

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON TRANSPORTATION

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June 25, 2020
Start: 10:14 AM
Recess: 10:39 AM

HELD AT: REMOTE HEARING (VIRTUAL ROOM 1)

B E F O R E: YDANIS A. RODRIGUEZ
Chairperson

COUNCIL MEMBERS: Fernando Cabrera
Andrew Cohen
Chaim M. Deutsch
Ruben Diaz, Sr.
Robert F. Holden
Peter A. Koo
Stephen T. Levin
Mark Levine
Carlos Menchaca
I. Daneek Miller
Antonio Reynoso
Donovan J. Richards
Deborah L. Rose

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

2 CHAIRPERSON RODRIGUEZ: should I begin?

3 SERGEANT-AT-ARMS: Yes, sir, you're good.

4 CHAIRPERSON RODRIGUEZ: Okay. Good

5 morning, and welcome to today's hearing on the City
6 Council Committee on Transportation. I'm Ydanis
7 Rodriguez the Chair of this committee. Today we will
8 be voting on Proposed Intro 1 and 1354-A and it is
9 sponsored by Council Member Holden in relation to
10 requiring certain fearless prevention equipment on
11 concrete measured trucks. Over the last several
12 years the city and this Council have made pedestrian
13 and cycling safety a top priority. In 2014, the city
14 implemented his Vision Zero plan, which has resulted
15 in the decline of more than 25% in the number of
16 traffic fatalities. Last year, however, we witnessed
17 the death of 29 cyclists. In this year so far, the
18 number have been 7 cyclist fatalities. So, it is
19 clear that the city must continue to do everything
20 in its powers to come up with solutions to prevent
21 or reduce the number of traffic fatalities involving
22 pedestrians and cyclists. As Chair of this
23 committee, pedestrians and cyclist safety will
24 always be my top priority. One potential danger to
25 cyclists is that there still is the concrete onto

2 the streets and concrete measured trucks, which can
3 harden and create bumps that leads to crashes. A
4 cost-effective way to prevent this spill is by
5 requiring concrete measured trucks to attach a choke
6 cluster to the end of the choke on the truck. This
7 device only costs a few hundred dollars, a small
8 investment for the preventive measure like carried
9 use and street maintenance cost and potentially save
10 lives and prevent accident crashes. At this time I
11 would like to call Council Member Holden to make a
12 statement on his bill.

13 COUNCIL MEMBER HOLDEN: Thank you, Chair
14 Rodriguez for the opportunity to speak on Intro
15 1354, which would require like you said concrete
16 mixing trucks operating New York City to be equipped
17 with shoot shutters or a similar device to prevent
18 the spillage of concrete and materials used in mixed
19 concrete by no later than June 30, 2021. The idea
20 for this legislation came from multiple constituents
21 in my district, and my work in civic associations
22 for over three decades I've noticed this problem for
23 a while. I reached out to Transportation, the
24 Department of Transportation many times about these
25 concrete mounds on roadbeds, bike lanes and even

2 some sidewalks. My staff and I traveled throughout
3 the district and parts of the city and noticed so
4 many of these areas, and again, they are a hazard to
5 pedestrians, cyclists and motorists alike. So, Intro
6 1354 is cost-neutral legislation, which could
7 actually save the city money because now DOT or
8 Sanitation will not have to clean these mounds, and
9 take up valuable time and resources. They have a
10 jackhammer in these mounds many times because they
11 are so deep. So, my staff and I we're going to open
12 in less than a year and a half or so. We're
13 speaking to several industry professionals and trade
14 unions who all agree that this is a big problem, and
15 all they all agree that it's a simple fix. So,
16 that's why the legislation is not a mandate cement
17 mixer trucks have their chutes capped to prevent
18 spillage of cement, which later hardens, of course,
19 and forms the concrete mound. You know, I noticed
20 that once I was on a BQE and a truck was going up
21 the Chachus Bridge. Right in front of me it spilled,
22 and again, very dangerous, but also it creates
23 ponding in rain storms. So, I want to thank Speaker
24 Corey Johnson and his, um, and his Chief of Staff
25 Jason Goldman who I hounded for awhile, but, you

2 know, he came through and as well as Jeff Baker and
3 Lori Papa, and also—and their support for the bill.
4 Also, Chair of the Transportation Committee Council
5 Member Ydanis Rodriguez, and his staff, Elliott
6 Lynn, Rich Arbello, Kevin Katowski for their help
7 and now it's Washington for the Legislation Division
8 of the Legislation Division who helped draft this
9 bill, and I would also like to thank DOT
10 Commissioner Polly Trottenberg and her staff for
11 working with us on the bill. It's rare that both the
12 Council and the Administration agree a bill so early
13 on, and I was, you know, quite surprised because it
14 never happens to me, but it didn't go unnoticed that
15 she...she liked the bill right away. So, and finally,
16 I want to thank my staff for all the hard work on
17 this including, um, we did several phone calls and
18 constituents and—and getting city agencies to remove
19 the cement mounds. So, again, I urge that all my
20 colleagues vote aye on this bill, and thank...thank
21 all of the Council Members who signed on and
22 supported this bill. Thank you, Chair Rodriguez.

23 CHAIRPERSON RODRIGUEZ: Thank you, Council Member
24 and before calling an urgent claim for the vote, I
25 would like say that—that we were not able to call the

2 hearing on Transportation or the bills because the
3 MTA refused to come to a hearing that we haven't
4 scheduled it, and when DOT agreed to come, and MTA
5 refused to come on time to address transportation
6 after the Coronavirus—during and after the
7 Coronvirus. I want to share with my colleagues also
8 that I've been urging them the MTA reopen the train
9 services from midnight to 6:00 in the morning. We
10 think that would be easy. No. Our city is sure that
11 we have to clean the transit station. The MTA should
12 establish what is the fine line or how long the train
13 will be closed so that they can do an assessment and
14 then everyone knows when will they plan to open. So,
15 now I'm sure that we do, and also to address, through
16 shepherd you to that, we will continue working to
17 hold a hearing together with MTA and DOT. There are
18 things also to share with the members of this
19 committee is that as you know after the stated filed
20 a rule to allow the city to decide on making
21 pedestrian, to making electrical scooters, electrical
22 bikes illegal in the city of New York, and now I'm
23 open to disclose this bill and bound to meet with the
24 ocates, but I will from my role as the Chairman, I
25 also need to address issues related to safety before

2 also we move those bills. So, hopefully, again we get
3 to address those issues and move those bills, and-
4 and-and later on get the MTA to agree to come and
5 probably joined here with the-with DOT. With that, I
6 would like-I urge my colleagues to vote yes on this
7 piece of legislation, and I ask the committee clerk
8 to call the vote.

9 CLERK: Good morning. William Martin, Committee
10 clerk, roll call vote Committee on Transportation,
11 Proposed Introduction 1354-A. Chair Rodriguez.

12 CHAIRPERSON RODRIGUEZ: Aye.

13 CLERK: Cabrera.

14 COUNCIL MEMBER CABRERA: Congratulations to the
15 sponsor of the bill, Council Member Holden. With
16 that, I vote aye.

17 CLERK: Cohen.

18 COUNCIL MEMBER COHEN: I, too, want to
19 congratulate the sponsor. There's something
20 incredibly satisfying at the City Council when
21 there's a bill that's your idea that you saw a
22 problem that someone brought to your attention in the
23 community that you identified, and it's always a lot
24 of pushing to get those kind of bill through the
25 Council. So, I really want to congratulate you on

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2 that. I know that it was a hard-fought battle for a
3 bill that just is going to make the city a little
4 better. So, congratulations and with that, I vote
5 aye.

6 CLERK: Deutsch.

7 COUNCIL MEMBER DEUTSCH: Aye.

8 CLERK: Koo.

9 COUNCIL MEMBER KOO: I Vote aye. I also want to
10 congratulate Council Member Holden for introducing
11 this bill's position. We have the same problem in my
12 district. Thank, you Council Member.

13 CLERK: Levine.

14 COUNCIL MEMBER LEVINE: I vote aye.

15 CLERK: Menchaca.

16 COUNCIL MEMBER MENCHACA: I vote aye.

17 CLERK: Miller.

18 COUNCIL MEMBER MILLER: Thank you for such common
19 sense legislation for a problem that we've
20 experienced for many years in Southeast Queens. I
21 vote aye.

22 CLERK: Richards.

23 COUNCIL MEMBER RICHARD: Congratulations
24 Councilman Holden. I vote aye.

25 CLERK: Rose.

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2 COUNCIL MEMBER ROSE: I want to say thank you
3 Council Member Holden for just such common sense
4 legislation. It seems like this should have been done
5 years ago. It's not like a new problem. So, I want to
6 congratulate you on just some real...well, I guess it's
7 just common sense legislation. Thank you and I vote
8 aye.

9 CLERK: Diaz.

10 COUNCIL MEMBER DIAZ: You hear me?

11 CLERK: Yes sir.

12 COUNCIL MEMBER DIAZ: I Vote aye.

13 CLERK: Thank you. Holden.

14 COUNCIL MEMBER HOLDEN: I vote aye. Thank you all.

15 CLERK: One moment and I'll do it.

16 CHAIRPERSON RODRIGUEZ: Sure.

17 CLERK: Okay, by a vote of 12 in the affirmative,
18 zero in the negative and no abstentions Proposed
19 Introduction 1354-A has been adopted by the
20 committee.

21 CHAIRPERSON RODRIGUEZ: Thank and one, with that
22 we close this hearing and before that I would like
23 to, you know congratulate, of course, Council Member
24 Holden for this bill hoping that working together we
25 at City Hall we—we get this bill to activated as soon

2 as possible as also to install the side guard in all
3 trucks city-owned or private ones and for also the
4 trucking acquisitions will represent that sector,
5 too, to continue approaching the largest numbers of
6 trucks that continue through crashes on the whole
7 city of New York especially in the South Bronx where
8 they also have the large numbers of dump trucks.

9 With that, I call this hearing to--

10 CLERK: Council Member Reynoso, it's vote time.

11 COUNCIL MEMBER REYNOSO: Okay.

12 CLERK: Continuation roll call, Proposed
13 Introduction 1354-A, Council Member Reynoso.

14 COUNCIL MEMBER REYNOSO: I vote aye.

15 CLERK: Thank you. The vote is now 13 in the
16 affirmative, zero in the negative and no abstentions.

17 CHAIRPERSON RODRIGUEZ: Thank you. With that,
18 this hearing is adjourned. Thank you.

19 SERGEANT-AT-ARMS: All Council Members on Public
20 Safety if you can please remain on the Zoom, we're
21 going to continue momentarily. (pause)

22

23 Revised Vote on:

24 Int 1250-A: 9 affirmative, 4

25 negative, 0 abstentions

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2 Int 1264-A: 11 affirmative, 2 negative, 0

3 abstentions

4 Int 1266-A: 9 affirmative, 4 negative, 0

5 abstentions

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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 July 30, 2020