

The New York City Council

*City Hall
New York, NY 10007*



Meeting Minutes

Tuesday, June 24, 2003

4:00 PM

Recessed Meeting of June 17, 2003

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, James E. Davis, Bill de Blasio, Erik Martin Dilan, Pedro Espada, Jr., 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, Allan W. Jennings, 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, William Perkins, Madeline Provenzano, Christine C. Quinn, Philip Reed, Domenic M. Recchia, Jr., Diana Reyna, Joel Rivera, James Sanders, Larry B. Seabrook, Helen Sears, Jose M. Serrano, Kendall B. Stewart, Peter F. Vallone, Jr., Albert Vann, David I. Weprin, David Yassky.

Recessed Meeting of June 17, 2003 held on Tuesday, June 24, 2003

1. The Public Advocate (Ms. Gotbaum) called the meeting to order.
2. Roll Call

Present:

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

Excused:

Reed and Sanders Jr.

3. The Clerk (Mr. Victor L. Robles) announced the presence of a quorum.
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1. Adoption of Minutes

Council Member Barron moved that the Minutes of the Stated Meeting of May 14, 2003 and May 28, 2003 be adopted as printed.

2. Supplemental Messages & Papers from the Mayor

M 0655-2003 Communication from the Mayor - Submitting the name of Lee Ann Shelton to the Council for its advice and consent regarding her appointment as the architect member of the New York City Art Commission, pursuant to Sections 31 and 851 of the New York City Charter.

Attachments: Report and Resolution, Hearing Transcript, Hearing Transcript - Stated Meeting 7/23

M 0656-2003 Communication from the Mayor - Submitting the name of Signe Nielsen to the Council for its advice and consent regarding her appointment as the landscape architect member of the New York City Art Commission, pursuant to Sections 31 and 851 of the New York City Charter.

Attachments: Report and Resolutions, Hearing Transcript, Hearing Transcript - Stated Meeting 7/23

M 0657-2003 **Communication from the Mayor - Submitting the name of Byron Kim to the Council for its advice and consent regarding his appointment as the painter member of the New York City Art Commission, pursuant to Sections 31 and 851 of the New York City Charter.**

Attachments: Report and Resolution, Hearing Transcript, Hearing Transcript - Stated Meeting 7/23

M 0658-2003 **Communication from the Mayor - Submitting the name of Alice Aycock to the Council for its advice and consent regarding her appointment as the sculptor member of the New York City Art Commission, pursuant to Sections 31 and 851 of the New York City Charter.**

Attachments: Hearing Transcript, Hearing Transcript - Stated Meeting 7/23

M 0659-2003 **Communication from the Mayor - Submitting the name of James P. Stuckey to the Council for its advice and consent regarding his appointment as a lay member of the New York City Art Commission, pursuant to Sections 31 and 851 of the New York City Charter.**

Attachments: Report and Resolutions, Hearing Transcript, Hearing Transcript - Stated Meeting 7/23

M 0660-2003 **Communication from the Mayor - Submitting the name of Matthew W. Daus to the Council for its advice and consent regarding his reappointment as a member of the Taxi & Limousine Commission, pursuant to Sections 31 and 2301 of the New York City Charter.**

Attachments: Report and Resolution, Hearing Transcript, Hearing Transcript - Stated Meeting 7/23

M 0661-2003 **Communication from the Mayor - Submitting the 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 2004 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, Hearing Transcript - Stated Meeting 6/27

3. Communications from City, County & Borough Offices

None.

4. Petitions and Communications

None.

5. Land Use Call-Ups

M 0662-2003 Pursuant to Rule 11.20(b) of the Council and Section 20-226(g) of the New York City Administrative Code, the Council resolves that the action of the Department of Consumer Affairs approving an unenclosed sidewalk café located at 122 Mulberry Street, d/b/a Positano Italian Restaurant, Community Board #2 (Application no. 20035259 TCM), shall be subject to review by the Council.

Attachments: Hearing Transcript - Stated Meeting 6/24

M 0663-2003 Pursuant to Rule 11.20(b) of the Council and Section 20-226(g) of the New York City Administrative Code, the Council resolves that the action of the Department of Consumer Affairs approving an unenclosed sidewalk café located at 120 Mulberry Street, Buona Notte, Inc., Community Board #2 (Application no. 20035260 TCM), shall be subject to review by the Council.

Attachments: Hearing Transcript - Stated Meeting 6/24

M 0664-2003 Pursuant to Rule 11.20(b) of the Council and Section 20-226(g) of the New York City Administrative Code, the Council resolves that the action of the Department of Consumer Affairs approving an unenclosed sidewalk café located at 115 Mulberry Street, Fratelli Restaurant, Community Board #2 (Application no. 20035261 TCM), shall be subject to review by the Council.

Attachments: Hearing Transcript - Stated Meeting 6/24

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

Affirmative: 49 -

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

Excused: 2 -

Reed and Sanders Jr.

6. Communication from the Speaker
7. Discussion of General Orders
8. Reports of Special Committees
None.
9. Supplemental Reports of Standing Committees

Report of the Committee on Finance (cont'd)

Int 0492-2003 A Local Law to amend the administrative code of the city of New York, in relation to increasing personal income taxes.

Attachments: Local Law, Fiscal Impact Statement, Committee Report, Hearing Transcript, Hearing Transcript - Stated Meeting 6/24

Affirmative: 46 -

Speaker Miller, Addabbo Jr., Avella, Baez, Barron, Boyland, Brewer, Clarke, Comrie Jr., Davis, Dilan, Espada Jr., Felder, Fidler, Foster, Gennaro, Gerson, Gentile, Gioia, Gonzalez, Jackson, Jennings Jr., Katz, Koppell, de Blasio, Liu, Lopez, Martinez, McMahon, Monserrate, Moskowitz, Nelson, Perkins, Provenzano, Quinn, Recchia Jr., Reyna, Rivera, Seabrook, Sears, Serrano, Stewart, Vallone Jr., Vann, Weprin and Yassky

Negative: 3 -

Gallagher, Lanza and Oddo

Excused: 2 -

Reed and Sanders Jr.

Enactment No: 2003/041

M 0614-2003 Communication from the New York City Banking Commission - Transmitting recommendation that the discount rate to be allowed for prepayment of real estate taxes be continued at two percent (2%) per annum for Fiscal Year 2004, pursuant to Section 1519 of the City Charter.

Attachments: Committee Report, Hearing Transcript, Hearing Transcript - Stated Meeting 6/24

Res 0939-2003 Resolution to establish that the discount rate for the prepayment of real estate taxes be continued at 2% per annum for Fiscal Year 2004.

Attachments: Hearing Transcript, Hearing Transcript - Stated Meeting 6/24

M 0615-2003 Communication from the New York City Banking Commission - Transmitting recommendation that the interest rate for non-payment of real estate taxes where annual tax is more than \$2,750, or vacant or unimproved land; and non-payment of charges for work performed pursuant to orders of the Board of Health or Department of Health be 18 percent (18%) for Fiscal Year 2004.

Attachments: Committee Report, Hearing Transcript, Hearing Transcript - Stated Meeting 6/24

Affirmative: 44 -

Speaker Miller, Addabbo Jr., Avella, Baez, Barron, Boyland, Brewer, Clarke, Comrie Jr., Davis, Dilan, Espada Jr., Fidler, Foster, Gennaro, Gerson, Gentile, Gioia, Gonzalez, Jackson, Jennings Jr., Katz, Koppell, de Blasio, Liu, Lopez, Martinez, McMahon, Monserrate, Moskowitz, Nelson, Perkins, Provenzano, Quinn, Recchia Jr., Reyna, Rivera, Seabrook, Sears, Serrano, Stewart, Vallone Jr., Weprin and Yassky

Negative: 5 -

Felder, Gallagher, Lanza, Vann and Oddo

Excused: 2 -

Reed and Sanders Jr.

Res 0940-2003 Resolution to establish that the interest rate be 18% per annum for Fiscal Year 2004 for non-payment of taxes on real property where the annual tax on the parcel is more than \$2,750 or where, irrespective of the annual tax, the parcel consists of vacant or unimproved land; and for non-payment of charges for work performed pursuant to orders of the Board of Health or Department of Health and Mental Hygiene.

Attachments: Committee Report, Hearing Transcript, Hearing Transcript - Stated Meeting 6/24

Affirmative: 44 -

Speaker Miller, Addabbo Jr., Avella, Baez, Barron, Boyland, Brewer, Clarke, Comrie Jr., Davis, Dilan, Espada Jr., Fidler, Foster, Gennaro, Gerson, Gentile, Gioia, Gonzalez, Jackson, Jennings Jr., Katz, Koppell, de Blasio, Liu, Lopez, Martinez, McMahon, Monserrate, Moskowitz, Nelson, Perkins, Provenzano, Quinn, Recchia Jr., Reyna, Rivera, Seabrook, Sears, Serrano, Stewart, Vallone Jr., Weprin and Yassky

Negative: 5 -

Felder, Gallagher, Lanza, Vann and Oddo

Excused: 2 -

Reed and Sanders Jr.

M 0616-2003 **Communication from the New York City Banking Commission - Transmitting resolution recommending that the interest rate to be charged for Fiscal Year 2004 for non-payment of taxes on real property where the annual tax is not more than \$2,750 or where the real property taxes are held in escrow and paid by a mortgage escrow agent be eighteen percent (18%), and nine percent (9%) in all other such parcels.**

Attachments: Committee Report, Hearing Transcript, Hearing Transcript - Stated Meeting 6/24

Affirmative: 43 -

Speaker Miller, Addabbo Jr., Avella, Baez, Barron, Boyland, Brewer, Clarke, Comrie Jr., Davis, Dilan, Espada Jr., Fidler, Foster, Gennaro, Gerson, Gentile, Gioia, Gonzalez, Jackson, Katz, Koppell, de Blasio, Liu, Lopez, Martinez, McMahon, Monserrate, Moskowitz, Nelson, Perkins, Provenzano, Quinn, Recchia Jr., Reyna, Rivera, Seabrook, Sears, Serrano, Stewart, Vallone Jr., Weprin and Yassky

Negative: 6 -

Felder, Gallagher, Jennings Jr., Lanza, Vann and Oddo

Excused: 2 -

Reed and Sanders Jr.

Res 0941-2003 **Resolution to establish that the interest rate to be charged for non-payment of taxes on real property where the annual tax on the parcel, other than a parcel that consists of vacant or unimproved land, is not more than \$2,750, be 18% per annum for Fiscal Year 2003 in the case of any such parcel where the real property taxes are held in escrow and paid to the Commissioner of Finance by a mortgage escrow agent; and 9% per annum in the case of all other such parcels.**

Attachments: Committee Report, Hearing Transcript, Hearing Transcript - Stated Meeting 6/24

Affirmative: 43 -

Speaker Miller, Addabbo Jr., Avella, Baez, Barron, Boyland, Brewer, Clarke, Comrie Jr., Davis, Dilan, Espada Jr., Fidler, Foster, Gennaro, Gerson, Gentile, Gioia, Gonzalez, Jackson, Katz, Koppell, de Blasio, Liu, Lopez, Martinez, McMahon, Monserrate, Moskowitz, Nelson, Perkins, Provenzano, Quinn, Recchia Jr., Reyna, Rivera, Seabrook, Sears, Serrano, Stewart, Vallone Jr., Weprin and Yassky

Negative: 6 -

Felder, Gallagher, Jennings Jr., Lanza, Vann and Oddo

Excused: 2 -

Reed and Sanders Jr.

M 0617-2003 Communication from the New York City Banking Commission - Transmitting recommendation that the interest rate to be charged for Fiscal Year 2004 for non-payment of water rents and sewer rents be eighteen percent (18%) where the annual tax on parcel is more than \$2,750 or where taxes are held in escrow or where parcel consists of vacant or unimproved land, and nine percent (9%) in all other cases.

Attachments: Committee Report, Hearing Transcript, Hearing Transcript - Stated Meeting 6/24

Affirmative: 43 -

Speaker Miller, Addabbo Jr., Avella, Baez, Barron, Boyland, Brewer, Clarke, Comrie Jr., Davis, Dilan, Espada Jr., Fidler, Foster, Gennaro, Gerson, Gentile, Gioia, Gonzalez, Jackson, Katz, Koppell, de Blasio, Liu, Lopez, Martinez, McMahon, Monserrate, Moskowitz, Nelson, Perkins, Provenzano, Quinn, Recchia Jr., Reyna, Rivera, Seabrook, Sears, Serrano, Stewart, Vallone Jr., Weprin and Yassky

Negative: 6 -

Felder, Gallagher, Jennings Jr., Lanza, Vann and Oddo

Excused: 2 -

Reed and Sanders Jr.

Res 0942-2003 Resolution to establish that the interest rate to be charged for Fiscal Year 2004 for non-payment of water rents and sewer rents be 18% per annum for any parcel where the annual real estate tax is more than \$2,750 or where the real estate taxes are held in escrow and paid to the Commissioner of Finance by a mortgage escrow agent or where the parcel consists of vacant or unimproved land; and 9% per annum in all other cases.

Attachments: Committee Report, Hearing Transcript, Hearing Transcript - Stated Meeting 6/24

Affirmative: 43 -

Speaker Miller, Addabbo Jr., Avella, Baez, Barron, Boyland, Brewer, Clarke, Comrie Jr., Davis, Dilan, Espada Jr., Fidler, Foster, Gennaro, Gerson, Gentile, Gioia, Gonzalez, Jackson, Katz, Koppell, de Blasio, Liu, Lopez, Martinez, McMahon, Monserrate, Moskowitz, Nelson, Perkins, Provenzano, Quinn, Recchia Jr., Reyna, Rivera, Seabrook, Sears, Serrano, Stewart, Vallone Jr., Weprin and Yassky

Negative: 6 -

Felder, Gallagher, Jennings Jr., Lanza, Vann and Oddo

Excused: 2 -

Reed and Sanders Jr.

Report of the Committee on Parks and Recreation

Int 0399-2003 A Local Law to amend the administrative code of the city of New York, in relation to creating an adopt-a-park program.

Attachments: Committee Report 5/5/03, Committee Report 6/16/03, Committee Report 6/20/03, Fiscal Impact Statement - A, Hearing Transcript 5/5/03, Hearing Transcript 6/16/03, Hearing Transcript 6/20/03, Hearing Transcript - Stated Meeting 8/19, Local Law

Enactment No: 2003/055

Report of the Committee on Sanitation and Solid Waste Management

Int 0393-2003 A Local Law to amend the administrative code of the city of New York, in relation to the definition of fill material.

Attachments: Committee Report 6/10/03, Committee Report 6/18/03, Local Law, Hearing Transcript, Hearing Transcript 6/10/03, Hearing Transcript - Stated Meeting 6/27, Fiscal Impact Statement - A

Enactment No: 2003/045

Res 0960-2003 Resolution finding that enactment of Proposed Int. No. 393-A does not have a significant adverse impact on the environment and is consistent with the state environmental quality review act.

Attachments: Notice of Negative Declaration, Hearing Transcript, Hearing Transcript - Stated Meeting 6/27

Report of the Committee on State and Federal Legislation (cont'd)

SLR 0110-2003 State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senators Padavan, Golden, Maltese, Marchi and Velella, S.2564-B, and Assembly Members Abbate, Colton, Cymbrowitz, Ortiz, Pheffer, Seddio, Seminerio and McLaughlin, et al, A.5464-B, "AN ACT to amend the administrative code of the city of New York, in relation to the establishment of a twenty year retirement program for members of the New York city employees' retirement system employed as investigators by district attorneys' offices".

Attachments: Committee Report, Fiscal Impact Statement, Hearing Transcript, Hearing Transcript - Stated Meeting 6/24

Affirmative: 48 -

Speaker Miller, Addabbo Jr., Avella, Baez, Barron, Boyland, Brewer, Clarke, Comrie Jr., Davis, Dilan, Espada Jr., Felder, Fidler, Foster, Gallagher, Gennaro, Gerson, Gentile, Gioia, Gonzalez, Jackson, Jennings Jr., Katz, Koppell, de Blasio, Liu, Lopez, Martinez, McMahon, Monserrate, Moskowitz, Nelson, Perkins, Provenzano, Quinn, Recchia Jr., Reyna, Rivera, Seabrook, Sears, Serrano, Stewart, Vallone Jr., Vann, Weprin, Yassky and Oddo

Negative: 1 -
Lanza

Excused: 2 -
Reed and Sanders Jr.

SLR 0111-2003 State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Paterson, S.5305, and Committee on Rules, A.8701, "AN ACT authorizing the city of New York to reconvey title of certain property to Gus Jenkins ".

Attachments: Committee Report, Hearing Transcript, Hearing Transcript - Stated Meeting 6/24

SLR 0115-2003 State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senators Golden, Maltese, Marchi, Mendez, Padavan and Velella, S.4186-A, and Assembly Member Abbate, A.7163-A, "AN ACT to amend the administrative code of the city of New York, in relation to loans to members of the New York city fire department pension fund".

Attachments: Committee Report, Hearing Transcript, Hearing Transcript - Stated Meeting 6/24

10. Supplemental General Order Calendar

Int 0305-2002 A Local Law to amend the administrative code of the city of New York, in relation to awnings.

Attachments: Committee Report 4/15, Committee Report 6/17, Hearing Transcript 4/15, Local Law, Hearing Transcript 6/17, Hearing Transcript - Stated Meeting 6/25, Fiscal Impact Statement - A

Enactment No: 2003/044

Int 0410-2003 A Local Law to amend the administrative code of the city of New York, in relation to applications for redetermination of senior citizen rent increase exemption benefits where there is a permanent reduction in income.

Attachments: Committee Report, Fiscal Impact Statement, Hearing Transcript, Hearing Transcript - Stated Meeting 8/19, Local Law

Enactment No: 2003/056

LU 0451-2003 **Zoning resolution amendment application no. 030233 ZRY, pursuant to §197-d and §200 of the New York City Charter, concerning changes in the text of the zoning resolution Citywide relating: the establishment of a C4-4D General Commercial District.**

Attachments: Hearing Transcript - Stated Meeting 6/24

Res 0963-2003 **Resolution approving the decision of the City Planning Commission on Application No. N 030233 ZRY, an amendment to the text of the Zoning Resolution regarding the establishment of a C4-4D General Commercial District (L.U. No. 451).**

Attachments: Committee Report, Hearing Transcript - Stated Meeting 6/24

LU 0452-2003 **Uniform Land Use Review Procedure application no. 030234(A) 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. 8.**

Attachments: Hearing Transcript - Stated Meeting 6/24

Res 0964-2003 **Resolution approving with modification the decision of the City Planning Commission on ULURP No. C 030234 (A) ZMM, a Zoning Map change (L.U. No. 452).**

Attachments: Committee Report, Hearing Transcript - Stated Meeting 6/24

LU 0453-2003 **Uniform land use review procedure application no. C 030175 PPK, pursuant to §197-c and §197-d of the New York City Charter concerning the disposition of one city-owned property, located at 72 Poplar Street, Borough of Brooklyn, Council District no. 33. This application is subject to review and action by the Land Use Committee only if appealed to the Council pursuant to §197-d(b)(2) of the Charter or called up by vote of the Council pursuant to §197-d(b)(3) of the Charter.**

Attachments: Hearing Transcript - Stated Meeting 6/24

Res 0965-2003 **Resolution approving with modification the decision of the City Planning Commission on ULURP No. C 030175 PPK, the disposition of one (1) city-owned property located at 72 Poplar Street (Block 211/Lot 15), Brooklyn (L.U. No. 453).**

Attachments: Committee Report, Hearing Transcript - Stated Meeting 6/24

T1999-86 Commissioner of Deeds

Coupled on General Order Calendar

Finance

Int 0492-2003 A Local Law to amend the administrative code of the city of New York, in relation to increasing personal income taxes.

Attachments: Local Law, Fiscal Impact Statement, Committee Report, Hearing Transcript, Hearing Transcript - Stated Meeting 6/24

Enactment No: 2003/041

M 0614-2003 Communication from the New York City Banking Commission - Transmitting recommendation that the discount rate to be allowed for prepayment of real estate taxes be continued at two percent (2%) per annum for Fiscal Year 2004, pursuant to Section 1519 of the City Charter.

Attachments: Committee Report, Hearing Transcript, Hearing Transcript - Stated Meeting 6/24

Res 0939-2003 Resolution to establish that the discount rate for the prepayment of real estate taxes be continued at 2% per annum for Fiscal Year 2004.

Attachments: Hearing Transcript, Hearing Transcript - Stated Meeting 6/24

M 0615-2003 Communication from the New York City Banking Commission - Transmitting recommendation that the interest rate for non-payment of real estate taxes where annual tax is more than \$2,750, or vacant or unimproved land; and non-payment of charges for work performed pursuant to orders of the Board of Health or Department of Health be 18 percent (18%) for Fiscal Year 2004.

Attachments: Committee Report, Hearing Transcript, Hearing Transcript - Stated Meeting 6/24

Res 0940-2003 **Resolution to establish that the interest rate be 18% per annum for Fiscal Year 2004 for non-payment of taxes on real property where the annual tax on the parcel is more than \$2,750 or where, irrespective of the annual tax, the parcel consists of vacant or unimproved land; and for non-payment of charges for work performed pursuant to orders of the Board of Health or Department of Health and Mental Hygiene.**

Attachments: Committee Report, Hearing Transcript, Hearing Transcript - Stated Meeting
6/24

M 0616-2003 **Communication from the New York City Banking Commission - Transmitting resolution recommending that the interest rate to be charged for Fiscal Year 2004 for non-payment of taxes on real property where the annual tax is not more than \$2,750 or where the real property taxes are held in escrow and paid by a mortgage escrow agent be eighteen percent (18%), and nine percent (9%) in all other such parcels.**

Attachments: Committee Report, Hearing Transcript, Hearing Transcript - Stated Meeting
6/24

Res 0941-2003 **Resolution to establish that the interest rate to be charged for non-payment of taxes on real property where the annual tax on the parcel, other than a parcel that consists of vacant or unimproved land, is not more than \$2,750, be 18% per annum for Fiscal Year 2003 in the case of any such parcel where the real property taxes are held in escrow and paid to the Commissioner of Finance by a mortgage escrow agent; and 9% per annum in the case of all other such parcels.**

Attachments: Committee Report, Hearing Transcript, Hearing Transcript - Stated Meeting
6/24

M 0617-2003 **Communication from the New York City Banking Commission - Transmitting recommendation that the interest rate to be charged for Fiscal Year 2004 for non-payment of water rents and sewer rents be eighteen percent (18%) where the annual tax on parcel is more than \$2,750 or where taxes are held in escrow or where parcel consists of vacant or unimproved land, and nine percent (9%) in all other cases.**

Attachments: Committee Report, Hearing Transcript, Hearing Transcript - Stated Meeting
6/24

Res 0942-2003 **Resolution to establish that the interest rate to be charged for Fiscal Year 2004 for non-payment of water rents and sewer rents be 18% per annum for any parcel where the annual real estate tax is more than \$2,750 or where the real estate taxes are held in escrow and paid to the Commissioner of Finance by a mortgage escrow agent or where the parcel consists of vacant or unimproved land; and 9% per annum in all other cases.**

Attachments: Committee Report, Hearing Transcript, Hearing Transcript - Stated Meeting 6/24

State and Federal Legislation

SLR 0110-2003 **State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senators Padavan, Golden, Maltese, Marchi and Velella, S.2564-B, and Assembly Members Abbate, Colton, Cymbrowitz, Ortiz, Pheffer, Seddio, Seminerio and McLaughlin, et al, A.5464-B, "AN ACT to amend the administrative code of the city of New York, in relation to the establishment of a twenty year retirement program for members of the New York city employees' retirement system employed as investigators by district attorneys' offices".**

Attachments: Committee Report, Fiscal Impact Statement, Hearing Transcript, Hearing Transcript - Stated Meeting 6/24

SLR 0111-2003 **State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Paterson, S.5305, and Committee on Rules, A.8701, "AN ACT authorizing the city of New York to reconvey title of certain property to Gus Jenkins ".**

Attachments: Committee Report, Hearing Transcript, Hearing Transcript - Stated Meeting 6/24

SLR 0115-2003 **State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senators Golden, Maltese, Marchi, Mendez, Padavan and Velella, S.4186-A, and Assembly Member Abbate, A.7163-A, "AN ACT to amend the administrative code of the city of New York, in relation to loans to members of the New York city fire department pension fund".**

Attachments: Committee Report, Hearing Transcript, Hearing Transcript - Stated Meeting 6/24

Supplemental General Order Calendar

Res 0963-2003 **Resolution approving the decision of the City Planning Commission on Application No. N 030233 ZRY, an amendment to the text of the Zoning Resolution regarding the establishment of a C4-4D General Commercial District (L.U. No. 451).**

Attachments: Committee Report, Hearing Transcript - Stated Meeting 6/24

Res 0964-2003 **Resolution approving with modification the decision of the City Planning Commission on ULURP No. C 030234 (A) ZMM, a Zoning Map change (L.U. No. 452).**

Attachments: Committee Report, Hearing Transcript - Stated Meeting 6/24

Res 0965-2003 **Resolution approving with modification the decision of the City Planning Commission on ULURP No. C 030175 PPK, the disposition of one (1) city-owned property located at 72 Poplar Street (Block 211/Lot 15), Brooklyn (L.U. No. 453).**

Attachments: Committee Report, Hearing Transcript - Stated Meeting 6/24

T1999-86 **Commissioner of Deeds**

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:

Affirmative: 49 -

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

Excused: 2 -

Reed and Sanders Jr.

The following files were removed from the General Order Calendar and voted separately: M-615 & Res No. 940, M-616 & Res No. 941; M-617 & Res No. 942; Int. No. 492; SLR No. 110. See files for individual votes.

11. Supplemental Introduction & Reading of Bills
See Attached

12. Discussion of Resolution

13. Resolutions

None.

14. General Discussion
15. Extension of Remarks

SUPPLEMENTAL INTRODUCTION AND READING OF BILLS

Res 0957-2003 **Resolution calling upon the Mayor and the Fire Department of the City of New York to abide by the laws as set forth in the Laws of New York, 2002, Chapter 468, Part A, §3, concerning the full active employment status of James J. Corrigan, William Wren, and Phillip T. Hayes by the Fire Department of the City of New York on September 11, 2001, including their eligibility for all rights and privileges as active duty firefighters.**

Sponsors: By Council Members Avella, Barron, Clarke, Comrie Jr., Felder, Seabrook, Nelson and Gennaro

Int 0511-2003 **A Local Law to amend the administrative code of the city of New York, in relation to requiring businesses operating within the City to adopt certain educational and security measures to help detect and prevent the proliferation of counterfeit currency during sales transactions.**

Sponsors: By Council Members Baez, Comrie Jr., Felder, Jennings Jr., Liu, Lopez, Nelson and Seabrook

Res 0958-2003 **Resolution calling on the Federal Communications Commission to advance the date by which all cell phones must have the technology to provide exact location information when a call is made to 911.**

Sponsors: By Council Members Baez, Clarke, Comrie Jr., Felder, Foster, Jennings Jr., Liu, Lopez, Monserrate, Nelson and Weprin

SLR 0114-2003 **State Legislation Resolution requesting the New York State Legislature to pass a bill introduced by Senator Sampson, S.4347-B, "AN ACT to amend chapter 341 of the laws of 2002, relating to 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 Richard Bothwell, 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. 3868, Lots No. 20 and 22 on tax map for the borough of Brooklyn also known as 891-895 Mother Gaston Boulevard in the borough of Brooklyn, in relation to identifying the correct former owner of such real property as Carol Ajoku".**

Sponsors: By Council Members Barron and Comrie Jr.

Int 0512-2003 **A Local Law to amend the administrative code of the city of New York, in relation to creating disclosure requirements for health clubs that offer contracts for health club services.**

Sponsors: By Council Members Gioia, Brewer, Clarke, Comrie Jr., Felder, Fidler, Koppell, Liu, Lopez, Nelson and Seabrook

Res 0959-2003 **Resolution calling upon the Occupational Safety and Health Hazard Abatement Board of the New York State Department of Labor to promptly establish strong and enforceable track safety standards to protect transit workers and riders that mirror or exceed the safety standards used by the Federal Railroad Administration.**

Sponsors: By Council Members Liu, Comrie Jr., Felder, Foster, Jennings Jr., Nelson, Seabrook, Espada Jr., Gennaro, Gentile and The Public Advocate (Public Advocate Gotbaum)

Attachments: Committe Report, Hearing Transcript 9/18/03, Hearing Transcript - Stated Meeting 9/30

Int 0513-2003 **A Local Law to amend the administrative code of the city of New York, in relation to requiring review by the landmarks preservation commission before a demolition permit may be issued for any residential dwelling in occupancy group J-2 that is more than seventy-five years old and contains four or fewer dwelling units.**

Sponsors: By Council Members McMahon, Brewer, Comrie Jr., Jennings Jr., Koppell, Monserrate, Nelson, Seabrook, Stewart and Oddo ; also Council Members Gentile, Perkins and Gerson

- Int 0514-2003** **A Local Law to amend the administrative code of the city of New York, in relation to requiring notification to community boards and council members of applications for new construction and demolition permits.**
- Sponsors:** By Council Members McMahon, Addabbo Jr., Avella, Brewer, Comrie Jr., Foster, Jennings Jr., Koppell, Liu, Lopez, Martinez, Monserrate, Nelson, Stewart, Weprin and Oddo ; also Council Member Gentile
- Int 0515-2003** **A Local Law to amend the administrative of the city of New York, in relation to eliminating self-certification of plans submitted to the department of buildings.**
- Sponsors:** By Council Members McMahon, Brewer, Comrie Jr., Jennings Jr., Liu, Lopez, Monserrate, Nelson, Weprin, Dilan, Gennaro and Oddo ; also Council Members Gentile and Recchia Jr.
- Res 0960-2003** **Resolution finding that enactment of Proposed Int. No. 393-A does not have a significant adverse impact on the environment and is consistent with the state environmental quality review act.**
- Sponsors:** By Council Members McMahon, Comrie Jr. and Weprin
- Attachments:** Notice of Negative Declaration, Hearing Transcript, Hearing Transcript - Stated Meeting 6/27
- Int 0516-2003** **A Local Law to amend the administrative code of the city of New York, in relation to eligibility for city-subsidized housing programs.**
- Sponsors:** By Council Members Monserrate, Serrano, Perkins, The Speaker (Quinn), Gerson, Comrie Jr., Espada Jr., Stewart, Barron, Brewer, Clarke, Jennings Jr., Martinez, Recchia Jr., Seabrook, Rivera, Avella, Baez, Reed, Jackson, Gennaro, Reyna, Sanders Jr., Foster, Liu, Gonzalez, Dilan, Katz, Weprin, Yassky and Gentile ; also Council Member James
- Int 0517-2003** **A Local Law to amend the charter of the city of New York, in relation to attaching development conditions to property dispositions reviewed by the City Council.**
- Sponsors:** By Council Members Perkins, Lopez, Vann, The Speaker (Quinn), Gonzalez, Barron, Clarke, Comrie Jr., Gerson, Jennings Jr., Koppell, Martinez, Monserrate, Seabrook, Stewart, Espada Jr., Rivera, Dilan, Avella, Serrano, Baez, Jackson, Gennaro, Reyna, Sanders Jr., Foster, Liu, Weprin and Gentile ; also Council Members Yassky, Recchia Jr. and James
- Attachments:** Hearing Transcript 11/18

Res 0961-2003 Resolution calling upon the United States Congress to reintroduce and adopt the Breastfeeding Promotion Act.

Sponsors: By Council Members Perkins, Lopez, The Speaker (Quinn), Reyna, Gonzalez, Vann, Boyland, Sears, Brewer, Barron, Clarke, Comrie Jr., Foster, Jennings Jr., Martinez, Weprin and Espada Jr.

Int 0518-2003 A Local Law to amend the administrative code of the city of New York, in relation to requiring notification to community boards and council members of applications for new construction and alteration permits within the special clinton district.

Sponsors: By The Speaker (Quinn) and Council Members Brewer, Comrie Jr., Foster and Seabrook

SLR 0115-2003 State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senators Golden, Maltese, Marchi, Mendez, Padavan and Velella, S.4186-A, and Assembly Member Abbate, A.7163-A, "AN ACT to amend the administrative code of the city of New York, in relation to loans to members of the New York city fire department pension fund".

Sponsors: By Council Members Rivera, Monserrate, Stewart and Comrie Jr.

Attachments: Committee Report, Hearing Transcript, Hearing Transcript - Stated Meeting 6/24

Int 0519-2003 A Local Law to amend the administrative code of the city of New York, in relation to reporting requirements for housing subsidies provided by the city of New York.

Sponsors: By Council Members Sanders Jr., Avella, Clarke, Comrie Jr., Foster, Gerson, Liu, McMahon, Monserrate, Seabrook, Stewart, Espada Jr., Rivera, Dilan, Serrano, Baez, The Speaker (Quinn), Reed, Jackson, Nelson, Reyna, Jennings Jr., Gennaro, Katz, Weprin, Moskowitz, de Blasio, Recchia Jr., Koppell and Gentile ; also Council Members Barron, Yassky, Gonzalez and James

Res 0962-2003 Resolution calling upon the New York State Legislature to utilize current federal census data in allocating State funding for the Brooklyn Public Library, The New York Public Library and the Queens Borough Public Library.

Sponsors: By Council Members Serrano, Avella, Baez, Barron, Clarke, Comrie Jr., Felder, Jennings Jr., Koppell, Lopez, Monserrate, Nelson, Recchia Jr., Rivera, Seabrook, Sears and Weprin

Attachments: Committee Report, Hearing Transcript

- SLR 0116-2003** **State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Golden, S.4179-B, and Committee on Rules, A.8632-B, "AN ACT to amend the vehicle and traffic law, in relation to the enforcement of the prohibition against attaching handbills and other forms of advertisements to windshields and windshield wipers, in the city of New York".**
- Sponsors:** By Council Members Yassky, Felder, Liu, McMahon, Monserrate, Sears and Weprin
- LU 0461-2003** **Application no. 20035251 HAX, an Urban Development Action Area Project located at 2241 Webster Avenue, Council District no. 15, 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.**
- Sponsors:** By Council Member Katz
- Sponsors:** By Council Member Katz
- LU 0462-2003** **Application no. 20035252 HAQ, an Urban Development Action Area Project located 35-54 11th Street, Council District no. 26, Borough of Queens. 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.**
- Sponsors:** By Council Member Katz
- Attachments:** Hearing Transcript 9/23, Hearing Transcript - Stated Meeting
- Sponsors:** By Council Member Katz
- Attachments:** Hearing Transcript 9/23, Hearing Transcript - Stated Meeting
- LU 0463-2003** **Uniform land use review procedure application no. C 030474 HAK, an Urban Development Action Area Designation and Project, site 110D within the Ocean Hill Urban Renewal Area, and the disposition of such property, Borough of Brooklyn, Council District no. 41. 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.**
- Sponsors:** By Council Member Katz
- Attachments:** Hearing Transcript - Stated Meeting

Sponsors: By Council Member Katz

Attachments: Hearing Transcript - Stated Meeting

LU 0464-2003 **Uniform land use review procedure, application no. C 030475 HUM pursuant to §197-c and §197-d of the Charter of the City of New York and §505 of the General Municipal Law concerning the approval of an amendment to the Milbank Frawley Circle East Urban Renewal Plan, Borough of Manhattan, Council District no. 8.**

Sponsors: By Council Member Katz

Attachments: Hearing Transcript - Stated Meeting

Sponsors: By Council Member Katz

Attachments: Hearing Transcript - Stated Meeting

LU 0465-2003 **Uniform land use review procedure application no. C 030479 HAM, an Urban Development Action Area Designation and Project, located at 249 East 105th Street, and the disposition of such property, Borough of Manhattan, Council District no. 8. 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.**

Sponsors: By Council Member Katz

Attachments: Hearing Transcript - Stated Meeting

Sponsors: By Council Member Katz

Attachments: Hearing Transcript - Stated Meeting

LU 0466-2003 **Application no. 20035259 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of Mr. G Restaurant Corp., d/b/a Positano Italian Restaurant, to establish, maintain and operate an unenclosed sidewalk café located at 122 Mulberry Street, Borough of Manhattan, Council District no. 1. 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.**

Sponsors: By Council Member Katz

Attachments: Hearing Transcript 7/21

Sponsors: By Council Member Katz

Attachments: Hearing Transcript 7/21

LU 0467-2003 **Application no. 20035260 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of Buona Notte, Inc., to establish, maintain and operate an unenclosed sidewalk café located at 120 Mulberry Street, Borough of Manhattan, Council District no. 1. 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.**

Sponsors: By Council Member Katz

Attachments: Hearing Transcript 7/21

Sponsors: By Council Member Katz

Attachments: Hearing Transcript 7/21

LU 0468-2003 **Application no. 20035261 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of Fratelli Restaurant, Inc., to establish, maintain and operate an unenclosed sidewalk café located at 115 Mulberry Street, Borough of Manhattan, Council District no. 1. 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.**

Sponsors: By Council Member Katz

Attachments: Hearing Transcript 7/21

Sponsors: By Council Member Katz

Attachments: Hearing Transcript 7/21

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 Wednesday, June 25, 2003.

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