

The New York City Council

*City Hall
New York, NY 10007*



Meeting Minutes

Monday, June 20, 2005

3:30 PM

Recessed Meeting of June 8, 2005

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

This is the Recessed Meeting of June 8, 2005 held on June 20, 2005.

1. The Public Advocate (Ms. Gotbaum) called the Meeting to order.

2. Roll Call

Present,

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

Excused,

Baez, Fidler and Lanza

3. The Clerk (Mr. Robles) announced the presence of a quorum.

4. Supplemental Messages & Papers from the Mayor

M 0589-2005 Communication for the Mayor - Mayor's veto and disapproval message of Introductory Number 584-A, in relation to the expenditure of payments in lieu of taxes and requiring a monthly report on the collection and use of all such payments to the City of New York.

Attachments: Mayor's Veto Message

This Mayor's Message was Referred to Comm by Council to the Committee on Finance

M 0590-2005 Communication for the Mayor - Mayor's veto and disapproval message of Resolution Number 1022, Resolution disapproving the decision of the City Planning Commission on ULURP No. C 050173 PCM (L.U. No. 468).

Attachments: Mayor's Veto Message - Cover, Mayor's Veto Message, Certified Disapproved Resolution

This Mayor's Message was Referred to Comm by Council to the Committee on Finance

M 0591-2005 Communication for the Mayor - Mayor's veto and disapproval message of Resolution Number 1023, Resolution disapproving the decision of the City Planning Commission on ULURP No. C 050175 PSK (L.U. No. 469)

Attachments: Mayor's Veto Message - Cover, Mayor's Veto Message, Certified Disapproved Resolution

This Mayor's Message was Referred to Comm by Council to the Committee on Finance

M 0592-2005 **Communication for the Mayor - Mayor's veto and disapproval message of Resolution Number 1024, Resolution disapproving the decision of the City Planning Commission on ULURP No. C 050176 PSK (L.U. No. 470)**

Attachments: Mayor's Veto Message - Cover, Mayor's Veto Message, Certified Disapproved Resolution

This Mayor's Message was Referred to Comm by Council to the Committee on Finance

M 0593-2005 **Communication from the Mayor - "AN ACT to amend the administrative code of the city of New York, in relation to conforming the unincorporated business tax to the general corporation tax with respect to the source of receipts from personal services and the inclusion of rented tangible personal property in the property allocation factor, and making formula allocation the preferred method for taxpayers subject to the unincorporated business tax, and allowing certain existing partnerships to continue to use the books and records allocation method for a seven-year period; makes technical corrections relating thereto; and to repeal certain provisions of such code relating to the unincorporated business pertaining to leveraged buy-out transactions." A.8434 / S.5568**

Attachments: Agenda, Committee Report

This Mayor's Message was Referred to Comm by Council to the Committee on State and Federal Legislation

M 0594-2005 **Communication from the Mayor - "AN ACT to amend the tax law, the administrative code of the city of New York, chapter 877 of the laws of 1975, chapter 880 of the laws of 1975, chapter 884 of the laws of 1975, and chapter 882 of the laws of 1977, all relating to the imposition of certain taxes in the city of New York, in relation to postponing the expiration of certain tax rates and taxes in the city of New York." A.8780 / S.5617**

Attachments: Agenda, Committee Report

This Mayor's Message was Referred to Comm by Council to the Committee on State and Federal Legislation

M 0595-2005 **Communication from the Mayor - "AN ACT to amend the administrative code of the city of New York, in relation to the rate of regular interest used in the actuarial valuation of liabilities for the purpose of calculating contributions to the New York city employees' retirement system, the New York city teachers' retirement system, the police pension fund, subchapter two, the fire department pension fund, subchapter two and the board of education retirement system of such city by public employers and other obligors required to make employer contributions to such retirement systems, and the crediting of special interest and additional interest to members of such retirement systems, and the allowance of supplementary interest on the funds of such retirement systems." A.8811 / S.5672**

Attachments: Agenda, Committee Report

This Mayor's Message was Referred to Comm by Council to the Committee on State and Federal Legislation

M 0596-2005 **Communication from the Mayor - "AN ACT to amend the administrative code of the city of New York, in relation to tax credits for eligible businesses that relocate to industrial business zones in the city of New York, the creation of an industrial business zone boundary commission, and the designation, amendment and repeal of such zones." A.8774 / S.5596**

Attachments: Committee Report, Agenda

This Mayor's Message was Referred to Comm by Council to the Committee on State and Federal Legislation

M 0597-2005 **Communication from the Mayor - "AN ACT to amend the real property tax law, in relation to limiting assessment increases attributable to additions to or improvements of certain class two properties in the city of New York." A.7011-A**

This Mayor's Message was Referred to Comm by Council to the Committee on State and Federal Legislation

M 0598-2005 **Communication from the Mayor - "AN ACT to amend the real property tax law, in relation to increasing the combined household income limit for eligibility for a senior citizen rent increase exemption (SCRIE) and for a municipal tax abatement for rent-controlled and rent regulated property occupied by senior citizens." A.6590-B / S.5465-A**

This Mayor's Message was Referred to Comm by Council to the Committee on State and Federal Legislation

- M 0599-2005 Communication from the Mayor - "AN ACT to amend chapter 130 of the laws of 1998 amending the general municipal law relating to temporary investments by local governments, in relation to extending the expiration of the provisions thereof." A.8779 / S.5382**

Attachments: Committee Report

This Mayor's Message was Referred to Comm by Council to the Committee on State and Federal Legislation

- M 0600-2005 Communication from the Mayor - "AN ACT to amend the tax law, in relation to exempting certain clothing and footwear sales and uses from local sales and compensating use taxes imposed in or by any city having a population of one million or more." A.8813 / S.5663**

This Mayor's Message was Referred to Comm by Council to the Committee on State and Federal Legislation

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 Reports of Special Committees

None

11. Reports of Standing Committees

Report of the Committee on Finance

- M 0579-2005 Communication from the Office of Management & Budget – Pursuant to Section 107(b) of the New York City Charter, transfer City funds between various units of appropriation within the Department of Education expense budget in fiscal year 2005. (MN - 5)**

Attachments: Committee Report, Fiscal Impact Statement, Res. No. 1072

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

Affirmative, 48 -

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

Excused, 3 -

Baez, Fidler and Lanza

Res 1072-2005 RESOLUTION APPROVING THE MODIFICATION (MN-5) OF UNITS OF APPROPRIATION AND THE TRANSFER OF CITY FUNDS BETWEEN AGENCIES PROPOSED BY THE MAYOR PURSUANT TO SECTION 107(b) OF THE CHARTER OF THE CITY OF NEW YORK.

Attachments: Fiscal Impact Statement, Committee Report

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

Affirmative, 48 -

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

Excused, 3 -

Baez, Fidler and Lanza

LU 0507-2005 Land Use Application - 920 Metcalf Avenue, Bronx, Community District 9

Attachments: Committee Report, Resolution No. 1033

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

Res 1033-2005 Resolution approving a partial exemption from real property taxes for property located at 920 Metcalf Avenue (Block 3659, Lot 1), the Bronx, pursuant to Section 577 of the Private Housing Finance Law (Preconsidered L.U. No. 507).

Attachments: Committee Report

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 0004-2005 **State Legislation Resolution requesting the New York State Legislature to pass a bill introduced by Senator Dilan S.1081 and Assembly Member Robinson A.2014, “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 George Black, or if he is deceased, to the person or persons who would have inherited said property from him or to their successor in interest, 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. 1762, Lot No. 62 on tax map for the borough of Brooklyn.”**

Attachments: Committee Report, Agenda

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

SLR 0019-2005 **State Legislation Resolution requesting the New York State Legislature to pass a bill introduced by Senator Maltese S.1958 and Assembly Member Seminerio A.3866, “AN ACT to amend the retirement and social security law, in relation to eligibility of uniformed personnel of the New York city department of correction for ordinary disability benefits.”**

Attachments: Agenda, Committee Report, Hearing Transcript

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

SLR 0024-2005 **State Legislation Resolution requesting the New York State Legislature to pass a bill introduced by Senator Sampson S.2158, “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 Elva McZeal Tenants Association Development Fund Corporation, not withstanding 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. 3785 Lots No.1 and No.75 on the tax map of the borough of Brooklyn.”**

Attachments: Agenda, Committee Report

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

SLR 0049-2005 State Legislation Resolution requesting the New York State Legislature to pass a bill introduced by Assembly Member Gordon A.6463, "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 Elva McZeal Tenants Association Development Fund Corporation, 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. 3785 Lots No.1 and No.75 on the tax map of the borough of Brooklyn."

Attachments: Agenda, Committee Report

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

SLR 0075-2005 State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Smith, S.2706 and Assembly Member Scarborough, A.5541 "AN ACT authorizing its interest in certain real property acquired in rem tax foreclosure in the borough of Queens to former owner Siraj Wahhaj, 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. 12332, Lot No. 154 on tax map for the borough of Queens".

Attachments: Committee Report, Agenda

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

SLR 0093-2005 State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Maltese, S.2519, and Assembly Member Abbate, A.7243, "AN ACT to amend the retirement and social security law, in relation to deputy sheriffs members of the New York City employees' retirement system".

Attachments: Agenda, Committee Report

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

- SLR 0097-2005** State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Krueger, S.2522, and Assembly Member Gottfried, A.6535, "AN ACT to authorize the New York city employees' retirement system to accept an application for a Final Medical Review from Barry Kimmel".

Attachments: Committee Report, Agenda

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

- SLR 0099-2005** State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Golden, S.5152, and Assembly Member Abbate, A.8126, "AN ACT to amend the administrative code of the city of New York, the education law and the retirement and social security law, in relation to establishing the right of retirees to pay back loans".

Attachments: Agenda, Committee Report

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

- SLR 0105-2005** State Legislation Resolution requesting the New York State Legislature to pass bills introduced by the Senate Committee on Rules, S.5437, and Assembly Member Abbate, A.8245, "AN ACT to amend the retirement and social security law and the administrative code of the city of New York, in relation to the establishment of a twenty-five year/age fifty-five retirement program for members of the New York city employees' retirement system employed as a mortuary/quality assurance member subject to articles 11 and 15 of the retirement and social security law".

Attachments: Agenda, Committee Report, Hearing Transcript

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

- SLR 0106-2005** State Legislation Resolution requesting the New York State Legislature to pass bills introduced by the Senate Committee on Rules, S.5487, and Assembly Member Abbate, A.8314, "AN ACT to amend the civil service law, in relation to suspension of employees of the department of parks in cities having a population of one million or more".

Attachments: Agenda, Committee Report

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

SLR 0112-2005 **State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Krueger, S.5706, and Assembly Member O'Donnell, A.8899, "AN ACT to amend the tax law and the administrative code of the city of New York, in relation to reducing the general corporation, unincorporated business, and banking corporation tax rates".**

Attachments: Agenda, Committee Report

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

SLR 0113-2005 **State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senators Padavan, Golden, Maltese and Marchi, S.5750, and Assembly Members McLaughlin, Farrell, Bing, Carrozza and Lavelle A.8896, "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 2006".**

Attachments: Agenda, Committee Report

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

SLR 0114-2005 **State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Padavan, S.5663, and the Assembly Committee on Rules, A.8813, "AN ACT to amend the tax law, in relation to exempting certain clothing and footwear sales and uses from local sales and compensating use taxes imposed in or by any city having a population of one million or more".**

Attachments: Agenda, Committee Report

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

SLR 0115-2005 State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Golden, S.5465-A, and Assembly Members Wright, Benedetto, Benjamin, Boyland, Lavelle, O'Donnell, Pheffer, Rivera, and Colton, A.6590-B, "AN ACT to amend the real property tax law, in relation to increasing the combined household income limit for eligibility for senior citizen rent increase exemption (SCRIE) and for a municipal tax abatement for rent-controlled and rent regulated property occupied by senior citizens".

Attachments: Agenda, Committee Report

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

SLR 0116-2005 State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senators Padavan and Golden, S.5694, and Assembly Member Weprin, A.8861, "AN ACT to amend the general city law, chapter 772 of the laws of 1966 relating to enabling any city with a population of one million or more to raise tax revenue, and the administrative code of the city of New York, in relation to increasing the relocation and employment assistance program credit for companies in eligible growth industries".

Attachments: Agenda, Committee Report

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

SLR 0117-2005 State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Maltese, S.4081-A, and Assembly Member Perry, A.1445-A, "AN ACT to amend the New York city charter, the vehicle and traffic law and the administrative code of the city of New York, in relation to the "open driveway act" regarding the environmental control board adjudication of disputes concerning the blocking of a driveway; and providing for the repeal of such provisions upon expiration thereof".

Attachments: Agenda, Committee Report

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

SLR 0118-2005 State Legislation Resolution requesting the New York State Legislature to pass bills introduced by the Senate Committee on Rules, S.5818, and the Assembly Committee on Rules, A.8932, "AN ACT authorizing the leasing of certain parkland and demapping of certain streets for development of a professional baseball stadium and associated facilities in and in the vicinity of Macombs Dam Park and John Mullaly Park in the borough of the Bronx in the city of New York, and to authorize the state to dispose of certain surplus lands to the city of New York to provide for new park facilities".

Attachments: Agenda, Committee Report

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

Affirmative, 47 -

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

Excused, 3 -

Baez, Fidler and Lanza

Abstain, 1 -

James

SLR 0119-2005 State Legislation Resolution requesting the New York State Legislature to pass a bill introduced by Senator Maltese S. 2516-A and Assembly Member Cymbrowitz A.5273-A, "An Act to amend the general municipal law, in relation to certain impairments of health presumed accidental or incurred in the performance of duty."

Attachments: Agenda, Committee Report

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

- SLR 0120-2005** **State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Padavan, S.3972, and Assembly Members Abbate, Colton, Cymbrowitz, Pheffer, Seddio and Weisenberg, A.6381, “AN ACT to amend the retirement and social security law, in relation to the employment of retired New York city police personnel”.**

Attachments: Agenda, Committee Report

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

- SLR 0121-2005** **State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Maltese, S.2310, and Assembly Member Gianaris, A.8031, “AN ACT to amend the retirement and social security law, in relation to the optional age fifty-five improved benefit retirement program for certain New York city members”.**

Attachments: Agenda, Committee Report

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

- SLR 0122-2005** **State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senate Committee on Rules, S.5671, and Assembly Member Farrell, A.8792, “AN ACT authorizing Lawrence Gerson to file for retroactive membership in Tier 1 of the New York state and local employees’ retirement system”.**

Attachments: Agenda, Committee Report

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

- SLR 0123-2005** **State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Padavan, S.3170, and Assembly Member Grannis, A.6483, “AN ACT to amend the highway law, in relation to liability of the state with respect to maintenance and repair of state arterial highways”.**

Attachments: Committee Report, Agenda

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

- SLR 0124-2005** **State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Padavan, S.5382, and Assembly Member Farrell, A.8779, “AN ACT to amend chapter 130 of the laws of 1998 amending the general municipal law relating to temporary investments by local governments, in relation to extending the expiration of the provisions thereof”.**

Attachments: Agenda, Committee Report

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

- SLR 0125-2005** **State Legislation Resolution requesting the New York State Legislature to pass a bill introduced by Senators Duane, Andrews, Dilan, Hassell-Thompson, Krueger, Montgomery, Oppenheimer, Parker, Sabini, Sampson and Schneiderman, S.5157, “AN ACT to amend the general municipal law, the administrative code of the city of New York, the retirement and social security law and the education law, in relation to providing special accidental death benefits and accidental death benefits to registered domestic partners of deceased members of the New York city police pension fund, subchapter two, the New York city fire department pension fund, subchapter two, the New York city employees’ retirement system, the New York city teachers’ retirement system and the board of education retirement system of the city of New York”.**

Attachments: Agenda, Committee Report

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

Affirmative, 46 -

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

Excused, 3 -

Baez, Fidler and Lanza

Abstain, 2 -

Gallagher and Oddo

SLR 0126-2005 State Legislation Resolution requesting the New York State Legislature to pass a bill introduced by Assembly Member Heastie, A.4407, "AN ACT authorizing the city of New York to discontinue the use as parkland a portion of real property in the borough of the Bronx and to use such property, as well as property under the jurisdiction of the city of New York department of transportation, for expansion and improvement of the Gun Hill Road subway station, in and around the intersection of White Plains Road and Gun Hill Road in exchange for the dedication of certain other land in the borough of the Bronx for park purposes".

Attachments: Agenda, Committee Report

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

SLR 0127-2005 State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senators Padavan and Golden, S.5620, and Assembly Member Wright, A.8723, "AN ACT to amend the real property tax law, in relation to limiting assessment increases attributable to additions to or improvements of certain class two properties in the city of New York".

Attachments: Agenda, Committee Report

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

SLR 0128-2005 State Legislation Resolution requesting the New York State Legislature to pass a bill introduced by Senator Maltese S.1955-A and Assembly Member Seminerio A.3869-A, "AN ACT to amend the civil service law, in relation to suspension of employees of the department of correction in cities having a population of one million or more."

Attachments: Agenda, Committee Report

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

SLR 0129-2005 State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Paterson, S.5828, and Assembly Member Espaillat, A.8915, "AN ACT to amend the tax law, in relation to the extension of the top personal income tax rate for incomes in excess of five hundred thousand dollars a year or more and the dedication of such revenue to class size reduction in a city having a population of one million or more".

Attachments: Agenda, Committee Report

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

Affirmative, 45 -

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

Excused, 3 -

Baez, Fidler and Lanza

Abstain, 3 -

Gallagher, Oddo and Vallone Jr.

SLR 0130-2005 State Legislation Resolution requesting the New York State Legislature to pass a bill introduced by Senator Saland, S.5823, "AN ACT to grant Anthony J. Cuomo performance of duty disability retirement benefits and health insurance coverage, as a result of injuries and disabilities incurred in action while serving in Iraq as a member of the Naval Reserve".

Attachments: Agenda, Committee Report

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

SLR 0131-2005 State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Maltese, S.5459-A, and Assembly Member Cymbrowitz, A.8375-A, "AN ACT to amend the tax law, in relation to increasing the earned income tax credit against the personal income tax for residents of a city having a population of one million or more".

Attachments: Agenda, Committee Report

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

- SLR 0141-2005** **State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Padavan, S.5457-A, and Assembly Members Clark and Weprin, A.8421-A, “AN ACT to authorize the commissioner of general services to convey certain land in Queens county to the city of New York department of parks and recreation”.**

Attachments: Agenda, Committee Report

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

- M 0593-2005** **Communication from the Mayor - “AN ACT to amend the administrative code of the city of New York, in relation to conforming the unincorporated business tax to the general corporation tax with respect to the source of receipts from personal services and the inclusion of rented tangible personal property in the property allocation factor, and making formula allocation the preferred method for taxpayers subject to the unincorporated business tax, and allowing certain existing partnerships to continue to use the books and records allocation method for a seven-year period; makes technical corrections relating thereto; and to repeal certain provisions of such code relating to the unincorporated business pertaining to leveraged buy-out transactions.” A.8434 / S.5568**

Attachments: Agenda, Committee Report

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

- M 0594-2005** **Communication from the Mayor - “AN ACT to amend the tax law, the administrative code of the city of New York, chapter 877 of the laws of 1975, chapter 880 of the laws of 1975, chapter 884 of the laws of 1975, and chapter 882 of the laws of 1977, all relating to the imposition of certain taxes in the city of New York, in relation to postponing the expiration of certain tax rates and taxes in the city of New York.” A.8780 / S.5617**

Attachments: Agenda, Committee Report

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

- M 0595-2005** **Communication from the Mayor - "AN ACT to amend the administrative code of the city of New York, in relation to the rate of regular interest used in the actuarial valuation of liabilities for the purpose of calculating contributions to the New York city employees' retirement system, the New York city teachers' retirement system, the police pension fund, subchapter two, the fire department pension fund, subchapter two and the board of education retirement system of such city by public employers and other obligors required to make employer contributions to such retirement systems, and the crediting of special interest and additional interest to members of such retirement systems, and the allowance of supplementary interest on the funds of such retirement systems." A.8811 / S.5672**

Attachments: Agenda, Committee Report

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

- M 0596-2005** **Communication from the Mayor - "AN ACT to amend the administrative code of the city of New York, in relation to tax credits for eligible businesses that relocate to industrial business zones in the city of New York, the creation of an industrial business zone boundary commission, and the designation, amendment and repeal of such zones." A.8774 / S.5596**

Attachments: Committee Report, Agenda

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

12. Supplemental General Orders Calendar

Coupled on General Order Calendar

Finance

- M 0579-2005** **Communication from the Office of Management & Budget – Pursuant to Section 107(b) of the New York City Charter, transfer City funds between various units of appropriation within the Department of Education expense budget in fiscal year 2005. (MN - 5)**

Attachments: Committee Report, Fiscal Impact Statement, Res. No. 1072

Res 1072-2005 **RESOLUTION APPROVING THE MODIFICATION (MN-5) OF UNITS OF APPROPRIATION AND THE TRANSFER OF CITY FUNDS BETWEEN AGENCIES PROPOSED BY THE MAYOR PURSUANT TO SECTION 107(b) OF THE CHARTER OF THE CITY OF NEW YORK.**

Attachments: Fiscal Impact Statement, Committee Report

Res 1033-2005 **Resolution approving a partial exemption from real property taxes for property located at 920 Metcalf Avenue (Block 3659, Lot 1), the Bronx, pursuant to Section 577 of the Private Housing Finance Law (Preconsidered L.U. No. 507).**

Attachments: Committee Report

State and Federal Legislation

SLR 0004-2005 **State Legislation Resolution requesting the New York State Legislature to pass a bill introduced by Senator Dilan S.1081 and Assembly Member Robinson A.2014, "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 George Black, or if he is deceased, to the person or persons who would have inherited said property from him or to their successor in interest, 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. 1762, Lot No. 62 on tax map for the borough of Brooklyn."**

Attachments: Committee Report, Agenda

SLR 0019-2005 **State Legislation Resolution requesting the New York State Legislature to pass a bill introduced by Senator Maltese S.1958 and Assembly Member Seminerio A.3866, "AN ACT to amend the retirement and social security law, in relation to eligibility of uniformed personnel of the New York city department of correction for ordinary disability benefits."**

Attachments: Agenda, Committee Report, Hearing Transcript

SLR 0024-2005 State Legislation Resolution requesting the New York State Legislature to pass a bill introduced by Senator Sampson S.2158, “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 Elva McZeal Tenants Association Development Fund Corporation, 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. 3785 Lots No.1 and No.75 on the tax map of the borough of Brooklyn.”

Attachments: Agenda, Committee Report

SLR 0049-2005 State Legislation Resolution requesting the New York State Legislature to pass a bill introduced by Assembly Member Gordon A.6463, “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 Elva McZeal Tenants Association Development Fund Corporation, 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. 3785 Lots No.1 and No.75 on the tax map of the borough of Brooklyn.”

Attachments: Agenda, Committee Report

SLR 0075-2005 State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Smith, S.2706 and Assembly Member Scarborough, A.5541 “AN ACT authorizing its interest in certain real property acquired in rem tax foreclosure in the borough of Queens to former owner Siraj Wahhaj, 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. 12332, Lot No. 154 on tax map for the borough of Queens”.

Attachments: Committee Report, Agenda

- SLR 0093-2005** State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Maltese, S.2519, and Assembly Member Abbate, A.7243, “AN ACT to amend the retirement and social security law, in relation to deputy sheriffs members of the New York City employees’ retirement system”.
- Attachments: Agenda, Committee Report
- SLR 0097-2005** State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Krueger, S.2522, and Assembly Member Gottfried, A.6535, “AN ACT to authorize the New York city employees’ retirement system to accept an application for a Final Medical Review from Barry Kimmel”.
- Attachments: Committee Report, Agenda
- SLR 0099-2005** State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Golden, S.5152, and Assembly Member Abbate, A.8126, “AN ACT to amend the administrative code of the city of New York, the education law and the retirement and social security law, in relation to establishing the right of retirees to pay back loans”.
- Attachments: Agenda, Committee Report
- SLR 0105-2005** State Legislation Resolution requesting the New York State Legislature to pass bills introduced by the Senate Committee on Rules, S.5437, and Assembly Member Abbate, A.8245, “AN ACT to amend the retirement and social security law and the administrative code of the city of New York, in relation to the establishment of a twenty-five year/age fifty-five retirement program for members of the New York city employees’ retirement system employed as a mortuary/quality assurance member subject to articles 11 and 15 of the retirement and social security law”.
- Attachments: Agenda, Committee Report, Hearing Transcript
- SLR 0106-2005** State Legislation Resolution requesting the New York State Legislature to pass bills introduced by the Senate Committee on Rules, S.5487, and Assembly Member Abbate, A.8314, “AN ACT to amend the civil service law, in relation to suspension of employees of the department of parks in cities having a population of one million or more”.
- Attachments: Agenda, Committee Report

SLR 0112-2005 State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Krueger, S.5706, and Assembly Member O'Donnell, A.8899, "AN ACT to amend the tax law and the administrative code of the city of New York, in relation to reducing the general corporation, unincorporated business, and banking corporation tax rates".

Attachments: Agenda, Committee Report

SLR 0113-2005 State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senators Padavan, Golden, Maltese and Marchi, S.5750, and Assembly Members McLaughlin, Farrell, Bing, Carrozza and Lavelle A.8896, "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 2006".

Attachments: Agenda, Committee Report

SLR 0114-2005 State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Padavan, S.5663, and the Assembly Committee on Rules, A.8813, "AN ACT to amend the tax law, in relation to exempting certain clothing and footwear sales and uses from local sales and compensating use taxes imposed in or by any city having a population of one million or more".

Attachments: Agenda, Committee Report

SLR 0115-2005 State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Golden, S.5465-A, and Assembly Members Wright, Benedetto, Benjamin, Boyland, Lavelle, O'Donnell, Pheffer, Rivera, and Colton, A.6590-B, "AN ACT to amend the real property tax law, in relation to increasing the combined household income limit for eligibility for senior citizen rent increase exemption (SCRIE) and for a municipal tax abatement for rent-controlled and rent regulated property occupied by senior citizens".

Attachments: Agenda, Committee Report

SLR 0116-2005 State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senators Padavan and Golden, S.5694, and Assembly Member Weprin, A.8861, “AN ACT to amend the general city law, chapter 772 of the laws of 1966 relating to enabling any city with a population of one million or more to raise tax revenue, and the administrative code of the city of New York, in relation to increasing the relocation and employment assistance program credit for companies in eligible growth industries”.

Attachments: Agenda, Committee Report

SLR 0117-2005 State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Maltese, S.4081-A, and Assembly Member Perry, A.1445-A, “AN ACT to amend the New York city charter, the vehicle and traffic law and the administrative code of the city of New York, in relation to the “open driveway act” regarding the environmental control board adjudication of disputes concerning the blocking of a driveway; and providing for the repeal of such provisions upon expiration thereof”.

Attachments: Agenda, Committee Report

SLR 0118-2005 State Legislation Resolution requesting the New York State Legislature to pass bills introduced by the Senate Committee on Rules, S.5818, and the Assembly Committee on Rules, A.8932, “AN ACT authorizing the leasing of certain parkland and demapping of certain streets for development of a professional baseball stadium and associated facilities in and in the vicinity of Macombs Dam Park and John Mullaly Park in the borough of the Bronx in the city of New York, and to authorize the state to dispose of certain surplus lands to the city of New York to provide for new park facilities”.

Attachments: Agenda, Committee Report

SLR 0119-2005 State Legislation Resolution requesting the New York State Legislature to pass a bill introduced by Senator Maltese S. 2516-A and Assembly Member Cymbrowitz A.5273-A, “An Act to amend the general municipal law, in relation to certain impairments of health presumed accidental or incurred in the performance of duty.”

Attachments: Agenda, Committee Report

SLR 0120-2005 State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Padavan, S.3972, and Assembly Members Abbate, Colton, Cymbrowitz, Pheffer, Seddio and Weisenberg, A.6381, "AN ACT to amend the retirement and social security law, in relation to the employment of retired New York city police personnel".

Attachments: Agenda, Committee Report

SLR 0121-2005 State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Maltese, S.2310, and Assembly Member Gianaris, A.8031, "AN ACT to amend the retirement and social security law, in relation to the optional age fifty-five improved benefit retirement program for certain New York city members".

Attachments: Agenda, Committee Report

SLR 0122-2005 State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senate Committee on Rules, S.5671, and Assembly Member Farrell, A.8792, "AN ACT authorizing Lawrence Gerson to file for retroactive membership in Tier 1 of the New York state and local employees' retirement system".

Attachments: Agenda, Committee Report

SLR 0123-2005 State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Padavan, S.3170, and Assembly Member Grannis, A.6483, "AN ACT to amend the highway law, in relation to liability of the state with respect to maintenance and repair of state arterial highways".

Attachments: Committee Report, Agenda

SLR 0124-2005 State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Padavan, S.5382, and Assembly Member Farrell, A.8779, "AN ACT to amend chapter 130 of the laws of 1998 amending the general municipal law relating to temporary investments by local governments, in relation to extending the expiration of the provisions thereof".

Attachments: Agenda, Committee Report

SLR 0125-2005 State Legislation Resolution requesting the New York State Legislature to pass a bill introduced by Senators Duane, Andrews, Dilan, Hassell-Thompson, Krueger, Montgomery, Oppenheimer, Parker, Sabini, Sampson and Schneiderman, S.5157, "AN ACT to amend the general municipal law, the administrative code of the city of New York, the retirement and social security law and the education law, in relation to providing special accidental death benefits and accidental death benefits to registered domestic partners of deceased members of the New York city police pension fund, subchapter two, the New York city fire department pension fund, subchapter two, the New York city employees' retirement system, the New York city teachers' retirement system and the board of education retirement system of the city of New York".

Attachments: Agenda, Committee Report

SLR 0126-2005 State Legislation Resolution requesting the New York State Legislature to pass a bill introduced by Assembly Member Heastie, A.4407, "AN ACT authorizing the city of New York to discontinue the use as parkland a portion of real property in the borough of the Bronx and to use such property, as well as property under the jurisdiction of the city of New York department of transportation, for expansion and improvement of the Gun Hill Road subway station, in and around the intersection of White Plains Road and Gun Hill Road in exchange for the dedication of certain other land in the borough of the Bronx for park purposes".

Attachments: Agenda, Committee Report

SLR 0127-2005 State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senators Padavan and Golden, S.5620, and Assembly Member Wright, A.8723, "AN ACT to amend the real property tax law, in relation to limiting assessment increases attributable to additions to or improvements of certain class two properties in the city of New York".

Attachments: Agenda, Committee Report

SLR 0128-2005 **State Legislation Resolution requesting the New York State Legislature to pass a bill introduced by Senator Maltese S.1955-A and Assembly Member Seminerio A.3869-A, “AN ACT to amend the civil service law, in relation to suspension of employees of the department of correction in cities having a population of one million or more.”**

Attachments: Agenda, Committee Report

SLR 0129-2005 **State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Paterson, S.5828, and Assembly Member Espaillat, A.8915, “AN ACT to amend the tax law, in relation to the extension of the top personal income tax rate for incomes in excess of five hundred thousand dollars a year or more and the dedication of such revenue to class size reduction in a city having a population of one million or more”.**

Attachments: Agenda, Committee Report

SLR 0130-2005 **State Legislation Resolution requesting the New York State Legislature to pass a bill introduced by Senator Saland, S.5823, “AN ACT to grant Anthony J. Cuomo performance of duty disability retirement benefits and health insurance coverage, as a result of injuries and disabilities incurred in action while serving in Iraq as a member of the Naval Reserve”.**

Attachments: Agenda, Committee Report

SLR 0131-2005 **State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Maltese, S.5459-A, and Assembly Member Cymbrowitz, A.8375-A, “AN ACT to amend the tax law, in relation to increasing the earned income tax credit against the personal income tax for residents of a city having a population of one million or more”.**

Attachments: Agenda, Committee Report

SLR 0141-2005 **State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Padavan, S.5457-A, and Assembly Members Clark and Weprin, A.8421-A, “AN ACT to authorize the commissioner of general services to convey certain land in Queens county to the city of New York department of parks and recreation”.**

Attachments: Agenda, Committee Report

M 0593-2005 **Communication from the Mayor - "AN ACT to amend the administrative code of the city of New York, in relation to conforming the unincorporated business tax to the general corporation tax with respect to the source of receipts from personal services and the inclusion of rented tangible personal property in the property allocation factor, and making formula allocation the preferred method for taxpayers subject to the unincorporated business tax, and allowing certain existing partnerships to continue to use the books and records allocation method for a seven-year period; makes technical corrections relating thereto; and to repeal certain provisions of such code relating to the unincorporated business pertaining to leveraged buy-out transactions." A.8434 / S.5568**

Attachments: Agenda, Committee Report

M 0594-2005 **Communication from the Mayor - "AN ACT to amend the tax law, the administrative code of the city of New York, chapter 877 of the laws of 1975, chapter 880 of the laws of 1975, chapter 884 of the laws of 1975, and chapter 882 of the laws of 1977, all relating to the imposition of certain taxes in the city of New York, in relation to postponing the expiration of certain tax rates and taxes in the city of New York." A.8780 / S.5617**

Attachments: Agenda, Committee Report

M 0595-2005 **Communication from the Mayor - "AN ACT to amend the administrative code of the city of New York, in relation to the rate of regular interest used in the actuarial valuation of liabilities for the purpose of calculating contributions to the New York city employees' retirement system, the New York city teachers' retirement system, the police pension fund, subchapter two, the fire department pension fund, subchapter two and the board of education retirement system of such city by public employers and other obligors required to make employer contributions to such retirement systems, and the crediting of special interest and additional interest to members of such retirement systems, and the allowance of supplementary interest on the funds of such retirement systems." A.8811 / S.5672**

Attachments: Agenda, Committee Report

M 0596-2005 Communication from the Mayor - "AN ACT to amend the administrative code of the city of New York, in relation to tax credits for eligible businesses that relocate to industrial business zones in the city of New York, the creation of an industrial business zone boundary commission, and the designation, amendment and repeal of such zones." A.8774 / S.5596

Attachments: Committee Report, Agenda

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, 48 -

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

Excused, 3 -

Baez, Fidler and Lanza

The following files were removed from the General Order Calendar and voted separately: SLRs No. 118, 125 and 129.

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

SLR 0112-2005 **State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Krueger, S.5706, and Assembly Member O'Donnell, A.8899, "AN ACT to amend the tax law and the administrative code of the city of New York, in relation to reducing the general corporation, unincorporated business, and banking corporation tax rates".**

Sponsors: By The Speaker (Speaker Miller) and Council Member Rivera

Attachments: Agenda, Committee Report

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

SLR 0113-2005 **State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senators Padavan, Golden, Maltese and Marchi, S.5750, and Assembly Members McLaughlin, Farrell, Bing, Carrozza and Lavelle A.8896, "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 2006".**

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Attachments: Agenda, Committee Report

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SLR 0114-2005 **State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Padavan, S.5663, and the Assembly Committee on Rules, A.8813, "AN ACT to amend the tax law, in relation to exempting certain clothing and footwear sales and uses from local sales and compensating use taxes imposed in or by any city having a population of one million or more".**

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Attachments: Agenda, Committee Report

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SLR 0115-2005 **State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Golden, S.5465-A, and Assembly Members Wright, Benedetto, Benjamin, Boyland, Lavelle, O'Donnell, Pheffer, Rivera, and Colton, A.6590-B, "AN ACT to amend the real property tax law, in relation to increasing the combined household income limit for eligibility for senior citizen rent increase exemption (SCRIE) and for a municipal tax abatement for rent-controlled and rent regulated property occupied by senior citizens".**

Sponsors: By The Speaker (Speaker Miller) and Council Member Rivera

Attachments: Agenda, Committee Report

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SLR 0116-2005 **State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senators Padavan and Golden, S.5694, and Assembly Member Weprin, A.8861, "AN ACT to amend the general city law, chapter 772 of the laws of 1966 relating to enabling any city with a population of one million or more to raise tax revenue, and the administrative code of the city of New York, in relation to increasing the relocation and employment assistance program credit for companies in eligible growth industries".**

Sponsors: By The Speaker (Speaker Miller) and Council Members Rivera and Weprin

Attachments: Agenda, Committee Report

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

Res 1026-2005 **Resolution calling upon the appropriate committee of the Council to hold hearings and report on the status of the electric power supply to City residents and businesses and to ensure that the demand for electricity is satisfied by the appropriate electric utility companies.**

Sponsors: By Council Member Addabbo Jr.

This Resolution was Referred to Comm by Council to the Committee on Environmental Protection

SLR 0117-2005 **State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Maltese, S.4081-A, and Assembly Member Perry, A.1445-A, “AN ACT to amend the New York city charter, the vehicle and traffic law and the administrative code of the city of New York, in relation to the “open driveway act” regarding the environmental control board adjudication of disputes concerning the blocking of a driveway; and providing for the repeal of such provisions upon expiration thereof”.**

Sponsors: By Council Members Fidler, Rivera and Stewart

Attachments: Agenda, Committee Report

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

SLR 0118-2005 **State Legislation Resolution requesting the New York State Legislature to pass bills introduced by the Senate Committee on Rules, S.5818, and the Assembly Committee on Rules, A.8932, “AN ACT authorizing the leasing of certain parkland and demapping of certain streets for development of a professional baseball stadium and associated facilities in and in the vicinity of Macombs Dam Park and John Mullaly Park in the borough of the Bronx in the city of New York, and to authorize the state to dispose of certain surplus lands to the city of New York to provide for new park facilities”.**

Sponsors: By Council Members Foster and Rivera

Attachments: Agenda, Committee Report

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

Res 1027-2005 **Resolution calling upon Governor Pataki to sign A.6579/S.5410, legislation which would amend the State labor law to compensate at the prevailing wage those performing certain off-site fabrication work in connection with a public works project.**

Sponsors: By Council Members Gentile and James

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

Res 1028-2005 **Resolution finding that enactment of Proposed Int. No. 398-A does not have a significant adverse impact on the environment and is consistent with the state environmental quality review act.**

Sponsors: By Council Member Lopez

Attachments: Committee Report

This Resolution was Referred to Comm by Council to the Committee on Mental Health, Mental Retardation, Alcoholism, Drug Abuse and Disability Services

Res 1029-2005 **Resolution celebrating the fortieth anniversary of the Voting Rights Act and calling on Congress to reauthorize the special provisions of the Voting Rights Act that are due to expire in 2007.**

Sponsors: By Council Members Perkins, James, Koppell and Reed

This Resolution was Referred to Comm by Council to the Committee on Governmental Operations

Res 1030-2005 **Resolution commemorating the 85th Anniversary of Deno's Wonder Wheel, located in Brooklyn's Coney Island Amusement area.**

Sponsors: By Council Members Recchia Jr. and James

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

SLR 0119-2005 **State Legislation Resolution requesting the New York State Legislature to pass a bill introduced by Senator Maltese S. 2516-A and Assembly Member Cymbrowitz A.5273-A, "An Act to amend the general municipal law, in relation to certain impairments of health presumed accidental or incurred in the performance of duty."**

Sponsors: By Council Members Rivera and Monserrate

Attachments: Agenda, Committee Report

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

SLR 0120-2005 **State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Padavan, S.3972, and Assembly Members Abbate, Colton, Cymbrowitz, Pheffer, Seddio and Weisenberg, A.6381, “AN ACT to amend the retirement and social security law, in relation to the employment of retired New York city police personnel”.**

Sponsors: By Council Members Rivera, Fidler and Monserrate

Attachments: Agenda, Committee Report

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SLR 0121-2005 **State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Maltese, S.2310, and Assembly Member Gianaris, A.8031, “AN ACT to amend the retirement and social security law, in relation to the optional age fifty-five improved benefit retirement program for certain New York city members”.**

Sponsors: By Council Member Rivera

Attachments: Agenda, Committee Report

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SLR 0122-2005 **State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senate Committee on Rules, S.5671, and Assembly Member Farrell, A.8792, “AN ACT authorizing Lawrence Gerson to file for retroactive membership in Tier 1 of the New York state and local employees’ retirement system”.**

Sponsors: By Council Member Rivera

Attachments: Agenda, Committee Report

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Sponsors: By Council Member Rivera

Attachments: Committee Report, Agenda

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Sponsors: By Council Members Rivera, The Speaker (Speaker Quinn) and Monserrate

Attachments: Agenda, Committee Report

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

SLR 0126-2005 **State Legislation Resolution requesting the New York State Legislature to pass a bill introduced by Assembly Member Heastie, A.4407, “AN ACT authorizing the city of New York to discontinue the use as parkland a portion of real property in the borough of the Bronx and to use such property, as well as property under the jurisdiction of the city of New York department of transportation, for expansion and improvement of the Gun Hill Road subway station, in and around the intersection of White Plains Road and Gun Hill Road in exchange for the dedication of certain other land in the borough of the Bronx for park purposes”.**

Sponsors: By Council Member Rivera

Attachments: Agenda, Committee Report

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SLR 0127-2005 **State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senators Padavan and Golden, S.5620, and Assembly Member Wright, A.8723, “AN ACT to amend the real property tax law, in relation to limiting assessment increases attributable to additions to or improvements of certain class two properties in the city of New York”.**

Sponsors: By Council Member Rivera

Attachments: Agenda, Committee Report

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SLR 0128-2005 **State Legislation Resolution requesting the New York State Legislature to pass a bill introduced by Senator Maltese S.1955-A and Assembly Member Seminerio A.3869-A, “AN ACT to amend the civil service law, in relation to suspension of employees of the department of correction in cities having a population of one million or more.”**

Sponsors: By Council Member Rivera

Attachments: Agenda, Committee Report

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Sponsors: By Council Member Rivera

Attachments: Agenda, Committee Report

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Sponsors: By Council Member Rivera

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SLR 0131-2005 **State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Maltese, S.5459-A, and Assembly Member Cymbrowitz, A.8375-A, “AN ACT to amend the tax law, in relation to increasing the earned income tax credit against the personal income tax for residents of a city having a population of one million or more”.**

Sponsors: By Council Member Rivera

Attachments: Agenda, Committee Report

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

SLR 0132-2005 State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senators Golden and Spano, S.5150-A, and Assembly Member Abbate, A.7618-A, “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 fire alarm dispatchers; and to amend the retirement and social security law, in relation to the establishment of twenty year retirement programs for such members who are subject to articles 11 and 15 of such law”.

Sponsors: By Council Member Rivera

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

SLR 0133-2005 State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Maltese, S.5589, and Assembly Member Abbate, A.8704, “AN ACT to amend the administrative code of the city of New York, in relation to terminal leave”.

Sponsors: By Council Member Rivera

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

SLR 0134-2005 State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Marchi, S.5569, and Assembly Member Nolan, A.8434, “AN ACT to amend the administrative code of the city of New York, in relation to conforming the unincorporated business tax to the general corporation tax with respect to the source of receipts from personal services and the inclusion of rented tangible personal property in the property allocation factor, and making formula allocation the preferred method for taxpayers subject to the unincorporated business tax, and allowing certain existing partnerships to continue to use the books and records allocation method for a seven-year period; makes technical corrections relating thereto; and to repeal certain provisions of such code relating to the unincorporated business pertaining to leveraged buy-out transactions”.

Sponsors: By Council Member Rivera

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

SLR 0135-2005 **State Legislation Resolution requesting the New York State Legislature to pass bills introduced by the Senate Committee on Rules, S.5617, and Assembly Member Farrell, A.8780, “AN ACT to amend the tax law, the administrative code of the city of New York, chapter 877 of the laws of 1975, chapter 880 of the laws of 1975, chapter 884 of the laws of 1975, and chapter 882 of the laws of 1977, all relating to the imposition of certain taxes in the city of New York, in relation to postponing the expiration of certain tax rates and taxes in the city of New York”.**

Sponsors: By Council Member Rivera

Attachments: Committee Report

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

SLR 0136-2005 **State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Padavan, S.4779, and Assembly Member O’Donnell, A.8181, “AN ACT to amend the general municipal law, chapter 130 of the laws of 1998, amending the general municipal law relating to temporary investments by local governments and chapter 406 of the laws of 1999, amending the tax law and other laws relating to sales and compensating use taxes, in relation to temporary investments by local governments and the effective dates relating thereto”.**

Sponsors: By Council Member Rivera

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

SLR 0137-2005 **State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Marchi, S.4817, and Assembly Member Grannis, A.8426, “AN ACT to amend the New York city charter, in relation to the right of the commissioner of finance of the city of New York to seek judicial review of decisions of the New York city tax appeals tribunal”.**

Sponsors: By Council Member Rivera

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

SLR 0138-2005 **State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Padavan, S.5357, and Assembly Member Lafayette, A.8038, “AN ACT to amend the vehicle and traffic law and the administrative code of the city of New York, in relation to increasing the number of intersections where traffic-control signal photo violation-monitoring systems may be installed and operated, and reporting upon the use of such systems and relating to the civil liability of vehicle owners for traffic-control signal violations”.**

Sponsors: By Council Member Rivera

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

SLR 0139-2005 **State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Maltese, S.5596, and Assembly Member Nolan, A.8774, “AN ACT to amend the administrative code of the city of New York, in relation to tax credits for eligible businesses that relocate to industrial business zones in the city of New York, the creation of an industrial business zone boundary commission, and the designation, amendment and repeal of such zones”.**

Sponsors: By Council Member Rivera

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

SLR 0140-2005 **State Legislation Resolution requesting the New York State Legislature to pass bills introduced by the Senate Committee on Rules, S.5672, and Assembly Member Abbate, A.8811, “AN ACT to amend the administrative code of the city of New York, in relation to the rate of regular interest used in the actuarial valuation of liabilities for the purpose of calculating contributions to the New York city employees’ retirement system, the New York city teachers’ retirement system, the police pension fund, subchapter two, the fire department pension fund, subchapter two and the board of education retirement system of such city by public employers and other obligors required to make employer contributions to such retirement systems, and the crediting of special interest and additional interest to members of such retirement systems, and the allowance of supplementary interest on the funds of such retirement systems”.**

Sponsors: By Council Member Rivera

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

Res 1031-2005 **Resolution calling on the New York State Legislature to adopt legislation requiring unlicensed drivers and drivers with a suspended or revoked license to be fingerprinted.**

Sponsors: By Council Member Vallone Jr.

This Resolution was Referred to Comm by Council to the Committee on Technology in Government

Res 1032-2005 **Resolution calling on the State Legislature to amend the penal law and criminal procedure law to allow prosecutors to charge both intentional murder and depraved indifference murder for the same crime.**

Sponsors: By Council Member Vallone Jr.

This Resolution was Referred to Comm by Council to the Committee on Public Safety

SLR 0141-2005 **State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Padavan, S.5457-A, and Assembly Members Clark and Weprin, A.8421-A, "AN ACT to authorize the commissioner of general services to convey certain land in Queens county to the city of New York department of parks and recreation".**

Sponsors: By Council Members Weprin and Rivera

Attachments: Agenda, Committee Report

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

LU 0507-2005 **Land Use Application - 920 Metcalf Avenue, Bronx, Community District 9**

Sponsors: By Council Member Weprin

Attachments: Committee Report, Resolution No. 1033

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

LU 0508-2005 **Zoning resolution amendment application no. 050117 ZRM, pursuant to §197-d and §200 of the New York City Charter, concerning changes in the text of the zoning resolution, Borough of Manhattan, Council District no. 4, relating: Article VIII, Chapter 1 (Special Midtown District and Subdistricts) concerning Appendix A: Map 1 (Special Mistown District and Subdistricts and Map 2 (Retail and Streetwall Continuity)**

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

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, June 24, 2005.

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