

CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

COMMITTEE ON ENVIRONMENTAL PROTECTION

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September 23, 2019  
Start: 1:30 p.m.  
Recess: 1:38 p.m.

HELD AT: Committee Room - City Hall

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

COUNCIL MEMBERS: Rafael L. Espinal, Jr.  
Stephen T. Levin  
Carlos Menchaca  
Donovan J. Richards  
Eric A. Ulrich  
Kalman Yeger

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

2 [sound check] [pause]

3 CHAIRPERSON CONSTANTINIDES: Alright.

4 [gavel]

5 SERGEANT-AT-ARMS: Quiet please.

6 CHAIRPERSON CONSTANTINIDES: Alright,  
7 good afternoon, I am Costa Constandinides, Chair of  
8 the Environmental Protection Committee. This is the  
9 first of our two hearings. First we're going to have  
10 hearing on the bills we're voting out of committee  
11 this morning and then we will have our hear—our  
12 regular scheduled air quality hearing. Today, we'll  
13 be hearing and voting on three bills related to  
14 energy storage, energy aggregation, and thermal  
15 energy systems. This committee has led the city's  
16 efforts to respond to the climate change enaster—  
17 disaster by enacting legislation to required the  
18 installation of solar PV and geothermal systems on  
19 city buildings. We've also been driving the  
20 initiatives based on our greenhouse gas reductions.  
21 We have passed 80/50 what feels like a very long time  
22 ago in 2014, and then most recently passed the  
23 Climate Mobilization Act, which was 1253-A and others  
24 calling for reductions in large buildings but we have  
25 a lot more to do. Multiple studies have shown that

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2 environmental stressors and benefits are inequitably  
3 distribute across the city often saddling low-income  
4 and majority minority communities with far more than  
5 their fair share of consequences for the modern  
6 conveniences enjoyed by all. Even small fluctuations  
7 in airborne pollutants can have vastly consequential  
8 effects on public health and why our city's air  
9 quality has been steadily improving. There are still  
10 communities breathing dirtier air than their  
11 neighbors. Renewable energy sources are clean and  
12 exhaustible and increasingly cost-effective. They  
13 differ from fossil fuels and they are diversity,  
14 abundance and potential for use anywhere on the  
15 planet, but above all they produce neither greenhouse  
16 gases, which cause climate change nor polluting  
17 emissions that cause respiratory illness. The  
18 combustion of fuel oil whether for energy production,  
19 indoor climate control. The production of hot water  
20 is one of the city's greatest sources of greenhouse  
21 gas and particulate emissions. It is our moral  
22 imperative to break our addiction to burning fossil  
23 fuels as soon as possible not only to reduce  
24 greenhouse gas output but also steps to mitigate the  
25 worst effects of climate change. That means we have

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2 to cut our particulate emissions and render immediate  
3 tangible health benefits to the residents of New York  
4 City. Battery storage is one of the key solutions  
5 for the misalignment between the supply and demand  
6 curves of solar energy, and further implementation  
7 will allow us to increase reliance on locally  
8 produced emissions-free renewable energy production.

9 Community aggregation models allow participants to  
10 bundle the purchasing power of various municipalities  
11 or entities in order to purchase bulk energy at fixed  
12 prices. By bargaining collectively as a block,  
13 participants are able to negotiate for rates that  
14 would not be available to individual actors  
15 maintaining transmission and distribution services  
16 while with—from existing utilities. Climate control  
17 and hot water production accounts for 57% of the  
18 citywide energy—energy consumption, and city studies  
19 have shown that buildings where hot water production  
20 is decoupled from the space heating boilers had  
21 substantially lower rates of fuel consumption than  
22 buildings where those two functions were serviced by  
23 the same equipment. Similarly, other thermal energy  
24 systems such as ground or air source heat exchangers  
25 use the ambient temperature of the air or ground to

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2 reduce the energy that must be expended on indoor  
3 climate control. These technologies allow us to  
4 perform these necessary functions without relying so  
5 heavily on the combustion of fuel oils. Proposed  
6 Intro 49-A would require the Department of Citywide  
7 Administrative Services, DCAS, to conduct a full  
8 feasibility study on the installation of utility  
9 scale battery storage systems on city buildings  
10 including installation and use of each available type  
11 of utility scale, energy storage systems in each city  
12 building and submit to the Mayor and the Speaker a  
13 copy of such study. Following the study, the  
14 department or any other authorized agency is required  
15 to install utility style energy storage systems in  
16 all city buildings where the energy study determines  
17 the installation is cost-effective. Intro 140-A  
18 would the city to conduct a feasibility study and  
19 plan on community choice aggregation for energy  
20 purchasing. If the city recommends implementation—  
21 implementing such programs, the office shall on or  
22 before December 31, 2021 develop and make publicly  
23 available online a plan for implementing such  
24 programs. Intro 426-A would require that DCAS  
25 conduct a feasibility on the cost of installing solar

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2 water heating and thermal energy systems on city-  
3 owned buildings and mandate the installing when  
4 identified as cost effective. These bills respond  
5 from the calls from transition we've heard so  
6 powerfully for our youth this Friday. I recommend a  
7 yes vote on this legislation and happy to Climate  
8 Week to all as we begin a week of focusing on all  
9 these issues and how we can make our communities more  
10 sustainable and more resilient. So, with that, I  
11 will turn it over to the clerk for a vote.

12 CLERK: Matthew DiStefano, Committee  
13 Clerk, Committee on Environmental Protection. Roll  
14 Call Vote on Proposed Intro Nos. 49-A, 140-A and 426-  
15 A. Chair Constantinides.

16 CHAIRPERSON CONSTANTINIDES: I vote aye.

17 CLERK: Espinal

18 COUNCIL MEMBER ESPINAL: I vote aye.

19 CLERK: Levin.

20 COUNCIL MEMBER LEVIN: Aye

21 CLERK: Yeger.

22 COUNCIL MEMBER YEGER: Aye.

23 CLERK: By a vote of 4 in the  
24 affirmative, 0 in the negative and no abstentions the  
25 items have been adopted.

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2 CHAIRPERSON CONSTANTINIDES: Thank you to  
3 our Legislative Attorney Samara Swanston, our Poly  
4 Policy Analyst Nadia Johnson and Nicky Chola, my own  
5 Legislative Counsel and Nick Wizowski. I think we  
6 have a few minutes to turn over the tape. I know  
7 that—can we give Donovan Richards or Council Member  
8 Richards says he's walking over. So, I'm going to  
9 give him five minutes and then we're going to switch  
10 the tapes. Thank you. [pause]

11 CLERK: Continuation of roll call vote,  
12 Council Member Richards.

13 COUNCIL MEMBER RICHARDS: I happy vote  
14 aye.

15 CLERK: The final vote is 5 in the  
16 affirmative, 0 in the negative and no abstentions.

17 CHAIRPERSON CONSTANTINIDES: So, with  
18 that, I will gavel this part of our hearing closed  
19 and we'll switch the tapes so we can begin our  
20 hearing on air quality. Thank you. [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 September 26, 2019