

CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON HEALTH

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March 26, 2019

Start: 3:18 p.m.

Recess: 3:38 p.m.

HELD AT: 250 Broadway - Committee Rm.  
16<sup>th</sup> Fl.

B E F O R E: MARK LEVINE  
Chairperson

COUNCIL MEMBERS: Alicka Ampry-Samuel  
Inez D. Barron  
Mathieu Eugene  
Keith Powers

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

2 [sound check] [pause] [gavel]

3 CHAIRPERSON LEVINE: Good afternoon and  
4 welcome everybody. I'm excited about this capacity  
5 crowd [laughter] for our very important hearing  
6 today, which we'll voting on three bills very  
7 different bills each in which is extremely—excuse me,  
8 four bills dealing with three very important  
9 challenges for our city our battle against obesity,  
10 and childhood Diabetes are ongoing efforts to reign  
11 in the threat of Legionnaires' Disease, and a piece  
12 of legislation that's particularly personal to me to  
13 allow mothers who have been abused by their  
14 obstetricians to remove the name of the abuser from  
15 their child's birth certificate, and we'll talk more  
16 about these bills in a moment, but I do want to allow  
17 folks to vote in case they have to leave, and then  
18 I'll queue the sponsors of these two bills, Council  
19 Member Rodriguez and Kallos for statements, and I do  
20 want to acknowledge that in addition to our two bill  
21 sponsors, we've also been joined by fellow Health  
22 Committee Members, Council Member Inez Barron and  
23 Council Member Keith Powers. Thank you all for  
24 joining us, and I'm going to ask our Committee Clerk

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2 Billy Martin to please call the vote. We're going to  
3 do the vote and then we're just--yeah.

4 CLERK: Roll call vote. All items are  
5 coupled, Chair Levine.

6 CHAIRPERSON LEVINE: I vote aye on all.

7 CLERK: Barron.

8 COUNCIL MEMBER BARRON: I want to thank  
9 the Chair for consideration of having us vote first  
10 because I do have to leave. I vote aye on all and I  
11 ask--

12 CHAIRPERSON LEVINE: [interposing] And  
13 we're going to do that.

14 COUNCIL MEMBER BARRON: --to be added to  
15 all of the bills. Thank you.

16 CHAIRPERSON LEVINE: Well, we thank you  
17 for your support and for co-sponsoring the bills.  
18 Thank you.

19 CLERK: Powers.

20 COUNCIL MEMBER POWERS: I vote aye.

21 CLERK: By a vote of 3 in the  
22 affirmative, 0 in the negative and no abstentions,  
23 all items have been adopted by the committee.

24 CHAIRPERSON LEVINE: And we'll--we'll  
25 leave the vote open for at least 20 minutes, and now--

2 now that we have a little bit less pressure on time,  
3 I do want to say how excited I am by all of these  
4 bill today, and I want to thank Council Member  
5 Rodriguez for his partnership on the fight against  
6 Legionnaires' Disease, and I want to thank Council  
7 Member Kallos for an outstanding piece of legislation  
8 that's going to be a major new tool in the battle  
9 against childhood obesity and diabetes. I'm excited  
10 about these bills and others. Since Council Member  
11 Kallos was here first, I'm going to cue for a  
12 statement and then we'll go to you, Council Member  
13 Rodriguez, please.

14 COUNCIL MEMBER KALLOS: I want to start  
15 by thanking our Health Committee Chair Mark Levine.  
16 You and I have a lot in common. One of the things we  
17 do have in community unfortunately is Legionnaires'.  
18 We have a cluster in my district. You also  
19 experienced that in your district and as part of  
20 today's package on Legionnaires' I'm proud to have  
21 legislation along with your that is passing through  
22 multiple committees that will hopefully mean that no  
23 none will ever have to get sick or God forbid die  
24 again from Legionnaires', but I think the piece that  
25 I might be happy about is that kids' meals in New

2 York City are in for a change from the iconic  
3 McDonald's Happy Meal to a kids' meal at your local  
4 diner, water, lot fat milk, and 100% fruit juice will  
5 be default instead of sodas that are high in sugar.  
6 We've seen report after report over the past couple  
7 of weeks just about how bad soda is and just how much  
8 soda kids are drinking most recently; enough to fill  
9 a bathtub and not that is not fiction. That is not  
10 Willie Wonka and the Chocolate Factory. That is  
11 literally what kids are drinking right now. Obesity  
12 is now an epidemic in New York City with more than  
13 half of adults are overweight or obese according to  
14 the city's Department of Health, and obesity is  
15 starting early in life with nearly half of all  
16 elementary school kids not at a healthy weight, and  
17 one in five kindergarten students entering school are  
18 already obese, and so I'm just proud to be sponsoring  
19 this legislation, and having done so for five years,  
20 and I think the—the most interesting piece about this  
21 is we had testimony previously. It had been this  
22 legislation was widely opposed, but even in recent  
23 testimony from McDonald's it shows that by changing  
24 the default beverage, it—they now have half as many—  
25 half the meals from McDonald's that are kids' meals

2 now include a healthy beverage, and now it's going to  
3 be the normal at 24,000 restaurants throughout our  
4 city, and I couldn't be prouder. Thank you.

5 CHAIRPERSON LEVINE: Thank you, Council  
6 Member Kallos for the great bill, and for your work  
7 on Legionnaires' as well. In the Housing and  
8 Buildings Committee, we have some good bills moving  
9 this week as well and now cue you, Council Member  
10 Rodriguez.

11 COUNCIL MEMBER RODRIGUEZ: Thank you,  
12 Chair and it is so sad to know that months ago and a  
13 short period of time ago, Northern Manhattan had been  
14 hit by Legionnaires' Disease, and sometime this  
15 reality have to bring all of us to the discussion  
16 about how cooling tower need to be inspected and—and  
17 more regulated. So, as anyone can write the name of  
18 the residential building in any block, and find out  
19 all the reports of violation open, violation  
20 corrected. Right now up to this moment, those  
21 information I know public when it comes to cooling  
22 tower. So the bill that have the opportunity to lead  
23 as the lead prime together with the chairman of this  
24 committee working especially because the last case of  
25 Legionnaire's happened in our area in his districts

2 and border to my district. I think it is important  
3 to be able to work in this committee and to know that  
4 we are voting on this bill, the one that would create  
5 a reporting when it comes to all the cooling towers  
6 in the city of New York. From now on, everyone they  
7 will know when the last cooling tower was inspected,  
8 what measure was taken to correct any violations.  
9 So, hopefully, this will allow us to collect all the  
10 information to be sure that those individuals or  
11 agencies that own those cooling towers, that people  
12 with cooling towers, they should know that we are  
13 watching on them, and the we expect that all  
14 violations are corrected so that we don't have to  
15 live an experience that unfortunately took the lives  
16 away of so many great New Yorkers in Northern  
17 Manhattan because of Legionnaires' Disease.

18 CHAIRPERSON LEVINE: Thank you very much,  
19 Council Member Rodriguez for this bill, and for your  
20 work on the topic. I do want to say a few words  
21 about a piece of legislation that I am pleased to be  
22 introducing today related to just the incredibly  
23 painful problem of women who have been abused by  
24 their obstetrician, and the name of that abuser then  
25 enshrined in perpetuity on the birth certificate of



2 their child. This is not just a hypothetical. This  
3 is a very painful real world case for dozens of women  
4 who were abused by a doctor who has since been  
5 convicted whose name appears on the birth certificate  
6 of these children. The leader of this movement one  
7 of the most inspiring people I have had the chance to  
8 work with, Marissa Hoechstetter, who appeared before  
9 this committee in a very emotional impactful hearing  
10 earlier this year has led this—she has led this  
11 charge surmounting many, many, many obstacles. To  
12 work with her has been a real honor, and I'm just  
13 thrilled that New York City is now going to give  
14 Marissa Hoechstetter, and the dozens of other women  
15 potentially more who have been victimized this way,  
16 and give them the right to have a little bit of pain  
17 alleviated from their lives by removing the abuser's  
18 name from their birth certificate, and I'm pleased  
19 that we have—we'll vote—we're voting on that bill as  
20 well 1308-A. I would like to cue fellow Health  
21 Committee Member Dr. Mathieu Eugene who has joined  
22 us. We have—we still have the vote open and so we'll  
23 ask Mr. Martin to please have Dr. Eugene to vote.

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2 CLERK: Continuation roll call, Committee  
3 on Health. All items are coupled. Council Member  
4 Eugene.

5 COUNCIL MEMBER EUGENE: First of all,  
6 thank you, Mr. Chair, and with that, I vote aye.  
7 Thank you.

8 CHAIRPERSON LEVINE: Excellent. [pause]  
9 Okay, this concludes the formal part of the hearing,  
10 but we will ask that the vote remain open for 10  
11 minute because we are expecting Council Member Ampry-  
12 Samuel to join us. Thank you all very much. [pause]

13 CLERK: Final vote, Committee on Health.  
14 All items have been adopted by the committee 4 in the  
15 affirmative, 0 in the negative and no abstentions.

16 CHAIRPERSON LEVINE: Thank you. This  
17 will conclude our hearing. [gavel]

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C E R T I F I C A T E

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



Date April 26, 2019