



# DISTRICT 3 COMMUNITY EDUCATION COUNCIL

154 West 93<sup>rd</sup> Street New York, New York 10025 - Room 204 Tel (212) 678-2782 Fax (212) 678-2804 Email: CEC3@schools.nyc.gov

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*District 3 Community Superintendent*

## CEC3 Resolution Vol. 14 No. 5

### Resolution in Favor of City Council Proposed Legislation Int. No. 420 to Reduce Construction Noise within 75 Feet of a School to Ensure All District 3 Schools May Continue the Education Process

Approved at the October 14, 2014 CEC3 Calendar Meeting  
by a unanimous vote of the Council Members present (8 in favor/ 0 opposed)  
(Absent from vote: Fitzsimons, Gotbaum)

Amended at the November 20, 2014 CEC3 Calendar Meeting  
by a unanimous vote of the Council Members present (6 in favor/ 0 opposed)  
(Absent from vote: Deen, Gill, Gotbaum, Sweeting-DeCaro)

**Whereas**, the mission of the District 3 Community Education Council (“CEC”) states that every child is entitled to a safe and healthy school environment; and

**Whereas**, there have been actual and threatened construction projects directly next to public schools in CEC 3 that that may impact school communities including because of excessive noise, but not limited to, construction next to PS 199, and more recently, proposed construction next to PS 163, The Alfred E. Smith Public School; and

**Whereas**, construction directly next to schools in District 3 has the potential to exceed the noise levels that are considered to be appropriate for public schools as specified in the New York State environmental conservation law and the New York State and New York City Environmental Quality Review Manuals, which specify that noise levels in our schools should not exceed 45 dB(a);

**Whereas**, experts from such organizations as Mount Sinai’s Children Environmental Health Center (“CEHC”) have issued reports as recently as April 29, 2014, which state that “[n]oise can interfere with children’s ability to learn and communicate, and with their concentration, motivation, and memory;

**Whereas**, there is a pending bill (the “Proposed Legislation”) proposed to be introduced into the Environmental Protection Committee of the New York City Council, Int. No. 420, which would amend Section 24-220 of the administrative code of the City of New York, in relation to mitigation of construction noise within seventy-five feet of a school, and provides that “[s]uch noise mitigation plan shall provide that noise shall not exceed 45 dB(a) during normal school operating hours in any receiving classroom in any public ... preschool or primary or secondary school on lots that are within seventy-five feet from the construction site”; now, therefore be it

**Resolved**, The Community Education Council District 3 is strongly in favor of passage of the Proposed Legislation to ensure that all NYDOE schools do not have to face construction noises that are harmful to students, teachers and staff at schools facing construction within 75 feet of a school building; and be it further

**Resolved**, The Community Education Council District 3 calls upon all District 3 elected officials (and those outside District 3) to co-sponsor and support the Proposed Legislation to ensure that it is enacted into law as soon as possible given the importance of the Proposed Legislation to safeguard schools and the children attending schools in our district and across New York City generally.