

CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

COMMITTEE ON FIRE AND CRIMINAL JUSTICE SERVICES

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June 09, 2009  
Start: 02:24 pm  
Recess: 02:28 pm

HELD AT:                   Committee Room  
                                  City Hall

B E F O R E:                   JAMES VACCA  
                                  Chairperson

COUNCIL MEMBERS:  
                                  Tony Avella  
                                  Alan J. Gerson  
                                  Eric N. Gioia  
                                  Peter F. Vallone, Jr.  
                                  Vincent J. Gentile  
                                  Mathieu Eugene  
                                  Elizabeth Crowley

2 CHAIRPERSON VACCA: Ladies and  
3 gentleman, please take your seats. The meeting is  
4 called to order. This is a meeting of the Fire  
5 and Criminals Justice Services Committee of the  
6 New York City Council. I'd like to introduce my  
7 colleagues who are here. First, I'm James Vacca,  
8 the chair of the committee. To my left are Eric  
9 Gioia, Peter Vallone, Alan Gerson, and Tony  
10 Avella. To my right is Elizabeth Crowley. Our  
11 meeting today will consider two bills that are  
12 part of a package of 12 bills that resulted from a  
13 collaborative process between the administration  
14 and the Council in the wake of the tragic August  
15 18th, 2007 fire in the former Deutsche Bank  
16 Building that led to the deaths of two  
17 firefighters. The bills are collectively intended  
18 to improve construction, demolition and asbestos  
19 abatement procedures in the City of New York. We  
20 previously had a hearing on the bills, Intro 1002  
21 and 1007, on June 2nd at which time we heard  
22 testimony in support from the administration and  
23 from Uniformed Fire Officers Association. The  
24 have undergone some technical amendments, but  
25 remain substantively unchanged. The first bill

1 was introduced by Council Member James and the  
2 Speaker in conjunction with the mayor, that's  
3 Intro 1002. It amends the Building Code and  
4 prohibits smoking at all construction and  
5 demolition sites and requires that signs be posted  
6 in accordance with the provisions of the Fire Code  
7 and regulations. The legislation will enhance  
8 existing smoking prohibitions by including them in  
9 the Building Code, which will increase awareness  
10 of the prohibitions and allow for greater  
11 enforcement and protection by Building Department  
12 personnel. The second bill we are considering is  
13 Intro 1007, which I introduced along with the  
14 Speaker in conjunction with the Mayor. It  
15 requires DEP, FDNY and DOB to establish a  
16 procedure to share information regarding  
17 violations issued as a result of inspections of  
18 buildings, meeting agreed upon criteria that are  
19 relevant to the responsibilities of each  
20 department. Having this information will enable  
21 the agencies to be more effective in doing  
22 inspections and understanding the conditions that  
23 exist in buildings and ensuring corrective action  
24 is taken and will enable first responders with  
25

2 knowledge of the conditions in the buildings  
3 having a greater degree of safety because they'll  
4 know what to expect and guard against. I believe  
5 both these bills will improve safety and I strong  
6 recommend a yes vote on both. Is there any member  
7 of the committee who'd like to make a statement?  
8 If not, I will ask the clerk to please call the  
9 roll.

10 WILLIAM MARTIN: William Martin,  
11 Committee Clerk. Roll call on the Committee on  
12 Fire and Criminal Justice Services. Council  
13 Member Vacca?

14 CHAIRPERSON VACCA: Vote aye on  
15 both.

16 WILLIAM MARTIN: Avella?

17 COUNCIL MEMBER AVELLA: Aye.

18 WILLIAM MARTIN: Gerson?

19 COUNCIL MEMBER GERSON: Aye on both  
20 and just with the reiteration and accentuation  
21 that these bills will help to prevent another  
22 tragedy that we saw and that I saw just a few  
23 blocks from where we sit at the Deutsche Bank  
24 Building.

25 WILLIAM MARTIN: Gioia?

2 COUNCIL MEMBER GIOIA: I vote yes  
3 on both. Thank you.

4 WILLIAM MARTIN: Vallone?

5 COUNCIL MEMBER VALLONE: Aye on  
6 both.

7 WILLIAM MARTIN: Crowley?

8 COUNCIL MEMBER CROWLEY: Aye on  
9 both.

10 WILLIAM MARTIN: By a vote of six  
11 in the affirmative, zero in the negative and no  
12 abstentions, both items are adopted.

13 CHAIRPERSON VACCA: Without further  
14 business, I will leave the roll call open for ten  
15 minutes for additional members who wish to vote.  
16 Hearing no further, I will recess this hearing,  
17 leaving the vote open. Thank you.

18 [Pause]

19 WILLIAM MARTIN: Gentile?

20 COUNCIL MEMBER GENTILE: Yes on  
21 all.

22 WILLIAM MARTIN: Vote now stands at  
23 seven in the affirmative, zero in the negative and  
24 no abstentions.

25 [Pause]

2 WILLIAM MARTIN: Council Member

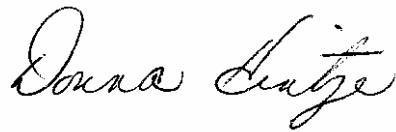
3 Eugene?

4 COUNCIL MEMBER EUGENE: Aye.

5 WILLIAM MARTIN: Vote on Fire and  
6 Criminal Justice Services now stands at eight in  
7 the affirmative, zero in the negative and no  
8 abstentions. Thank you.

C E R T I F I C A T E

I, Donna Hintze certify that the foregoing transcript is a true and accurate record of the proceedings. I further certify that I am not related to any of the parties to this action by blood or marriage, and that I am in no way interested in the outcome of this matter.

A handwritten signature in cursive script that reads "Donna Hintze". The signature is written in black ink on a light-colored background.

Signature

Date July 24, 2009