

The New York City Council

City Hall
New York, NY 10007



Meeting Minutes

Tuesday, October 11, 2005

1:30 PM

Council Chambers - City Hall

City Council

A. Gifford Miller, Speaker

Members: Joseph P. Addabbo, Jr., Tony Avella, Maria Baez, Charles Barron, Tracy L. Boyland, Gale A. Brewer, Yvette D. Clarke, Leroy G. Comrie, Jr., Bill de Blasio, Maria del Carmen Arroyo, Erik Martin Dilan, Simcha Felder, Lewis A. Fidler, Helen D. Foster, Dennis P. Gallagher, James F. Gennaro, Vincent J. Gentile, Alan J. Gerson, Eric N. Gioia, Sara M. Gonzalez, Robert Jackson, Letitia James, Allan W. Jennings, Jr., Melinda R. Katz, G. Oliver Koppell, Andrew J. Lanza, John C. Liu, Margarita Lopez, Miguel Martinez, Michael E. McMahon, Hiram Monserrate, Eva S. Moskowitz, Michael C. Nelson, James Oddo, Annabel Palma, William Perkins, Madeline Provenzano, Christine C. Quinn, Domenic M. Recchia, Jr., Philip Reed, Diana Reyna, Joel Rivera, James Sanders, Jr., Larry B. Seabrook, Helen Sears, Kendall B. Stewart, Peter F. Vallone, Jr., Albert Vann, David I. Weprin and David Yassky

The Public Advocate (Ms. Gotbaum)

1. Roll Call

Present,

Speaker Miller, Addabbo Jr., Avella, Baez, Barron, Brewer, Clarke, Comrie Jr., Dilan, de Blasio, Felder, Fidler, Foster, Gallagher, Gennaro, Gentile, Gerson, Gioia, Gonzalez, Jackson, James, Jennings Jr., Katz, Koppell, Lanza, Liu, Lopez, McMahon, Monserrate, Moskowitz, Nelson, Oddo, Palma, Perkins, Provenzano, Quinn, Recchia Jr., Sears, Stewart, Vallone Jr., Vann, Weprin, Yassky and Arroyo

Excused,

Boyland, Martinez, Reed, Reyna, Rivera, Sanders Jr. and Seabrook

2. Invocation

The Invocation was delivered by: Rabbi Marjorie Slome, West End Temple, 147-02 Newport Avenue, Neponsit, N.Y. 11694.

Council Member Addabbo moved to spread the Invocation in full upon the Record.

3. Adoption of Minutes

None

4. Messages & Papers from the Mayor

None

5. Communications from City, County & Borough Offices

None

6. Petitions and Communications

None

7. Land Use Call-Ups

None

8. Communication from the Speaker

9. Discussion of General Orders

10. Reports of Special Committees

None.

11. Reports of Standing Committees

Report of the Committee on Education

Int 0464-2004 A Local Law to amend the administrative code of the city of New York, in relation to the provision of language assistance services by the Department of Education.

Attachments: Committee Report 5/17/05, Translation Unit Budget 5/17/05, Information Request Responses 5/17/05, Hearing Transcript 5/17/05, Committee Report 10/7/05, Hearing Transcript 10/7/05, Final Hehir Report 10/7/05, Handout 1- 10/7/05, Handout 2 - 10/7/05, Handout 3 - 10/7/05, Information Request Responses 10/7/05, Committee Report 10/31/05, Hearing Transcript 10/31/05, Committee Report 11/10/05, Hearing Transcript 11/10/05, Information Request Responses 11/10/05, Information Request - Attachment 1- 11/10/05, Information Request - Attachment 2- 11/10/05, Information Request - Attachment 3 - 11/10/05, Committee Report 11/29/05, Hearing Transcript 11/29/05, Fiscal Impact Statement, Mayor's Veto Message - Cover, Mayor's Veto Message, Hearing Transcript - Stated Meeting 10/11/05, Hearing Transcript - Stated Meeting 10/27/05, Hearing Transcript - Stated Meeting 11/30/05, Hearing Transcript - Stated Meeting 12/8/05, Hearing Transcript - Stated Meeting 12/21/05

This Introduction was Laid Over by Council

Report of the Committee on Finance

Int 0692-2005 A Local Law to amend the administrative code of the city of New York, in relation to amending the district plan of the Metrotech Area business improvement district to change the method of assessment upon which the district charge is based.

Attachments: Committee Report, Hearing Transcript, Hearing Transcript - Stated Meeting 10/11/05, Local Law

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

Enactment No: 2005/092

Int 0669-2005 A Local Law to amend the administrative code of the city of New York, in relation to suspending the activation of parking meters on Sundays.

Attachments: Committee Report 7/27/05, Hearing Transcript - Stated Meeting 7/27/05, Mayor's Veto Message, Hearing Transcript 7/27/05, Committee Report 10/11/05, Hearing Transcript 10/11/05, Local Law

A motion was made that this Introduction be Overridden by Council approved by Roll Call.

Affirmative, 42 -

Speaker Miller, Addabbo Jr., Baez, Barron, Brewer, Clarke, Comrie Jr., Dilan, de Blasio, Felder, Fidler, Foster, Gallagher, Gennaro, Gentile, Gerson, Gioia, Gonzalez, Jackson, James, Jennings Jr., Katz, Koppell, Lanza, Liu, Lopez, McMahon, Monserrate, Moskowitz, Nelson, Oddo, Palma, Perkins, Provenzano, Quinn, Recchia Jr., Stewart, Vallone Jr., Vann, Weprin, Yassky and Arroyo

Negative, 2 -
Avella and Sears

Excused, 7 -
Boyland, Martinez, Reed, Reyna, Rivera, Sanders Jr. and Seabrook

Enactment No: 2005/090

M 0665-2005 **Communication for the Mayor - Mayor's veto and disapproval message of Introductory Number 669, in relation to suspending the activation of parking meters on Sundays.**

Attachments: Mayor's Veto Message, Committee Report

A motion was made that this Mayor's Message be Filed by Council approved by consent Roll Call.

Report of the Committee on Health

Int 0468-2004 **A Local Law to amend the administrative code of the city of New York, in relation to requiring employers in the grocery industry to make prevailing health care expenditures on behalf of their employees.**

Attachments: Committee Report 12/10/04, Hearing Transcript 12/10/04, Committee Report 6/9/05, Committee Report 8/17/05, Mayor's Veto Message, Committee Report 10/11/05, Local Law, Hearing Transcript - Stated Meeting 10/11/05

A motion was made that this Introduction be Overridden by Council approved by consent Roll Call.

Affirmative, 40 -
Speaker Miller, Addabbo Jr., Avella, Baez, Brewer, Clarke, Comrie Jr., Dilan, de Blasio, Fidler, Foster, Gallagher, Gennaro, Gentile, Gerson, Gioia, Gonzalez, Jackson, James, Jennings Jr., Katz, Koppell, Liu, Lopez, McMahon, Monserrate, Moskowitz, Nelson, Oddo, Palma, Perkins, Provenzano, Quinn, Recchia Jr., Sears, Stewart, Vann, Weprin, Yassky and Arroyo

Negative, 2 -
Felder and Lanza

Excused, 7 -
Boyland, Martinez, Reed, Reyna, Rivera, Sanders Jr. and Seabrook

Abstain, 2 -
Barron and Vallone Jr.

Enactment No: 2005/089

- M 0671-2005** **Communication for the Mayor - Mayor's veto and disapproval message of Introductory Number 468-A, in relation to requiring employers in the grocery industry to make prevailing health care expenditures on behalf of their employees.**

Attachments: Committee Report, Mayor's Veto Message

A motion was made that this Mayor's Message be Filed by Council approved by consent Roll Call.

Report of the Committee on Land Use

- LU 0544-2005** **Uniform Land Use Review Procedure application no. 050453 ZMR, pursuant to §197-c and §197-d of the New York City Charter, concerning changes to the zoning map, Borough of Staten Island, Council District nos. 49,50,51.**

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

- Res 1200-2005** **Resolution approving the decision of the City Planning Commission on ULURP No. C 050453 ZMR, a Zoning Map change (L.U. No. 544).**

Attachments: Committee Report

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

- LU 0545-2005** **Uniform Land Use Review Procedure application no. 050454 ZMR, pursuant to §197-c and §197-d of the New York City Charter, concerning changes to the zoning map, Borough of Staten Island, Council District nos. 49,50,51.**

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

- Res 1201-2005** **Resolution approving the decision of the City Planning Commission on ULURP No. C 050454 ZMR, a Zoning Map change (L.U. No. 545).**

Attachments: Committee Report

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

- LU 0546-2005** **Uniform Land Use Review Procedure application no. 050455 ZMR, pursuant to §197-c and §197-d of the New York City Charter, concerning changes to the zoning map, Borough of Staten Island, Council District nos. 49,50,51.**
- Attachments:** Hearing Transcript - Stated Meeting 10/11/05
- This Land Use Application was Approved with Modifications and Referred to the City Planning Commission pursuant to Rule 11.70(b) of the Rules of the Council and Section 197-(d) of the New York City Charter. to the City Planning Commission
- LU 0548-2005** **Uniform Land Use Review Procedure application no. 050442 ZMX, pursuant to §197-c and §197-d of the New York City Charter, concerning changes to the zoning map, Borough of Bronx, Council District no. 13.**
- A motion was made that this Land Use Application be Approved, by Council approved by consent Roll Call.
- Res 1202-2005** **Resolution approving the decision of the City Planning Commission on ULURP No. C 050442 ZMX, a Zoning Map change (L.U. No. 548).**
- Attachments:** Committee Report, Hearing Transcript - Stated Meeting 10/11/05
- A motion was made that this Resolution be Approved, by Council approved by consent Roll Call.
- LU 0550-2005** **The submission of a site plan by the New York City School Construction Authority, pursuant to §1732 of the New York State Public Authorities Law, for a school, 650 seat Primary/Intermediate School Facility , to be located at southwest corner of Jamaica Avenue & Richmond Street, Borough of Brooklyn, Council District no. 37. (Non-ULURP no. 20065023 SCK)**
- A motion was made that this Land Use Application be Approved, by Council approved by consent Roll Call.
- Res 1203-2005** **Resolution approving the site plan for a primary/intermediate public school facility to be located at the southwest corner of Jamaica Avenue and Richmond Street in the Cypress Hills area of Brooklyn (Block 4102, Lots 19, 27, 33, 35 and 36), Brooklyn (Non-ULURP No. 20065023 SCK; L.U. No. 550).**
- Attachments:** Committee Report, Hearing Transcript - Stated Meeting 10/11/05
- A motion was made that this Resolution be Approved, by Council approved by consent Roll Call.

LU 0554-2005 Uniform land use review procedure application no. C 050527 HAX, an Urban Development Action Area Designation, Project, and the disposition of such property located at 871 and 875 East 179th Street, Borough of the Bronx, Council District no. 15. This matter is subject to Council Review and action pursuant to §197-c and §197-d of the New York City Charter and Article 16 of the General Municipal Law.

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

Res 1204-2005 Resolution approving the decision of the City Planning Commission on an application submitted by the Department of Housing Preservation and Development, ULURP No. C 050527 HAX, approving the designation of 871 and 875 East 179th Street (Block 3123, Lots 77 and 76), as an Urban Development Action Area, approving the project for the area as an Urban Development Action Area Project, and approving the disposition of such property to a developer selected by the Department of Housing Preservation and Development (L.U. No. 554; C 050527 HAX).

Attachments: Committee Report, Hearing Transcript - Stated Meeting 10/11/05

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

LU 0560-2005 Application no. 20065052 HAM, an Urban Development Action Area Project located at 254 East 125th Street, Council District no. 8, Borough of Manhattan. This matter is subject to Council review and action pursuant to Article 16 of the New York General Municipal Law, at the request of the New York City Department of Housing Preservation and Development.

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

Res 1205-2005 Resolution approving an Urban Development Action Area Project located at 254 East 125th Street (Block 1789/Lot 29), Manhattan, and waiving the urban development action area designation requirement and the Uniform Land Use Review Procedure, pursuant to Sections 693 and 694 of the General Municipal Law (L.U. No. 560; 20065052 HAM).

Attachments: Committee Report, Hearing Transcript - Stated Meeting 10/11/05

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

LU 0572-2005 **Uniform Land Use Review Procedure application no. 060006 ZMM, pursuant to §197-c and §197-d of the New York City Charter, concerning changes to the zoning map, Borough of Manhattan, Council District no. 3.**

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

Res 1206-2005 **Resolution approving the decision of the City Planning Commission on ULURP No. C 060006 ZMM, a Zoning Map change (L.U. No. 572).**

Attachments: Committee Report, Hearing Transcript - Stated Meeting 10/11/05

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

LU 0579-2005 **Uniform Land Use Review Procedure application no. 030370 ZMX, pursuant to §197-c and §197-d of the New York City Charter, concerning changes to the zoning map, Borough of Bronx, Council District no. 15.**

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

Res 1207-2005 **Resolution approving the decision of the City Planning Commission on ULURP No. C 030370 ZMX, a Zoning Map change (L.U. No. 579).**

Attachments: Committee Report, Hearing Transcript - Stated Meeting 10/11/05

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

LU 0580-2005 **Application no. 20065057 HAX, an Urban Development Action Area Project located at 81 West 172nd Street, Council District no. 16, Borough of the Bronx. This matter is subject to Council review and action pursuant to Article 16 of the New York General Municipal Law, at the request of the New York City Department of Housing Preservation and Development.**

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

Res 1208-2005 **Resolution approving an Urban Development Action Area Project located at 81 West 172nd Street (Block 2872/Lot 218), the Bronx, and waiving the urban development action area designation requirement and the Uniform Land Use Review Procedure, pursuant to Sections 693 and 694 of the General Municipal Law (L.U. No. 580; 20065057 HAX).**

Attachments: Committee Report, Hearing Transcript - Stated Meeting 10/11/05

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

LU 0584-2005 **Application no. 20055640 TCQ, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of LCN Café Corp. (Theater Café), to establish, maintain and operate an unenclosed sidewalk café located at 106-03 Metropolitan Avenue, Borough of Queens, Council District no. 29. This application is subject to review and action by the Land Use Committee only if called-up by vote of the Council pursuant to Rule 11.20b of the Council and §20-226(g) of the New York City Administrative Code.**

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

Res 1209-2005 **Resolution approving the petition for a revocable consent for an unenclosed sidewalk café located at 106-03 Metropolitan Avenue, Queens (20055640 TCQ; L.U. No. 584).**

Attachments: Committee Report, Hearing Transcript - Stated Meeting 10/11/05

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

LU 0602-2005 **Application no. 20065071 HAX, a Project located at 801 Neill Avenue, Council District no. 11, Borough of the Bronx. This matter is subject to Council review and action pursuant to the Private Housing Finance Law, at the request of the New York City Department of Housing Preservation and Development, and pursuant to Section 577 of the Private Housing Finance Law for an exemption from real property taxes.**

Filed Pursuant to Letter of Withdrawal

A motion was made that this Land Use Application be Filed by Council approved by consent Roll Call.

- Res 1210-2005** **Resolution approving a motion to file pursuant to withdrawal of an application for a Project located at 801 Neill Avenue (Block 4290/Lot 8), the Bronx, pursuant to the Private Housing Finance Law (L.U. No. 602; 20065071 HAX)**

Attachments: Committee Report, Hearing Transcript - Stated Meeting 10/11/05

Filed Pursuant to Letter of Withdrawal

A motion was made that this Resolution be Filed by Council approved by consent Roll Call.

- LU 0603-2005** **Uniform Land Use Review Procedure application no. 050393 ZMK, pursuant to §197-c and §197-d of the New York City Charter, concerning changes to the zoning map, Borough of Brooklyn, Council District no. 47.**

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

- Res 1211-2005** **Resolution approving the decision of the City Planning Commission on ULURP No. C 050393 ZMK, a Zoning Map change (L.U. No. 603).**

Attachments: Committee Report, Hearing Transcript - Stated Meeting 10/11/05

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

- LU 0609-2005** **Uniform Land Use Review Procedure application no. 050480 ZMX, pursuant to §197-c and §197-d of the New York City Charter, concerning changes to the zoning map, Borough of Bronx, Council District no. 11.**

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

- Res 1212-2005** **Resolution approving the decision of the City Planning Commission on ULURP No. C 050480 ZMX, a Zoning Map change (L.U. No. 609).**

Attachments: Committee Report, Hearing Transcript - Stated Meeting 10/11/05

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

Report of the Committee on State and Federal Legislation

SLR 0143-2005 **State Legislation Resolution requesting the New York State Legislature to pass a bill introduced by Senator Golden, S.5984, "AN ACT to amend the tax law, in relation to enabling a city of one million or more to suspend for December, January and February the sales and compensating use tax imposed on fuel oil used for residential heating purposes and natural gas used for residential purposes".**

Attachments: Committee Report, Hearing Transcript - Stated Meeting 10/11/05

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

Report of the Committee on Transportation

Int 0699-2005 **A Local Law to amend the administrative code of the city of New York, in relation to licensing of stoop line stands contingent upon certification that such stand does not obstruct pedestrian traffic.**

Attachments: Committee Report 8/17/05, Fiscal Impact Statement, Mayor's Veto Message, Committee Report 10/3/05, Hearing Transcript 10/3/05, Hearing Transcript - Stated Meeting 10/11/05

This Introduction was Laid Over by Council

M 0672-2005 **Communication for the Mayor - Mayor's veto and disapproval message of Introductory Number 699, in relation to licensing of stoop line stands contingent upon certification that such stand does not obstruct pedestrian traffic.**

Attachments: Committee Report, Hearing Transcript, Hearing Transcript - Stated Meeting 10/11/05

This Mayor's Message was Laid Over by Council

12. General Orders Calendar

Int 0521-2004 **A Local Law to amend the New York City Charter, in relation to procurement.**

Attachments: Committee Report 1/24/05, Hearing Transcript 1/24/05, Committee Report 4/19/05, Hearing Transcript 4/19/05, Committee Report 5/11/05, Hearing Transcript - Stated Meeting 4/20/05, Hearing Transcript - Stated Meeting 10/11/05

This Introduction was Laid Over by Council

T2004-0073 Commissioner of Deeds

Attachments: Hearing Transcript - Charter Meeting 1/7/04, Hearing Transcript - Stated Meeting 1/2/04, Hearing Transcript - Stated Meeting 2/4/04, Hearing Transcript - Stated Meeting 2/26/04, Hearing Transcript - Stated Meeting 3/10/04, Hearing Transcript - Stated Meeting 3/24/04, Hearing Transcript - Stated Meeting 4/1/04, Hearing Transcript - Stated Meeting 4/21/04, Hearing Transcript - Stated Meeting 5/5/04, Hearing Transcript - Stated Meeting 5/19/04, Hearing Transcript - Stated Meeting 6/7/04, Hearing Transcript - Stated Meeting 6/21/04, Hearing Transcript - Stated Meeting 6/22/04, Hearing Transcript - Stated Meeting 6/24/04, Hearing Transcript - Stated Meeting 6/28/04, Hearing Transcript - Stated Meeting 7/21/04, Hearing Transcript - Stated Meeting 8/12/04, Hearing Transcript - Stated Meeting 9/9/04, Hearing Transcript - Stated Meeting 9/28/04, Hearing Transcript - Stated Meeting 10/13/04, Hearing Transcript - Stated Meeting 10/27/04, Hearing Transcript - Stated Meeting 11/10/04, Hearing Transcript - Stated Meeting 11/23/04, Hearing Transcript - Stated Meeting 12/7/04, Hearing Transcript - Stated Meeting 12/15/04, Hearing Transcript - Charter Meeting, Hearing Transcript - Stated Meeting 1/19/05, Hearing Transcript - Stated Meeting 2/2/05, Hearing Transcript - Stated Meeting 2/16/05, Hearing Transcript - Stated Meeting 3/9/05, Hearing Transcript - Stated Meeting 4/20/05, Hearing Transcript - Stated Meeting 6/8/05, Hearing Transcript - Stated Meeting 10/11/05

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

Coupled on General Order Calendar

Finance

Int 0692-2005 A Local Law to amend the administrative code of the city of New York, in relation to amending the district plan of the Metrotech Area business improvement district to change the method of assessment upon which the district charge is based.

Attachments: Committee Report, Hearing Transcript, Hearing Transcript - Stated Meeting 10/11/05, Local Law

Enactment No: 2005/092

Int 0669-2005 A Local Law to amend the administrative code of the city of New York, in relation to suspending the activation of parking meters on Sundays.

Attachments: Committee Report 7/27/05, Hearing Transcript - Stated Meeting 7/27/05, Mayor's Veto Message, Hearing Transcript 7/27/05, Committee Report 10/11/05, Hearing Transcript 10/11/05, Local Law

Enactment No: 2005/090

M 0665-2005 **Communication for the Mayor - Mayor's veto and disapproval message of Introductory Number 669, in relation to suspending the activation of parking meters on Sundays.**

Attachments: Mayor's Veto Message, Committee Report

Health

Int 0468-2004 **A Local Law to amend the administrative code of the city of New York, in relation to requiring employers in the grocery industry to make prevailing health care expenditures on behalf of their employees.**

Attachments: Committee Report 12/10/04, Hearing Transcript 12/10/04, Committee Report 6/9/05, Committee Report 8/17/05, Mayor's Veto Message, Committee Report 10/11/05, Local Law, Hearing Transcript - Stated Meeting 10/11/05

Enactment No: 2005/089

M 0671-2005 **Communication for the Mayor - Mayor's veto and disapproval message of Introductory Number 468-A, in relation to requiring employers in the grocery industry to make prevailing health care expenditures on behalf of their employees.**

Attachments: Committee Report, Mayor's Veto Message

Land Use

Res 1200-2005 **Resolution approving the decision of the City Planning Commission on ULURP No. C 050453 ZMR, a Zoning Map change (L.U. No. 544).**

Attachments: Committee Report

Res 1201-2005 **Resolution approving the decision of the City Planning Commission on ULURP No. C 050454 ZMR, a Zoning Map change (L.U. No. 545).**

Attachments: Committee Report

Res 1202-2005 **Resolution approving the decision of the City Planning Commission on ULURP No. C 050442 ZMX, a Zoning Map change (L.U. No. 548).**

Attachments: Committee Report, Hearing Transcript - Stated Meeting 10/11/05

Res 1203-2005 Resolution approving the site plan for a primary/intermediate public school facility to be located at the southwest corner of Jamaica Avenue and Richmond Street in the Cypress Hills area of Brooklyn (Block 4102, Lots 19, 27, 33, 35 and 36), Brooklyn (Non-ULURP No. 20065023 SCK; L.U. No. 550).

Attachments: Committee Report, Hearing Transcript - Stated Meeting 10/11/05

Res 1204-2005 Resolution approving the decision of the City Planning Commission on an application submitted by the Department of Housing Preservation and Development, ULURP No. C 050527 HAX, approving the designation of 871 and 875 East 179th Street (Block 3123, Lots 77 and 76), as an Urban Development Action Area, approving the project for the area as an Urban Development Action Area Project, and approving the disposition of such property to a developer selected by the Department of Housing Preservation and Development (L.U. No. 554; C 050527 HAX).

Attachments: Committee Report, Hearing Transcript - Stated Meeting 10/11/05

Res 1205-2005 Resolution approving an Urban Development Action Area Project located at 254 East 125th Street (Block 1789/Lot 29), Manhattan, and waiving the urban development action area designation requirement and the Uniform Land Use Review Procedure, pursuant to Sections 693 and 694 of the General Municipal Law (L.U. No. 560; 20065052 HAM).

Attachments: Committee Report, Hearing Transcript - Stated Meeting 10/11/05

Res 1206-2005 Resolution approving the decision of the City Planning Commission on ULURP No. C 060006 ZMM, a Zoning Map change (L.U. No. 572).

Attachments: Committee Report, Hearing Transcript - Stated Meeting 10/11/05

Res 1207-2005 Resolution approving the decision of the City Planning Commission on ULURP No. C 030370 ZMX, a Zoning Map change (L.U. No. 579).

Attachments: Committee Report, Hearing Transcript - Stated Meeting 10/11/05

- Res 1208-2005** **Resolution approving an Urban Development Action Area Project located at 81 West 172nd Street (Block 2872/Lot 218), the Bronx, and waiving the urban development action area designation requirement and the Uniform Land Use Review Procedure, pursuant to Sections 693 and 694 of the General Municipal Law (L.U. No. 580; 20065057 HAX).**
- Attachments:** Committee Report, Hearing Transcript - Stated Meeting 10/11/05
- Res 1209-2005** **Resolution approving the petition for a revocable consent for an unenclosed sidewalk café located at 106-03 Metropolitan Avenue, Queens (20055640 TCQ; L.U. No. 584).**
- Attachments:** Committee Report, Hearing Transcript - Stated Meeting 10/11/05
- Res 1210-2005** **Resolution approving a motion to file pursuant to withdrawal of an application for a Project located at 801 Neill Avenue (Block 4290/Lot 8), the Bronx, pursuant to the Private Housing Finance Law (L.U. No. 602; 20065071 HAX)**
- Attachments:** Committee Report, Hearing Transcript - Stated Meeting 10/11/05
- Res 1211-2005** **Resolution approving the decision of the City Planning Commission on ULURP No. C 050393 ZMK, a Zoning Map change (L.U. No. 603).**
- Attachments:** Committee Report, Hearing Transcript - Stated Meeting 10/11/05
- Res 1212-2005** **Resolution approving the decision of the City Planning Commission on ULURP No. C 050480 ZMX, a Zoning Map change (L.U. No. 609).**
- Attachments:** Committee Report, Hearing Transcript - Stated Meeting 10/11/05
- State and Federal Legislation
- SLR 0143-2005** **State Legislation Resolution requesting the New York State Legislature to pass a bill introduced by Senator Golden, S.5984, “AN ACT to amend the tax law, in relation to enabling a city of one million or more to suspend for December, January and February the sales and compensating use tax imposed on fuel oil used for residential heating purposes and natural gas used for residential purposes”.**
- Attachments:** Committee Report, Hearing Transcript - Stated Meeting 10/11/05

General Order Calendar

T2004-0073 Commissioner of Deeds

Attachments: Hearing Transcript - Charter Meeting 1/7/04, Hearing Transcript - Stated Meeting 1/2/04, Hearing Transcript - Stated Meeting 2/4/04, Hearing Transcript - Stated Meeting 2/26/04, Hearing Transcript - Stated Meeting 3/10/04, Hearing Transcript - Stated Meeting 3/24/04, Hearing Transcript - Stated Meeting 4/1/04, Hearing Transcript - Stated Meeting 4/21/04, Hearing Transcript - Stated Meeting 5/5/04, Hearing Transcript - Stated Meeting 5/19/04, Hearing Transcript - Stated Meeting 6/7/04, Hearing Transcript - Stated Meeting 6/21/04, Hearing Transcript - Stated Meeting 6/22/04, Hearing Transcript - Stated Meeting 6/24/04, Hearing Transcript - Stated Meeting 6/28/04, Hearing Transcript - Stated Meeting 7/21/04, Hearing Transcript - Stated Meeting 8/12/04, Hearing Transcript - Stated Meeting 9/9/04, Hearing Transcript - Stated Meeting 9/28/04, Hearing Transcript - Stated Meeting 10/13/04, Hearing Transcript - Stated Meeting 10/27/04, Hearing Transcript - Stated Meeting 11/10/04, Hearing Transcript - Stated Meeting 11/23/04, Hearing Transcript - Stated Meeting 12/7/04, Hearing Transcript - Stated Meeting 12/15/04, Hearing Transcript - Charter Meeting, Hearing Transcript - Stated Meeting 1/19/05, Hearing Transcript - Stated Meeting 2/2/05, Hearing Transcript - Stated Meeting 2/16/05, Hearing Transcript - Stated Meeting 3/9/05, Hearing Transcript - Stated Meeting 4/20/05, Hearing Transcript - Stated Meeting 6/8/05, Hearing Transcript - Stated Meeting 10/11/05

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, 44 -

Speaker Miller, Addabbo Jr., Avella, Baez, Barron, Brewer, Clarke, Comrie Jr., Dilan, de Blasio, Felder, Fidler, Foster, Gallagher, Gennaro, Gentile, Gerson, Gioia, Gonzalez, Jackson, James, Jennings Jr., Katz, Koppell, Lanza, Liu, Lopez, McMahon, Monserrate, Moskowitz, Nelson, Oddo, Palma, Perkins, Provenzano, Quinn, Recchia Jr., Sears, Stewart, Vallone Jr., Vann, Weprin, Yassky and Arroyo

Excused, 7 -

Boylard, Martinez, Reed, Reyna, Rivera, Sanders Jr. and Seabrook

The following files were removed from the General Order Calendar and voted separately:

Int No. 468-A and Int No. 669.

*Override Note: Two Mayor's vetoes were Overridden by the Council at this Meeting:
Int No. 468-A and Int No. 669.*

13. Introduction & Reading of Bills
See Attached

- 14. Discussion of Resolutions
- 15. Resolutions
None
- 16. General Discussion
- 17. Extension of Remarks

INTRODUCTION AND READING OF BILLS

Int 0730-2005 A Local Law to amend the administrative code of the city of New York, in relation to health insurance coverage for the surviving spouse or domestic partner and children of certain deceased department of transportation workers.

Sponsors: By Council Members Addabbo Jr., Comrie Jr., Fidler, Gonzalez, Jennings Jr., Liu, McMahon, Nelson, Palma, Recchia Jr., Stewart, Sanders Jr., Jackson and The Public Advocate (Public Advocate Gotbaum) (by request of the Mayor)

Attachments: Committee Report, Local Law

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

Enactment No: 2005/096

Int 0731-2005 A Local Law to amend the administrative code of the city of New York, in relation to establishing a citywide stoop line stand task force.

Sponsors: By Council Members Comrie Jr., Liu, Jackson, Fidler, Nelson, Stewart and Weprin

Attachments: Committee Report 10/17/05, Committee Report 10/24/05

This Introduction was Referred to Comm by Council to the Committee on Transportation

Res 1193-2005 **Resolution calling upon the Department of Consumer Affairs, in response to the disruption of Hurricanes Katrina and Rita, to examine the necessity of declaring gasoline in temporary short supply in order to protect consumers from price gouging and for the New York State Attorney General to vigilantly continue investigating instances of potential price gouging.**

Sponsors: By Council Members Gentile, Barron, Comrie Jr., Fidler, James, Jennings Jr., Koppell, Liu, McMahon, Nelson, Palma, Recchia Jr., Stewart, Weprin and Jackson

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

Res 1194-2005 **Resolution calling upon President Bush to continue utilizing the Strategic Petroleum Reserve to mitigate the rising price of fuel caused by Hurricanes Katrina and Rita, and to compel him to consider alternative methods to help alleviate the concern over possible record-high winter fuel costs.**

Sponsors: By Council Members Gentile, Barron, Comrie Jr., Fidler, James, Jennings Jr., Nelson, Palma, Recchia Jr., Stewart, Weprin and Jackson

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

Res 1195-2005 **Resolution commemorating the life and mourning the death of Constance Baker Motley.**

Sponsors: By Council Members James, Barron, Clarke, Comrie Jr., Fidler, McMahon, Palma, Recchia Jr., Sears, Weprin and Jackson

This Resolution was Referred to Comm by Council to the Committee on Cultural Affairs, Libraries and International Intergroup Relations

Int 0732-2005 **A Local Law to authorize the levy and collection of real property taxes at rates that are ten percent below the rates for fiscal year 2006 adopted on June 30, 2005.**

Sponsors: By Council Members McMahon, Gentile, Oddo, Avella, Fidler, Liu, Nelson, Recchia Jr. and Gallagher

This Introduction was Referred to Comm by Council to the Committee on Finance

Int 0733-2005 **A Local Law to amend the New York City Charter in relation to the addition of various City siting categories subject to the uniform land use review procedure.**

Sponsors: By Council Members Recchia Jr., James, Liu and Palma

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

Res 1196-2005 **Resolution calling upon the New York State Legislature to adopt legislation that would require that all preparatory procedures necessary for laser hair removal be performed under the direct supervision of a physician properly trained and licensed in such hair removal procedure.**

Sponsors: By Council Members Rivera, Barron, Gonzalez and Palma

This Resolution was Referred to Comm by Council to the Committee on Health

SLR 0143-2005 **State Legislation Resolution requesting the New York State Legislature to pass a bill introduced by Senator Golden, S.5984, "AN ACT to amend the tax law, in relation to enabling a city of one million or more to suspend for December, January and February the sales and compensating use tax imposed on fuel oil used for residential heating purposes and natural gas used for residential purposes".**

Sponsors: By Council Members Rivera, Weprin, McMahon, Sears, Gentile, Fidler, Comrie Jr., Gonzalez, Jennings Jr., Liu, Nelson and The Public Advocate (Public Advocate Gotbaum)

Attachments: Committee Report, Hearing Transcript - Stated Meeting 10/11/05

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

Res 1197-2005 **Resolution in support of H. Res. 313, which urges the President to authorize the transfer of ownership of one of the bells taken from the town of Balangiga on the island of Samar, Philippines in 1901, and currently displayed at F.E. Warren Air Force Base in Wyoming, to the people of the Philippines.**

Sponsors: By Council Members Sears, Barron, Liu, Weprin and Jackson

This Resolution was Referred to Comm by Council to the Committee on Cultural Affairs, Libraries and International Intergroup Relations

Res 1198-2005 **Resolution denouncing the use of fur by all clothing makers and the inhumane manner in which the animals used for fur are killed.**

Sponsors: By Council Members Vallone Jr., Gonzalez, James, Liu and Palma

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

- Int 0734-2005** **A Local Law to amend the administrative code of the city of New York, in relation to replacement cycles for taxicabs.**
- Sponsors:** By Council Members Yassky, Brewer, James, Liu, Palma and Seabrook
- Attachments:** Committee Report
- This Introduction was Referred to Comm by Council to the Committee on Transportation
- Int 0735-2005** **A Local Law to amend the administrative code of the city of New York, in relation to the taxi and limousine commission license fee for compressed natural gas and certain hybrid-electric vehicles.**
- Sponsors:** By Council Members Yassky, Brewer, Fidler, Liu, Palma and Stewart
- Attachments:** Committee Report
- This Introduction was Referred to Comm by Council to the Committee on Transportation
- Res 1199-2005** **Resolution calling upon the United States Senate to reject the nomination of Harriet Miers an Associate Justice to the Supreme Court of the United States.**
- Sponsors:** By Council Members Yassky, Barron, Brewer, James and Palma
- This Resolution was Referred to Comm by Council to the Committee on State and Federal Legislation
- LU 0610-2005** **Uniform Land Use Review Procedure application no. 050190 ZMQ, pursuant to §197-c and §197-d of the New York City Charter, concerning changes to the zoning map, Borough of Queens, Council District no. 24.**
- Sponsors:** By Council Member Katz
- This Land Use Application was Referred to Comm by Council to the Committee on Land Use
- This Land Use Application was Referred to Comm by Council to the Subcommittee on Zoning and Franchises
- LU 0611-2005** **Uniform Land Use Review Procedure application no. 050145 ZMR, pursuant to §197-c and §197-d of the New York City Charter, concerning changes to the zoning map, Borough of Staten Island, Council District no. 51.**
- Sponsors:** By Council Member Katz
- Attachments:** Hearing Transcript - Zoning 11/14, Hearing Transcript - Land Use 11/15
- This Land Use Application was Referred to Comm by Council to the Committee on Land Use

Attachments: Hearing Transcript - Zoning 11/14, Hearing Transcript - Land Use 11/15

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

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

Whereupon on motion of the Speaker (Council Member Miller), the Clerk of the Council adjourned to meet again on Thursday, October 27, 2005.

*VICTOR L. ROBLES, City Clerk
Clerk of the Council*