth, the whole truth, and  
14 nothing but the truth today?

15 RHONDA WAGNER: I do.

16 CHAIRPERSON CONSTANTINDIES: Okay.

17 RHONDA WAGNER: Oh my god. Hi everybody.  
18 Wow. At least I'm not the last one. I was here with  
19 Lou and Gale Brewer I guess in 2009 and... and John  
20 Lou [sp?] said to me something like well Miss  
21 Wagner I don't think it's the Jetsons, the age of  
22 the Jetsons you know with the air traffic, no its  
23 much worse actually because this isn't a cartoon.  
24 Thank you guys so much; it is so great just being  
25 here today to be taken seriously. I may start

2 weeping but we're truly desperate and we need some  
3 help. My name's Rhonda Wagner, I've lived on the  
4 upper west side for most of 40 years. My home is a  
5 bunker in a war zone, I... it offers little refuge  
6 for me, thunderous roar, shaking, vibrations. I  
7 have dreams too, I'm referencing the pilot but I  
8 can't even hear myself think so there's a  
9 dysfunction and damaging health problem here. The...  
10 you know the great thing about this obvious  
11 painfully obvious embarrassingly obvious nightmare  
12 is that you know you just have to go outside to the  
13 west side and see simultaneous seven to ten  
14 helicopter tours in the air obliterating  
15 conversation, tranquil sounds of nature that last  
16 for hour after hour. I haven't really heard... I did  
17 step out for a moment but the... I live at the  
18 epicenter of the turning at supposedly 79<sup>th</sup> Street  
19 and I'm not sure why we get this incredible  
20 distortion when they bank but I have my doubts if  
21 they can't even fit in the quarter especially if  
22 there's another returning helicopter on the New  
23 Jersey side that fly neighborly through messenger  
24 was I believe a ten percent banking and then they  
25 go 45 percent and I would... I would love to know if

2 the pilots work on tips. I sympathize with them,  
3 they're probably... you know but come on, 45 I think  
4 that increases the noise. The 3-1-1 I never want to  
5 hear that mentioned again that's used as a weapon,  
6 that's a joke, what are we supposed to do be on the  
7 phone for 12 hours straight anyway, guys help us  
8 please, I'm so hopeful and so glad to be here. My  
9 dogs having a fit, probably tore the... the house up  
10 but thank you all.

11 CHAIRPERSON CONSTANTINIDES: Thank you  
12 for your testimony, thank you Miss Waggoner. Mr.  
13 Smith?

14 JEFFERY SMITH: My name is Jeffery  
15 Smith; I live in Brooklyn Heights. Every night at  
16 2:08 a.m. usually and four a.m. my entire house is  
17 vibrated by overflights of helicopters. Sometimes  
18 their stationary over the Heights. Now anybody who  
19 has a scanner or very simple radio receiver knows  
20 that these helicopters, the down waves are on  
21 federal frequencies and they're encrypted so what  
22 in god's name is going on up there, what are they  
23 looking for, is there a credible threat, don't you  
24 think we should all know about that? This nighttime  
25 over-flights are out of control. And then starting

1 at six a.m. the air almador arrives, traffic  
2 helicopters, god knows what, police helicopters.  
3 Before nine a.m., between six and nine, I... I  
4 usually count 28 major disruptions. Nobody get them  
5 a breakfast, nobody can wake up normally, it's out  
6 of control. Now... yes, noise has psychological and  
7 physiological effects, everybody knows that, okay  
8 there are hundreds of studies that show that but  
9 the danger of having that much hardware over our  
10 heads is what you should be thinking about, the  
11 danger of what's going on. I was in L.A. when the  
12 helicopter came down, the LAPD helicopter came down  
13 about 30 years ago, you don't want to think what  
14 that looked like, okay or what the... what happened  
15 to the neighborhood in a densely populated area its  
16 nightmare time. There are certainly noise  
17 cancelation technologies of course there are, I can  
18 do that in my living room and I'm no great  
19 physicist. Secondly, why are we using 1930 and  
20 1940's designs there are hundreds of designs to  
21 replace Mr. Sikorski's [sp?] bright idea. Why are  
22 we pursuing that? Finally, at a very minimum there  
23 should be plain English transponders on every  
24 flight that goes to any AM or FM radio, anybody can  
25

2 turn it on and it gives the type of helicopter and  
3 it gives essentially... it's... it's... it's a  
4 registration number also. There should be a website  
5 you can go on, you type in your... your... your... you  
6 know your zip code and it shows you all the  
7 helicopters, all the aircraft above you. If you can  
8 put GPS on every damn taxi cab to collect... to  
9 collect taxes why can't you put it a tax... one of  
10 these on everything and then have a website where  
11 we... everybody can see this, why the guesswork?

12 [cross-talk] This is available, affordable, off the  
13 shelf technology... [cross-talk]

14 CHAIRPERSON CONSTANTINIDES: Alright sir  
15 if you can wrap... [cross-talk]

16 JEFFERY SMITH: ...for god's sake... [cross-  
17 talk]

18 CHAIRPERSON CONSTANTINIDES: If you'll  
19 start wrapping up... [cross-talk]

20 JEFFREY SMITH: Secondly, and finally,  
21 what is the feds doing on... over... over Heights and  
22 downtown Manhattan every night, what are they  
23 looking for? Is there a credible threat? Don't you  
24 think we should know about that? Thank you sir.



2 CHAIRPERSON CONSTANTINIDES: Thank you.

3 Sir?

4 DEMOSCANIS MATZOS: My name is

5 Demoscanis Matzos and I live one block from the

6 Hudson River and Riverside Park and I... I want to

7 discuss a third aspect of the helicopter misery

8 impacts and that's called the multipath

9 interference with TV singles and although the

10 television stations transmit over the air... digital

11 singles with healthy noise error margins my

12 reception of... of television signal programs is

13 severely distorted with video pixilation, audio

14 dropout, video collapse and blackout whenever a

15 sightseeing helicopters fly up the Hudson River

16 toward and within 1200 feet of my TV receiving

17 antenna. The TV signal reflections bouncing off the

18 helicopter body lasts 20 to 30 seconds and cannot

19 be corrected by reorienting my receiving antenna

20 since the interference changes with the helicopters

21 flight movements. My TV video image and audio

22 reception does not recover until the helicopter

23 moves away from my antenna and DVD... decoder box.

24 This phenomenon has been studied in Thailand in

25 2003 on a study on the airplane flying 8,000 feet

2 above an airport at a television signal and they  
3 had found that the TV broadcast signal was so  
4 negatively affected by the airplane reflection of  
5 the TV signal that it resulted in fading, sometimes  
6 collapse and distortion of the picture. Now that  
7 was 8,000 feet above the... the path of the single.

8 CHAIRPERSON CONSTANTINIDES: Thank you  
9 Sir. Thank you all for your testimony today. We  
10 appreciate your patience and staying here to have  
11 your... [cross-talk] ...heard on the record. [cross-  
12 talk] Thank you very much. Thank you very much.  
13 Thank you all for being here today. I want to make  
14 sure we thank our committee attorney who has been  
15 able to do all the research and put this hearing  
16 together Samara Swanson. I want to thank Bill  
17 Murray our policy analyst who wasn't here today but  
18 I know he was involved. I want to thank my  
19 colleagues for being here for the whole hearing,  
20 Council Member Menchaca and Chin and look... thank  
21 you all for being here and making sure that your  
22 voice is heard that the... as we look... as we work  
23 through this issue and hope to resolve these very  
24 serious quality of life issues that we do with it...  
25 in... judiciously and do it in a way that makes sense

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for all so I appreciate your voice being heard as part of New York City's process so thank you all. Have a wonderful evening and with that I will... and thank you to the sergeant in arms as well for all of your great work today, thank you and with that I will thank... and Nick Wizoski [sp?] and my staff. Thank you so much and this hearing's now closed.

[gavel]

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 November 30, 2015