

**The New York
City Council**
*New York City Council
City Hall
New York, NY 10007*



Meeting Minutes

Tuesday, June 20, 2006

2:30 PM

Recessed Meeting of June 13, 2006

Council Chambers - City Hall

City Council

Christine C. Quinn, Speaker

Members: Joseph P. Addabbo, Jr., Maria Del Carmen Arroyo, Tony Avella, Maria Baez, Charles Barron, Gale A. Brewer, Yvette D. Clarke, Leroy G. Comrie, Jr., Bill de Blasio, Inez E. Dickens, Erik Martin Dilan, Simcha Felder, Lewis A. Fidler, Helen D. Foster, Dennis P. Gallagher, Daniel R. Garodnick, James F. Gennaro, Vincent J. Gentile, Alan J. Gerson, Eric N. Gioia, Sara M. Gonzalez, Robert Jackson, Letitia James, Melinda R. Katz, G. Oliver Koppell, Andrew J. Lanza, Jessica S. Lappin, John C. Liu, Melissa Mark-Viverito, Miguel Martinez, Darlene Mealy, Rosie Mendez, Michael E. McMahon, Hiram Monserrate, Michael C. Nelson, James S. Oddo, Annabel Palma, Domenic M. Recchia, Jr., Diana Reyna, Joel Rivera, James Sanders, Jr., Larry B. Seabrook, Helen Sears, Kendall B. Stewart, James Vacca, Peter F. Vallone, Jr., Albert Vann, David I. Weprin, Thomas White, Jr. and David Yassky

1. THE PUBLIC ADVOCATE (Ms. Gotbaum) called the Meeting to order.

2. Roll Call

Present,

Speaker Quinn, Addabbo Jr., Arroyo, Avella, Baez, Barron, Brewer, Clarke, Comrie Jr., Dickens, de Blasio, Felder, Fidler, Foster, Gallagher, Garodnick, Gennaro, Gentile, Gerson, Gioia, Gonzalez, Jackson, James, Katz, Koppell, Lanza, Lappin, Liu, Mark-Viverito, Martinez, McMahon, Mealy, Mendez, Monserrate, Nelson, Oddo, Palma, Recchia Jr., Reyna, Rivera, Sanders Jr., Seabrook, Sears, Stewart, Vacca, Vallone Jr., Vann, Weprin and Yassky

Excused,

Dilan and White Jr.

3. THE CLERK will announced the presence of a quorum.

4. Supplemental Messages & Papers from the Mayor

M 0206-2006 Communication from the Mayor - Submitting certificate setting forth the maximum amount of debt and reserves which the City, the NYC Transitional Finance Authority, the NYC Municipal Water Finance Authority, the NYS Dormitory Authority and the NYC Health and Hospitals Corporation may soundly incur for capital projects for Fiscal Year 2007 and the ensuing three fiscal years, and the maximum amount of appropriations and expenditures for capital projects which may soundly be made during each fiscal year, pursuant to Section 250 (16) of the NY City Charter.

Attachments: Hearing Transcript - Stated Meeting 6/20/06

This Mayor's Message was Rcvd, Ord, Prnt, Fld by Council

5. Supplemental Communications from City, County & Borough Offices

None

6. Supplemental Petitions and Communications

None

7. Supplemental Land Use Call-Ups

None

8. Supplemental Communication from the Speaker

9. Supplemental Discussion of General Orders

10. Supplemental Report of Special Committees

None

11. Supplemental Reports of Standing Committees

Report of the Committee on Parks and Recreation

Int 0368-2006 A Local Law in relation to the naming of five thoroughfares and public places, Actors' Equity Corner, Borough of Manhattan, Josephine Diana Blvd., Borough of Brooklyn, Rev. Msgr. Bryan J. Karvelis Way, Borough of Brooklyn, Sgt. Jose Gomez Place, Borough of Queens and Dr. Reverend Wyatt Tee Walker Square, Borough of Manhattan and the repeal of sections 3, 26 and 47 of local law number 13 for the year 2006.

Attachments: Int. No. 368 - 6/13/06, Committee Report, Hearing Transcript, Fiscal Impact Statement, Hearing Transcript - Stated Meeting 6/20/06, Hearing Transcript - Stated Meeting 6/29/06, Local Law

This Introduction was Laid Over by Council

Enactment No: 2006/023

Report of the Committee on State and Federal Legislation

SLR 0022-2006 State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Maltese, S.3034-A, and Assembly Member Abbate, A.6233-A, "AN ACT to amend the administrative code of the city of New York, in relation to terminal leave".

Attachments: Committee Report, Hearing Transcript, Hearing Transcript - Stated Meeting 6/20/06

A motion was made that this SLR be Approved, by Council approved by consent Roll Call.

SLR 0121-2006 State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Padavan, S.7830, and Assembly Member Abbate, A.10182, "AN ACT to amend the administrative code of the city of New York, in relation to the twenty year retirement program established for members of the New York city employees' retirement system employed as investigators by district attorneys' offices".

Attachments: Committee Report, Hearing Transcript, Hearing Transcript - Stated Meeting 6/20/06

A motion was made that this SLR be Approved, by Council approved by consent Roll Call.

SLR 0122-2006 State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Montgomery, S.3265-A, and Assembly Member Robinson, A.6376-A, "AN ACT authorizing the city of New York to reconvey its interest in certain real property acquired by in rem tax foreclosure in the borough of Brooklyn to former owner Robert Cradle, notwithstanding expiration of the two year period within which application may be made to the city to release its interest in property thus acquired; Block No. 1832, Lot No. 9 on tax map for the borough of Brooklyn".

Attachments: Committee Report, Hearing Transcript, Hearing Transcript - Stated Meeting 6/20/06

A motion was made that this SLR be Approved, by Council approved by consent Roll Call.

SLR 0123-2006 State Legislation Resolution requesting the New York State Legislature to pass a bill introduced by Senator Padavan, S.8288, "AN ACT to amend the real property tax law, in relation to the determination of adjusted base proportions in special assessing units which are cities for the fiscal year 2007".

Attachments: Committee Report, Hearing Transcript, Hearing Transcript - Stated Meeting 6/20/06

A motion was made that this SLR be Approved, by Council approved by Roll Call.

Affirmative, 46 -

Speaker Quinn, Addabbo Jr., Arroyo, Avella, Baez, Barron, Brewer, Clarke, Comrie Jr., Dickens, de Blasio, Felder, Fidler, Foster, Garodnick, Gennaro, Gentile, Gerson, Gioia, Gonzalez, Jackson, James, Katz, Koppell, Lappin, Liu, Mark-Viverito, Martinez, McMahon, Mealy, Mendez, Monserrate, Nelson, Palma, Recchia Jr., Reyna, Rivera, Sanders Jr., Seabrook, Sears, Stewart, Vacca, Vallone Jr., Vann, Weprin and Yassky

Excused, 2 -

Dilan and White Jr.

Abstain, 3 -

Gallagher, Lanza and Oddo

SLR 0124-2006 State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Maltese, S.5459-B, and Assembly Member Cymbrowitz, A.8375-C, "AN ACT to amend the tax law, in relation to increasing the earned income tax credit against the personal income tax of a city having a population of one million or more".

Attachments: Committee Report, Hearing Transcript, Hearing Transcript - Stated Meeting 6/20/06

A motion was made that this SLR be Approved, by Council approved by consent Roll Call.

SLR 0125-2006 State Legislation Resolution requesting the New York State Legislature to pass a bill introduced by the Assembly Committee on Rules, A.11989, "AN ACT to authorize the city of New York to discontinue the use as parkland of a portion of real property in the borough of Manhattan and to use such property as well as property under the jurisdiction of the city of New York department of transportation for expansion of the West 96th Street Subway Station in exchange for the dedication of certain other lands in the borough of Manhattan for park purposes".

Attachments: Committee Report, Hearing Transcript, Hearing Transcript - Stated Meeting 6/20/06

A motion was made that this SLR be Approved, by Council approved by Roll Call.

Affirmative, 48 -

Speaker Quinn, Addabbo Jr., Arroyo, Avella, Baez, Brewer, Clarke, Comrie Jr., Dickens, de Blasio, Felder, Fidler, Foster, Gallagher, Garodnick, Gennaro, Gentile, Gerson, Gioia, Gonzalez, Jackson, James, Katz, Koppell, Lanza, Lappin, Liu, Mark-Viverito, Martinez, McMahon, Mealy, Mendez, Monserrate, Nelson, Oddo, Palma, Recchia Jr., Reyna, Rivera, Sanders Jr., Seabrook, Sears, Stewart, Vacca, Vallone Jr., Vann, Weprin and Yassky

Excused, 2 -

Dilan and White Jr.

Abstain, 1 -

Barron

12. Supplemental General Orders Calendar
Coupled on General Order Calendar

State and Federal Legislation

- SLR 0022-2006** **State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Maltese, S.3034-A, and Assembly Member Abbate, A.6233-A, “AN ACT to amend the administrative code of the city of New York, in relation to terminal leave”.**
- Attachments:** Committee Report, Hearing Transcript, Hearing Transcript - Stated Meeting 6/20/06
- SLR 0121-2006** **State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Padavan, S.7830, and Assembly Member Abbate, A.10182, “AN ACT to amend the administrative code of the city of New York, in relation to the twenty year retirement program established for members of the New York city employees’ retirement system employed as investigators by district attorneys’ offices”.**
- Attachments:** Committee Report, Hearing Transcript, Hearing Transcript - Stated Meeting 6/20/06
- SLR 0122-2006** **State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Montgomery, S.3265-A, and Assembly Member Robinson, A.6376-A, “AN ACT authorizing the city of New York to reconvey its interest in certain real property acquired by in rem tax foreclosure in the borough of Brooklyn to former owner Robert Cradle, notwithstanding expiration of the two year period within which application may be made to the city to release its interest in property thus acquired; Block No. 1832, Lot No. 9 on tax map for the borough of Brooklyn”.**
- Attachments:** Committee Report, Hearing Transcript, Hearing Transcript - Stated Meeting 6/20/06
- SLR 0123-2006** **State Legislation Resolution requesting the New York State Legislature to pass a bill introduced by Senator Padavan, S.8288, “AN ACT to amend the real property tax law, in relation to the determination of adjusted base proportions in special assessing units which are cities for the fiscal year 2007”.**
- Attachments:** Committee Report, Hearing Transcript, Hearing Transcript - Stated Meeting 6/20/06

SLR 0124-2006 State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Maltese, S.5459-B, and Assembly Member Cymbrowitz, A.8375-C, "AN ACT to amend the tax law, in relation to increasing the earned income tax credit against the personal income tax of a city having a population of one million or more".

Attachments: Committee Report, Hearing Transcript, Hearing Transcript - Stated Meeting 6/20/06

SLR 0125-2006 State Legislation Resolution requesting the New York State Legislature to pass a bill introduced by the Assembly Committee on Rules, A.11989, "AN ACT to authorize the city of New York to discontinue the use as parkland of a portion of real property in the borough of Manhattan and to use such property as well as property under the jurisdiction of the city of New York department of transportation for expansion of the West 96th Street Subway Station in exchange for the dedication of certain other lands in the borough of Manhattan for park purposes".

Attachments: Committee Report, Hearing Transcript, Hearing Transcript - Stated Meeting 6/20/06

The Public Advocate (Ms. Gotbaum) put the question whether the Council would agree with and adopt such reports, which were decided in the affirmative by the following vote:

A motion was made that these files be approved by consent vote.

Affirmative, 49 -

Speaker Quinn, Addabbo Jr., Arroyo, Avella, Baez, Barron, Brewer, Clarke, Comrie Jr., Dickens, de Blasio, Felder, Fidler, Foster, Gallagher, Garodnick, Gennaro, Gentile, Gerson, Gioia, Gonzalez, Jackson, James, Katz, Koppell, Lanza, Lappin, Liu, Mark-Viverito, Martinez, McMahon, Mealy, Mendez, Monserrate, Nelson, Oddo, Palma, Recchia Jr., Reyna, Rivera, Sanders Jr., Seabrook, Sears, Stewart, Vacca, Vallone Jr., Vann, Weprin and Yassky

Excused, 2 -

Dilan and White Jr.

The following files were removed from the General Order Calendar and voted separately: SLR 123 and SLR 125.

See files for individual votes.

13. Supplemental Introduction & Reading of Bills
See Attached
14. Supplemental Discussion of Resolutions
15. Supplemental Resolutons

16. Supplemental General Discussion
17. Supplemental Extension of Remarks

INTRODUCTION AND READING OF BILLS

Res 0393-2006 **Resolution calling upon the New York State Legislature to pass A.06222/S.03178, which would amend the Public Employees Fair Employment Act to provide penalties for employers who fail to bargain in good faith and to mitigate penalties for employees of such employers.**

Sponsors: By Council Member Gerson

This Resolution was Referred to Comm by Council to the Committee on Civil Service and Labor

SLR 0121-2006 **State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Padavan, S.7830, and Assembly Member Abbate, A.10182, "AN ACT to amend the administrative code of the city of New York, in relation to the twenty year retirement program established for members of the New York city employees' retirement system employed as investigators by district attorneys' offices".**

Sponsors: By Council Member Baez

Attachments: Committee Report, Hearing Transcript, Hearing Transcript - Stated Meeting 6/20/06

This SLR was Referred to Comm by Council to the Committee on State and Federal Legislation

SLR 0122-2006 **State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Montgomery, S.3265-A, and Assembly Member Robinson, A.6376-A, "AN ACT authorizing the city of New York to reconvey its interest in certain real property acquired by in rem tax foreclosure in the borough of Brooklyn to former owner Robert Cradle, notwithstanding expiration of the two year period within which application may be made to the city to release its interest in property thus acquired; Block No. 1832, Lot No. 9 on tax map for the borough of Brooklyn".**

Sponsors: By Council Members Baez and Comrie Jr.

Attachments: Committee Report, Hearing Transcript, Hearing Transcript - Stated Meeting 6/20/06

This SLR was Referred to Comm by Council to the Committee on State and Federal Legislation

SLR 0123-2006 **State Legislation Resolution requesting the New York State Legislature to pass a bill introduced by Senator Padavan, S.8288, “AN ACT to amend the real property tax law, in relation to the determination of adjusted base proportions in special assessing units which are cities for the fiscal year 2007”.**

Sponsors: By Council Members Baez, Comrie Jr., Liu and Monserrate

Attachments: Committee Report, Hearing Transcript, Hearing Transcript - Stated Meeting
6/20/06

This SLR was Referred to Comm by Council to the Committee on State and Federal Legislation

SLR 0124-2006 **State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Maltese, S.5459-B, and Assembly Member Cymbrowitz, A.8375-C, “AN ACT to amend the tax law, in relation to increasing the earned income tax credit against the personal income tax of a city having a population of one million or more”.**

Sponsors: By Council Members Baez, Comrie Jr., Fidler, Liu, Monserrate, Sears and Weprin

Attachments: Committee Report, Hearing Transcript, Hearing Transcript - Stated Meeting
6/20/06

This SLR was Referred to Comm by Council to the Committee on State and Federal Legislation

SLR 0125-2006 **State Legislation Resolution requesting the New York State Legislature to pass a bill introduced by the Assembly Committee on Rules, A.11989, “AN ACT to authorize the city of New York to discontinue the use as parkland of a portion of real property in the borough of Manhattan and to use such property as well as property under the jurisdiction of the city of New York department of transportation for expansion of the West 96th Street Subway Station in exchange for the dedication of certain other lands in the borough of Manhattan for park purposes”.**

Sponsors: By Council Members Baez, Brewer, Dickens and Comrie Jr.

Attachments: Committee Report, Hearing Transcript, Hearing Transcript - Stated Meeting
6/20/06

This SLR was Referred to Comm by Council to the Committee on State and Federal Legislation

SLR 0126-2006 **State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Golden, S.8224, and the Assembly Committee on Rules, A.11797, “AN ACT to amend the real property tax law, in relation to commercial properties eligible for tax abatement in cities of one million or more”.**

Sponsors: By Council Member Baez

Attachments: Fiscal Impact Statement, M 516-2007 - Chart of Filed SLR's

This SLR was Referred to Comm by Council to the Committee on State and Federal Legislation

SLR 0127-2006 **State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Padavan, S.6740, and Assembly Member Abbate, A.10275, “AN ACT to amend the retirement and social security law, in relation to increased take-home pay contributions made on behalf of certain members of New York City’s public retirement system”.**

Sponsors: By Council Member Baez

Attachments: M 516-2007 - Chart of Filed SLR's

This SLR was Referred to Comm by Council to the Committee on State and Federal Legislation

SLR 0128-2006 **State Legislation Resolution requesting the New York State Legislature to pass a bill introduced by Senator Hassell-Thompson, S.2250-A, “AN ACT authorizing the city of New York to reconvey its interest in certain real property acquired by in rem tax foreclosure in the borough of the Bronx to former owner, Estate of Elia Figueroa without public auction and notwithstanding expiration of the two year period within which application may be made to the city to release its interest in property thus acquired; Block No. 3062, Lot No. 3 on tax map for the borough of the Bronx”.**

Sponsors: By Council Member Baez

Attachments: M 516-2007 - Chart of Filed SLR's

This SLR was Referred to Comm by Council to the Committee on State and Federal Legislation

SLR 0129-2006 **State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Morahan, S.7664-B, and the Assembly Committee on Rules, A.11768, “AN ACT to amend the civil service law, in relation to the suspension of employees of the department of sanitation in cities having a population of one million or more”.**

Sponsors: By Council Member Baez

Attachments: M 516-2007 - Chart of Filed SLR's

This SLR was Referred to Comm by Council to the Committee on State and Federal Legislation

SLR 0130-2006 **State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Golden, S.8346, and the Assembly Committee on Rules, A.11899, “AN ACT to amend the real property tax law, in relation to authorizing cities of one million or more to grant an additional rebate of real property taxes for senior citizens”.**

Sponsors: By Council Members Fidler, Comrie Jr., Baez, Weprin and Addabbo Jr.

Attachments: M 516-2007 - Chart of Filed SLR's

This SLR was Referred to Comm by Council to the Committee on State and Federal Legislation

Res 0394-2006 **Resolution calling upon the State of New York to assist the City of New York in subsidizing the 21,000 non-federal housing units managed by the New York City Housing Authority.**

Sponsors: By Council Members Gonzalez, Mendez, Mark-Viverito, Reyna, Dilan, Gerson and Jackson

This Resolution was Referred to Comm by Council to the Committee on Housing and Buildings

Int 0383-2006 **A Local Law to amend the administrative code of the city of New York, in relation to the unauthorized operation of a recording device in a place of public performance.**

Sponsors: By Council Members Yassky, Gerson and Koppell

Attachments: Int. No. 383 - 6/20/06, Committee Report 11/30/06, Hearing Transcript 11/30/07, Committee Report 4/12/07, Hearing Transcript 4/12/07, Hearing Transcript - Stated Meeting 4/12/07, Fiscal Impact Statement, Press Release, Local Law

This Introduction was Referred to Comm by Council to the Committee on Consumer Affairs

Enactment No: 2007/021

LU 0188-2006 Uniform Land Use Review Procedure application no. C 060294 ZMQ pursuant to §197-c and §197-d of the New York City Charter, concerning an amendment to the zoning map, Sections 9b, 9d and 13c, Borough of Queens, Council District no. 26.

Sponsors: By Council Member Katz

Attachments: Hearing Transcript - Zoning 6/20/06, Hearing Transcript - Land Use 6/29/06

This Land Use Application was Referred to Comm by Council to the Committee on Land Use

Attachments: Hearing Transcript - Zoning 6/20/06, Hearing Transcript - Land Use 6/29/06

This Land Use Application was Referred to Comm by Council to the Subcommittee on Zoning and Franchises

LU 0189-2006 Application no. 20065349 SCM, a proposed site for a primate/intermediate school facility located at a site bounded by Beekman, Gold, Spruce and Nassau Streets, Council District no. 1, Borough of Manhattan. This matter is subject to Council review and action pursuant Section 1732 of the New York State Public Authorities Law.

Sponsors: By Council Member Katz

Attachments: Hearing Transcript - Landmarks 6/20/06, Hearing Transcript - Landmarks 6/29/06, Hearing Transcript - Land Use 6/29/06

This Land Use Application was Referred to Comm by Council to the Committee on Land Use

Attachments: Hearing Transcript - Landmarks 6/20/06, Hearing Transcript - Landmarks 6/29/06, Hearing Transcript - Land Use 6/29/06

This Land Use Application was Referred to Comm by Council to the Subcommittee on Landmarks, Public Siting and Maritime Uses

At this point the Speaker (Council Member Quinn) made the following announcements:

Whereupon on motion of the Speaker (Council Member Quinn), the Public Advocate (Ms. Gotbaum) recessed the Meeting.