

The New York City Council

Council Agenda

Stated Meeting

May 25, 2010

2:30 PM

Council Chambers - City Hall

1. Roll Call

2. Invocation

*Delivered by: Rev. William Taharka Robinson, New Life
Tabernacle Church, 1476 Bedford Avenue, Brooklyn, NY
11216.*

*Motion to spread the invocation in full upon the record by
Council Member Cabrera.*

3. Adoption of Minutes

*Motion that the Minutes of the Stated Meeting of March 25, 2010
be adopted as printed by Council Member Lander.*

4. Messages & Papers from the Mayor

None

5. Communications from City, County & Borough

Offices

None

6. Petitions and Communications

None

7. Land Use Call-Ups

M 0101-2010 ULURP, Special Permit, Brooklyn (C100156ZSK)

By the Chair of the Land Use Committee Council Member
Comrie

Pursuant to Rule 11.20(c) of the Council and Section
197-d(b)(3) of the New York City Charter, the Council hereby
resolves that the action of the City Planning Commission on
Uniform Land Use Procedure Application no. C 100156 ZSK,
a special permit, shall be subject to Council review. This
application is related to application no. C 100155 HAK that is
subject to Council review pursuant to Section 197-d of the
New York City Charter.

8. Communication from the Speaker

9. Discussion of General Orders

10. Reports of Special Committees

11. Reports of Standing Committees

Report of the Committee on Finance

Res 0246-2010 Approving the new designation and changes in the designation

of certain organizations to receive funding in the Fiscal 2010 Expense Budget.

Resolution approving the new designation and changes in the designation of certain organizations to receive funding in the Fiscal 2010 Expense Budget.

Preconsidered - Coupled on GO

Report of the Committee on Health

Int 0206-2010 Permits for the sale or transfer of milk and milk products and to medical records respectively.

A Local Law to amend the administrative code of the city of New York, in relation to certain provisions of title 17 and to repeal subchapters 1 and 5 of chapter 3, relating to permits for the sale or transfer of milk and milk products and to medical records respectively.

Coupled on GO

Int 0207-2010 Air quality standards for compressed air in underwater breathing tanks.

A Local Law to amend the administrative code of the city of New York, to repeal and reenact section 17-337 relating to air quality standards for compressed air in underwater breathing tanks.

Coupled on GO

Int 0226-2010-A Relating to reports regarding child care facilities.

A Local Law to amend the administrative code of the city of New York, in relation to the definitions of terms that relate to the provision of information on child care services and to reporting on child care programs and to repeal certain provisions of the administrative code in relation thereto.

Amended and Coupled on GO

Report of the Committee on Housing and Buildings

Int 0068-2010-A Civil penalties for unlicensed plumbing and fire suppression work.

A Local Law to amend the administrative code of the city of New York, in relation to civil penalties for unlicensed plumbing and fire suppression work.

Amended and Coupled on GO with Message of Necessity

Report of the Committee on Land Use

**Res 0251-2010 LU 23 - UDAAP, 190-01 to 190-05 Linden Blvd, Queens.
(20105273HAQ)**

Application no. 20105273 HAQ, an amendment to an Urban Development Action Area Project located at 190-01 to 190-05 Linden Boulevard, Council District no. 27 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.

Coupled on GO

**Res 0252-2010 LU 25 - UDAAP, 226 W. 111th St, Manhattan.
(20105283HAM)**

Application no. 20105283 HAM, an Urban Development Action Area Project located at 226 West 111th Street, Council District no. 9, Borough of Manhattan. This matter is subject to Council review and action pursuant to Article 16 of the New York General Municipal Law, at the request of the New York City Department of Housing Preservation and Development, and pursuant to Section 577 of the Private Housing Finance Law for an exemption from real property taxes.

Coupled on GO

**Res 0253-2010 LU 69 - UDAAP, 163 Lenox Avenue, Manhattan
(20105415HAM)**

Application no. 20105415 HAM, an Urban Development Action Area Project located at 163 Lenox Avenue, Council District no. 9, Borough of Manhattan. This matter is subject to Council review and action pursuant to Article 16 of the New York General Municipal Law, at the request of the New York City Department of Housing Preservation and Development, and pursuant to Section 577 of the Private Housing Finance Law for a partial tax exemption
Coupled on GO

Res 0254-2010**LU 77 - UDAPP, 2041 Fifth Ave, Manhattan (20105423HAM)**

Application no. 20105423 HAM, an Urban Development Action Area Project located at 2041 Fifth Avenue, Council District no. 9, Borough of Manhattan. This matter is subject to Council review and action pursuant to Article 16 of the New York General Municipal Law, at the request of the New York City Department of Housing Preservation and Development, and pursuant to Section 577 of the Private Housing Finance Law for a partial tax exemption.
Coupled on GO

Res 0255-2010**LU 86 - Sidewalk café, 623 Grand Aven, Brooklyn (20105442TCK)**

Application no. 20105442 TCK, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of Ahshi.Global, Inc. d/b/a Willburg Café, to establish maintain and operate an unenclosed sidewalk café located at 623 Grand Avenue, Borough of Brooklyn, Council District no. 34. 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.
Coupled on GO

Res 0256-2010**LU 87 - Sidewalk café, 533 Grand Street, Brooklyn (20105403TCK)**

Application no. 20105403 TCK, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of Fidel Corp. d/b/a Le Barricou, to establish maintain and operate an unenclosed sidewalk café located at 533 Grand Street, Borough of Brooklyn, Council District no. 34. 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.

Coupled on GO

Res 0257-2010

LU 90 - Zoning, Amendment of the Zoning Map, establishing within an existing R5 District a C1-3 District. (C070520ZMK)

Application no. C 070520 ZMK submitted by Jom Tob Gluck pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section 22c, by establishing within an existing R5 District a C1-3 District.

Motion to Disapprove

Res 0258-2010

LU 97 - Zoning Map Amendment (C100199ZMQ)

Application no. C 100199 ZMQ submitted by the Department of City Planning pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section Nos. 6b, 9a, 9b and 9c.

Coupled on GO

Res 0259-2010

LU 98 - Zoning, Relating to the extension of the Inclusionary Housing Program to proposed R7A districts, Queens. (N100200ZRQ)

Application no. N 100200 ZRQ submitted by the Department of City Planning pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, relating to Article II, Chapter 3, Sections 23-144, and Appendix F relating to the extension of the Inclusionary Housing Program to proposed R7A districts, Borough of Queens, Community District 1.

Coupled on GO**Res 0260-2010 LU 101 - UDAAP, 1600 Sedgwick Ave, Bronx (20105619 HAX)**

Application no. 20105619 HAX, a request for approval of a plan and project located at 1600 Sedgwick Avenue, Borough of the Bronx, Council District no. 16. This matter is subject to Council Review and action pursuant to Article V of the Private Housing Law.

Coupled on GO**Res 0261-2010 LU 102 - UDAAP, Block 2880 / Lot 91, Bronx (20105620HAX)**

Application no. 20105620 HAX, a request for a conveyance for a project located at Block 2880/Lot 91, Borough the Bronx, Council District no. 16. This matter is subject to Council Review and action pursuant to Article V of the Private Housing Law.

Coupled on GO**Res 0262-2010 LU 103 - UDAPP, 3120 Park Ave, 720-722 E. 161st St, 748 Jackson Ave and 451 E. 159th St, Bronx (20105621HAX)**

Application no. 20105621 HAX, an amendment to an Urban Development Action Area Project located at 3120 Park Avenue, 720-722 East 161st Street, 748 Jackson Avenue and 451 East 159th Street, Council District no. 17, 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, and pursuant to Section 696 of the General Municipal Law for a tax exemption

Coupled on GO**Res 0263-2010 LU 105 - UDAAP, 281 Montauk Ave, 664 Georgia Ave and 662 Pine St, Brooklyn (20105623HAK)**

Application no. 20105623 HAK an Urban Development Action Area Project located at 281 Montauk Avenue, 664 Georgia Avenue and 662 Pine Street, Council District no. 42,

Borough of Brooklyn. 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 and pursuant to Section 696 of the General Municipal Law for a tax exemption.

Coupled on GO

12. General Orders Calendar

T2010-0002 **Commissioner of Deeds**
Commissioner of Deeds
Coupled on GO

Coupled on General Order Calendar

Finance

Res 0246-2010 **Approving the new designation and changes in the designation of certain organizations to receive funding in the Fiscal 2010 Expense Budget.**
Preconsidered - GO

Health

Int 0206-2010 **Permits for the sale or transfer of milk and milk products and to medical records respectively.**
GO

Int 0207-2010 **Air quality standards for compressed air in underwater breathing tanks.**
GO

Int 0226-2010-A **Relating to reports regarding child care facilities.**

A and GO

Housing and Buildings

Int 0068-2010-A **Civil penalties for unlicensed plumbing and fire suppression work.**
A and GO with M / N

Land Use

Res 0251-2010 **LU 23 - UDAAP, 190-01 to 190-05 Linden Blvd, Queens.**
(20105273HAQ)
GO

Res 0252-2010 **LU 25 - UDAAP, 226 W. 111th St, Manhattan.**
(20105283HAM)
GO

Res 0253-2010 **LU 69 - UDAAP, 163 Lenox Avenue, Manhattan**
(20105415HAM)
GO

Res 0254-2010 **LU 77 - UDAPP, 2041 Fifth Ave, Manhattan (20105423HAM)**
GO

Res 0255-2010 **LU 86 - Sidewalk café, 623 Grand Aven, Brooklyn**
(20105442TCK)
GO

Res 0256-2010 **LU 87 - Sidewalk café, 533 Grand Street, Brooklyn**
(20105403TCK)
GO

Res 0257-2010 **LU 90 - Zoning, Amendment of the Zoning Map, establishing within an existing R5 District a C1-3 District. (C070520ZMK)**
Disapproved

- Res 0258-2010** **LU 97 - Zoning Map Amendment (C100199ZMQ)**
GO
- Res 0259-2010** **LU 98 - Zoning, Relating to the extension of the Inclusionary
Housing Program to proposed R7A districts, Queens.
(N100200ZRQ)**
GO
- Res 0260-2010** **LU 101 - UDAAP, 1600 Sedgwick Ave, Bronx (20105619 HAX)**
GO
- Res 0261-2010** **LU 102 - UDAAP, Block 2880 / Lot 91, Bronx (20105620HAX)**
GO
- Res 0262-2010** **LU 103 - UDAPP, 3120 Park Ave, 720-722 E. 161st St, 748
Jackson Ave and 451 E. 159th St, Bronx (20105621HAX)**
GO
- Res 0263-2010** **LU 105 - UDAAP, 281 Montauk Ave, 664 Georgia Ave and 662
Pine St, Brooklyn (20105623HAK)**
GO

General Order Calendar

- T2010-0002** **Commissioner of Deeds**
GO

13. Introduction & Reading of Bills **See Attached**

14. Discussion of Resolutions

15. Resolutons

Res 0157-2010-A **Establish a School Transformation Zone.**

Resolution calling upon the New York City Department of Education to establish a School Transformation Zone, based on the model proposed by the NYC Coalition for Educational Justice, to improve low-performing schools and prevent school closings.

Amended and Adopted by the Committee on Education

Res 0207-2010 **Congress to enact H.R. 4224, the “Together We Care Act of 2009.”**

Resolution calling upon the United States Congress to enact H.R. 4224, the “Together We Care Act of 2009,” which would establish a pilot program to train public housing residents as home health care aides and in home-based health care services to enable residents to provide covered home-based health care services to residents of public housing and residents of federally-assisted rental housing, who are elderly or persons with a disability.

Adopted by the Committee on Public Housing

16. General Discussion

17. Extension of Remarks

INTRODUCTION AND READING OF BILLS

Int 0243-2010 *By Council Members Brewer and Lander*

A Local Law to amend the administrative code of the city of New York, in relation to the conversion of residential buildings to other usage.

Housing and Buildings

Int 0244-2010

By Council Member Brewer

A Local Law to amend the New York city charter, in relation to accepting legally blind applicants for New York city disability parking permits.

Transportation

Int 0245-2010

By Council Member Brewer

A Local Law to amend the administrative code of the city of New York, in relation to improving the health and safety of nail salon employees.

Health

Int 0246-2010

By Council Member Brewer

A Local Law to amend the New York city charter in relation to extending the time limits during July and August for community board action with respect to the uniform land use review procedure.

Land Use

Res 0241-2010

By Council Member Brewer

Resolution calling on the New York State Department of State to promulgate standards and rules concerning the sanitization of mattresses that include requirements sufficient to eradicate bedbugs in reconditioned mattresses before their sale.

Consumer Affairs

Int 0247-2010

By Council Members Comrie Jr. and Vann

A Local Law to amend the administrative code of the city of New York, in relation to the sale of tickets to individual consumers by operators of theater, music, or sporting events taking place in New York City at places of entertainment.

Consumer Affairs

Res 0242-2010

By Council Members Comrie Jr. and Vann

Resolution commemorating the life and legacy of legendary

entertainer and civil rights activist, Lena Horne.
Cultural Affairs, Libraries & International Intergroup Relations

Res 0243-2010 *By Council Member Eugene*

Resolution calling upon the United States Congress to enact H.R.3734, the “Urban Revitalization and Livable Communities Act,” which would authorize the Secretary of Housing and Urban Development to establish and carry out an urban revitalization and livable communities program to provide federal grants to urban areas for the rehabilitation of critically needed recreational areas and facilities and development of improved recreation programs, and for other purposes.

Community Development

Int 0248-2010 *By Council Member Fidler*

A Local Law to amend the administrative code of the city of New York, in relation to establishing reporting requirements for the department of citywide administrative services on the status of city-owned real property.

Governmental Operations

Res 0244-2010 *By Council Member Fidler*

Resolution in support of pending legislation in the New York State Legislature intended to strengthen regulations governing the sale and licensing of firearms.

Public Safety

Int 0249-2010 *By Council Member Foster*

A Local Law in relation to the creation of a task force on stepstreets.

Transportation

Int 0250-2010 *By Council Member Gennaro*

A Local Law to amend the administrative code of the city of New York, in relation to raising the legal age to buy tobacco

to nineteen years.

Health

Int 0251-2010

By Council Members Koppell, Palma, Arroyo, Cabrera, Chin, Dromm, Ferreras, James, Lander, Mendez, Sanders Jr., Mark-Viverito, Foster and Seabrook (by the request of the Bronx Borough President)

A Local Law to amend the administrative code of the city of New York, in relation to requiring the payment of a living wage to employees employed on property developed by recipients of financial assistance for economic development.

Contracts

Int 0252-2010

By Council Member Lander

A Local Law to amend the administrative code of the city of New York, in relation to prohibiting the City from unnecessarily purchasing bottled water.

Contracts

Int 0253-2010

By Council Member Lappin

A Local Law to amend the administrative code of the city of New York, in relation to requiring the New York City Police Department to report on complaints of harassment in the transit system.

Public Safety

Res 0245-2010

By Council Members Mark-Viverito and Lander

Resolution calling on the New York State Legislature to pass A.10163/S.7050, an act to amend the Labor Law in relation to establishing the Wage Theft Prevention Act.

Civil Service and Labor

Int 0254-2010

By Council Members Oddo, Arroyo, Ignizio, Halloran III, Koo and Ulrich

A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of health

and mental hygiene to make nurses available to public and private primary and intermediate schools with at least one hundred students.

Health

Int 0255-2010 *By Council Members Oddo, Ignizio, Ulrich and Koo*

A Local Law to amend the administrative code of the city of New York, in relation to the sale of aerosol spray paint cans and broad tipped indelible markers.

Public Safety

Res 0246-2010 *By Council Member Recchia Jr.*

Resolution approving the new designation and changes in the designation of certain organizations to receive funding in the Fiscal 2010 Expense Budget.

Preconsidered - Finance

Int 0256-2010 *By Council Member Reyna*

A Local Law to amend the New York city charter, in relation to the annual report required by certain entities which enter into contracts with the department of small business services.

Small Business

Int 0257-2010 *By Council Member Reyna*

A Local Law to amend the administrative code of the city of New York, in relation to regulating the placement of ATM's in front of small businesses and requiring a permit in order to place ATM's on a sidewalk.

Transportation

Res 0247-2010 *By Council Members Reyna and Vann*

Resolution calling upon the United States Congress to task the relevant agencies with amending the Community Reinvestment Act regulations to provide credits to financial institutions which renegotiate loans for projects on stalled construction sites and help finance affordable housing for middle-income

families.

Community Development

Int 0258-2010 *By Council Member Vallone Jr.*

A Local Law in relation to the creation of a Street Vendor Advisory Board.

Consumer Affairs

Res 0248-2010 *By Council Member Vallone Jr.*

Resolution to amend the text of the New York City Zoning Resolution to require a Special Permit to be granted by the City Planning Commission for the installation of telephone exchanges or communications equipment in Residence Districts.

Land Use

Res 0249-2010 *By Council Member Vallone Jr.*

Resolution in support of pending legislation in the New York State Legislature intended to amend the penal law in relation to the offense of non-support of a child.

General Welfare

Res 0250-2010 *By Council Member Vallone Jr.*

Resolution calling upon the Department of Education (DOE) to institute a policy that would limit the aggregate amount of homework that is given to elementary and middle grade school children to approximately ten minutes per grade level on any given night, and would include a homework-free night to allow children to participate in other activities, exercise and spend quality time with their families.

Education

Int 0259-2010 *By Council Member Van Bramer*

A Local Law to amend the administrative code of the city of New York, in relation to limiting the time period for parking at parking meters.

Transportation

LU 0107-2010 *By Council Member Comrie Jr.*

Uniform land use review procedure application no. C 100155 HAK, an Urban Development Action Area Designation and Project, located at 277, 275 and 273 Kosciuszko Street and the disposition of such property, Borough of Brooklyn, Council District no. 36. 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.

Planning, Dispositions and Concessions

LU 0108-2010 *By Council Member Comrie Jr.*

Uniform land use review procedure application no. C 100156 ZSK, pursuant to §197-c and §197-d of the Charter of the City of New York concerning a special permit under the Zoning Resolution in the Borough of Brooklyn, Council District no. 36 to facilitate the development of a 6-story community facility with sleeping accommodations. 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.

Planning, Dispositions and Concessions

LU 0109-2010 *By Council Member Comrie Jr.*

Application no. C 080157 ZMX submitted by CBC Associates and the South Bronx Overall Economic Development Corporation pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 3d, changing from a C8-3 District to an R7-1 District and establishing within the proposed R7-1 a C2-4 District.

Zoning and Franchises

LU 0110-2010

By Council Member Comrie Jr.

Application no. 20105516 HKM (N 100278 HKR), pursuant to §3020 of the Charter of the City of New York, concerning the designation (List No.427, LP-2384) by the Landmarks Preservation Commission of the Reformed church on Staten Island Sunday School Building and Cemetery, located at 54 Port Richmond Avenue, as a historic landmark, Council District no. 49.

Landmarks, Public Siting and Maritime Uses

LU 0111-2010

By Council Member Comrie Jr.

Application no. 20105517 HKM (N 100281 HKM), pursuant to §3020 of the Charter of the City of New York, concerning the designation (List No.427, LP-2340) by the Landmarks Preservation Commission of the Joseph B. and Josephine H. Bissell House, located at 46 W. 55th Street, as a historic landmark, Council District no. 4.

Landmarks, Public Siting and Maritime Uses

LU 0112-2010

By Council Member Comrie Jr.

Application no. 20105518 HKM (N 100280 HKM), pursuant to §3020 of the Charter of the City of New York, concerning the designation (List No.427, LP-2387) by the Landmarks Preservation Commission of the Brill Building, located at 1619 Broadway, as a historic landmark, Council District no.3.

Landmarks, Public Siting and Maritime Uses

LU 0113-2010

By Council Member Comrie Jr.

Application no. 20105558 HKM (N 100282 HKM), pursuant to §3020 of the Charter of the City of New York, concerning the designation (List No.427, LP-2373) by the Landmarks Preservation Commission of an extension of the Upper East Side Historic District, Council District no. 4.

Landmarks, Public Siting and Maritime Uses