

The New York City Council

Council Agenda

Stated Meeting

October 31, 2000

1:30 PM

Council Chambers - City Hall

1. Roll Call

2. Invocation

*Delivered by: Father James P. Hayes, St. Andrews R.C. Church,
Cardinal Hayes Place, New York, NY 10007.*

*Motion to spread the invocation in full upon the record by
COUNCIL MEMBER FREED.*

3. Adoption of Minutes

*Motion that the Minutes of the Stated Meeting of Wednesday,
September 27, 2000 be adopted and printed by Council Member
Fisher.*

4. Messages and Papers from the Mayor

**5. Communications from City, County, and Borough
Offices**

- M 0958-2000** **Solid Waste Management Plan Draft, Dept of Sanitation**
Communication from the Department of Sanitation -
Submitting the Solid Waste Management Plan Draft
Modification and Final Environmental Impact Statement
CEQR No. 99DOS002Y.
Environmental Protection

6. Petitions and Communications

7. Land Use Call-Ups

- M 0959-2000** **ULURP, Zoning Resolution, Manhattan (20000651ZSM)**
By the Chair of the Land Use Committee Council Member
Eisland
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 Number 20000651
ZSM, a special permit shall be subject to Council review. This
application is related to application number 20000649 ZMM
which is subject to Council review pursuant to section 197-d
of the New York City Charter.
Coupled on Call-up Vote

Roll Call

8. Communications from the Speaker

9. Discussion of General Orders

10. Report of Special Committees

NONE

11. Reports of Standing Committees

Report of the Committee on Contracts

Res 1393-2000-A **Small Purchase Category "Information Technology", Creation**

Resolution making permanent the creation of a small purchase category called "information technology" with a one hundred thousand dollar limit by repealing the sunset provision.

Amended & Coupled on GO

Report of the Committee on Finance

Int 0825-2000 **Additional tax on the city personal income tax.**

A Local Law to amend the administrative code of the city of New York, in relation to the additional tax on the city personal income tax.

Preconsidered - Adopted and Laid Over

Int 0826-2000 **Sale of tax liens.**

A Local Law to amend the administrative code of the city of New York, in relation to the sale of tax liens.

Preconsidered - Coupled on GO with Message of Necessity

Report of the Committee on Land Use

Res 1615-2000 **ULURP, CD# 49, Staten Island, (990127ZMR)**

Resolution approving a motion to file pursuant to withdrawal on an application submitted by Natalie Lyn, LLC, for a Zoning Map change (ULURP No. C 990127 ZMR; L.U. No. 794).

Coupled to be Filed

Res 1616-2000 UDAAP, 347 East 98th Street, Brooklyn, (20015056HAK)

Resolution approving an Urban Development Action Area Project located at 347 East 98th Street (Block 3594/Lot 15), Brooklyn, and waiving the urban development action area designation requirement and the Uniform Land Use Review Procedure, pursuant to Sections 693 and 694 of the General Municipal Law (L.U. No. 884; 20015056 HAK).

Coupled on GO

Res 1617-2000 LU 886 - UDAAP, 115 South 4th Street, Brooklyn, (20015058HAK)

Resolution approving an Urban Development Action Area Project located at 115 South 4th Street (Block 2430/Lot 31), Brooklyn, and waiving the urban development action area designation requirement and the Uniform Land Use Review Procedure, pursuant to Sections 693 and 694 of the General Municipal Law (L.U. No. 886; 20015058 HAK).

Coupled on GO

Res 1618-2000 UDAAP, 3826 Barnes Ave, Bronx, (20015060HAX)

Resolution approving an Urban Development Action Area Project located at 3826 Barnes Avenue (Block 4679/Lot 33), The Bronx, and waiving the urban development action area designation requirement and the Uniform Land Use Review Procedure, pursuant to Sections 693 and 694 of the General Municipal Law (L.U. No. 888; 20015060 HAX).

Coupled on GO

Res 1619-2000 UDAAP, 2115 Fifth Avenue, Manhattan, (20015061HAM)

Resolution approving an Urban Development Action Area Project located at 2115 Fifth Avenue (Block 1754/Lot 70), Manhattan, and waiving the urban development action area designation requirement and the Uniform Land Use Review Procedure, pursuant to Sections 693 and 694 of the General Municipal Law (L.U. No. 889; 20015061 HAM).

Coupled on GO

- Res 1620-2000** **LU 900 - ULURP, Zoning Resolution Special Permit, Queens (990640ZSQ)**
- Resolution approving the decision of the City Planning Commission on ULURP No. C 990640 ZSQ (L.U. No. 900), grant of a special permit pursuant to Section 74-901 of the Zoning Resolution to allow the maximum floor area ratio.
Coupled on GO
- LU 0902-2000** **ULURP, (5) City-Owned Properties, CB#11, Manhattan (C000294PPM)**
- Uniform land use review procedure application no. C 000294 PPM pursuant to §197-c and §197-d of the New York City Charter concerning the disposition of five (5) city-owned properties, located in Community Board 11, Borough of Manhattan, in Council Districts no. 8 and 9. 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.
Approved with Modifications and Referred to the City Planning Commission pursuant to Rule 11.20(b) of the Rules of the Council and Section 197-(d) of the New York City Charter.
- LU 0903-2000** **UDAAP, (8) city-owned properties, Bronx (C000411PPX)**
- Uniform land use review procedure application no. C 000411 PPX pursuant to §197-c and §197-d of the New York City Charter concerning the disposition of eight (8) city-owned properties, located in Community Board 5, Borough of the Bronx, in Council Districts no. 14, 15 and 16. 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.
Approved with Modifications and Referred to the City Planning Commission pursuant to Rule 11.20(b) of the Rules of the Council and Section 197-(d) of the New York City Charter.

**Res 1621-2000 Sidewalk Cafe, 1090 Amsterdam Ave, Manhattan
(20005216TCM)**

Resolution approving the petition for a revocable consent for an enclosed sidewalk café located at 1090 Amsterdam Avenue, Manhattan (20005216 TCM; L.U. No. 904).

Coupled on GO

Res 1622-2000 UDAAP, CB 10, CD 32, Queens (20015075HAQ)

Resolution approving an Urban Development Action Area Project located at 133-47 84 Street (Block 11364/Lot 30), 149-14 120 Street (Block 11820/Lot 38), and 107-18 79 Street (Block 9137/Lot 252), Queens, and waiving the urban development action area designation requirement and the Uniform Land Use Review Procedure, pursuant to Sections 693 and 694 of the General Municipal Law (L.U. No. 908; 20015075 HAQ).

Preconsidered - Coupled on GO

Report of the Committee on Parks, Recreation, Cultural Affairs, and International Intergroup Relations

Int 0484-1998 Name Change, Paul O'Dwyer Way, Manhattan

A Local Law in relation to a street name, Paul O'Dwyer Way, Borough of Manhattan.

Coupled on GO

Int 0644-1999 Name Change, Way of the Finest, Bronx

A Local Law in relation to a street name, Way of the Finest, Borough of the Bronx.

Coupled on GO

Int 0653-1999 Name Change, Louis Graziuso Sr. Drive, Brooklyn

A Local Law in relation to a street name, Louis Graziuso Sr. Drive, Borough of Brooklyn.

Coupled on GO

Int 0801-2000 **Name Change, Charles E. Inniss Avenue, Brooklyn**

A Local Law in relation to a street name, Charles E. Inniss Avenue, Borough of Brooklyn.

Coupled on GO

Report of the Committee on Public Safety

Res 1471-2000 **Create the crime of gang sexual assault**

Resolution calling upon the New York State Legislature to amend the Penal Law to create the crime of gang sexual assault.

Coupled on GO

12. General Order Calendar

T1999-86 **Commissioner of Deeds**

Commissioner of Deeds

Coupled on GO

Coupled on General Order**Contracts**

Res **Small Purchase Category "Information Technology", Creation**
1393-2000-A

A & GO

Finance

Int 0826-2000 **Sale of tax liens.**

Preconsidered - GO with M/N

Land Use

- Res 1615-2000 **ULURP, CD# 49, Staten Island, (990127ZMR)**
Filed
- Res 1616-2000 **UDAAP, 347 East 98th Street, Brooklyn, (20015056HAK)**
GO
- Res 1617-2000 **LU 886 - UDAAP, 115 South 4th Street, Brooklyn,**
(20015058HAK)
GO
- Res 1618-2000 **UDAAP, 3826 Barnes Ave, Bronx, (20015060HAX)**
GO
- Res 1619-2000 **UDAAP, 2115 Fifth Avenue, Manhattan, (20015061HAM)**
GO
- Res 1620-2000 **LU 900 - ULURP, Zoning Resolution Special Permit, Queens**
(990640ZSQ)
GO
- Res 1621-2000 **Sidewalk Cafe, 1090 Amsterdam Ave, Manhattan**
(20005216TCM)
GO
- Res 1622-2000 **UDAAP, CB 10, CD 32, Queens (20015075HAQ)**
Preconsidered - GO

Parks, Recreation, Cultural Affairs, and Intergroup Relations

- Int 0484-1998 **Name Change, Paul O'Dwyer Way, Manhattan**
GO

- Int 0644-1999** **Name Change, Way of the Finest, Bronx**
GO
- Int 0653-1999** **Name Change, Louis Graziuso Sr. Drive, Brooklyn**
GO
- Int 0801-2000** **Name Change, Charles E. Inniss Avenue, Brooklyn**
GO

Public Safety

- Res 1471-2000** **Create the crime of gang sexual assault**
GO

General Order Calendar

- T1999-86** **Commissioner of Deeds**
GO

- 13. Introduction and Reading of Bills**
See Attached
- 14. General Discussion**
- 15. Extension of Remarks**

INTRODUCTION AND READING OF BILLS

Int 0825-2000 *By The Speaker (Speaker Vallone) and Council Members Berman, Dear, Fisher and Stabile (in conjunction with the Mayor); also Council Members Eisland and Rodriguez*

A Local Law to amend the administrative code of the city of New York, in relation to the additional tax on the city personal income tax.

Preconsidered - Finance

Res 1606-2000 *By The Speaker (Speaker Vallone) and Council Members Nelson, Berman, Clarke, Dear, Malave-Dilan, Eisland, Fisher, Henry, Lopez, Michels, Moskowitz, The Public Advocate (Public Advocate Green), Fiala, Golden and Stabile ; also Council Members Koslowitz, Leffler, The Speaker (Speaker Miller), O'Donovan, Povman, Rodriguez and Wooten*

Resolution calling upon Hizbullah to immediately release the three Israeli Defense Force soldiers currently held hostage.

IMMEDIATE CONSIDERATION or Parks, Recreation, Cultural Affairs and International Intergroup Relations

Res 1607-2000 *By The Speaker (Speaker Vallone) and Council Members Harrison, Berman, Carrion, Clarke, Eisland, Fisher, Henry, Marshall, Michels, Moskowitz, Perkins, Provenzano, Reed, Warden, The Public Advocate (Public Advocate Green), Fiala, Golden and Stabile ; also Council Members Leffler, Linares, The Speaker (Speaker Miller), Nelson, The Speaker (Speaker Quinn), Robinson, Rodriguez, Wooten, Eldridge and Oddo*

Resolution calling upon the New York State Legislature to amend the real property tax law in relation to increasing the maximum income eligibility level for the Senior Citizen Rent increase Exemption ("SCRIE") program to \$27,900 per household per year and to index to inflation the maximum income allowed for persons occupying rental units to be eligible for the SCRIE program.

Aging

Res 1608-2000

By The Speaker (Speaker Vallone) and Council Members Carrion, Clarke, Dear, Malave-Dilan, Eisland, Fisher, Henry, Lopez, Michels, Moskowitz, Perkins, Reed, Warden, The Public Advocate (Public Advocate Green), Fiala, Golden and Stabile ; also Council Members Harrison, Koslowitz, The Speaker (Speaker Miller), Nelson, O'Donovan, Povman, The Speaker (Speaker Quinn), Robinson, Rodriguez, Wooten and Eldridge

Resolution denouncing the City Human Resources Administration policy of impoverishing elderly New Yorkers whose spouses receive Medicaid-provided nursing home or home health care, even though it is not required to do so under the current Medicaid law; calling upon the state to humanize its fair hearing process and to relax its standards for increasing the maximum level of savings and income an individual may retain when his/her spouse is receiving nursing home care through Medicaid; and calling upon the United States Congress to amend the Medicaid Act to ensure that moderate income individuals are not forced into poverty when their spouses need nursing home or home health care.

General Welfare

Int 0826-2000

By Council Members Berman, Carrion and Stabile (in conjunction with the Mayor)

A Local Law to amend the administrative code of the city of New York, in relation to the sale of tax liens.

Preconsidered - Finance

SLR 0288-2000

By Council Member Berman

State Legislation Resolution requesting the New York State Legislature to pass a bill introduced by Senator Kruger, S.8247, "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 Edward J. O'Donnell, 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.

7877, Lot No. 47 on tax map for the borough of Brooklyn".

State and Federal Legislation

Res 1609-2000

By Council Members Clarke, Carrion, Malave-Dilan, Fisher, Henry, Reed and Rodriguez ; also Council Members Eisland, Koslowitz, Nelson and The Speaker (Speaker Quinn)

Resolution calling on President Clinton to veto the fiscal 2001 appropriations bill for the departments of Commerce, Justice, State and Judiciary if it fails to include support for the provisions contained in the Latino and Immigrant Fairness Act, Number S.2912.

General Welfare

Res 1610-2000

By Council Members Clarke, Carrion, Malave-Dilan, Fisher, Henry, Linares, Michels, Perkins and Rodriguez ; also Council Members Eisland, Koslowitz, Nelson and The Speaker (Speaker Quinn)

Resolution calling upon the United States Senate to fully support passage of the Immigration Fairness Restoration Act of 2000, also known as the Kennedy-Graham Bill, thereby ensuring that United States immigration laws continue to reflect our tradition as a nation of just laws.

General Welfare

Res 1623-2000

By Council Members Dear, Koslowitz, Michels, Moskowitz, Nelson and Stabile ; also Council Members Eisland, Fisher, O'Donovan and Povman

Resolution calling upon the President of the United States, the House and the United States Senate to immediately halt all aid to the Palestinian Authority, as a result of the ongoing violence in Israel in the wake of the riots in the West Bank and Gaza.

IMMEDIATE CONSIDERATION or Parks, Recreation, Cultural Affairs and International Intergroup Relations

Res 1611-2000

By Council Members DiBrienza, Carrion, Malave-Dilan, Henry and The Speaker (Speaker Quinn) ; also Council Members

Koslowitz, Leffler, Linares, O'Donovan and Povman

Resolution calling upon the New York State Insurance Department to withdraw their proposed regulations on auto insurance and redraft the regulations with input from medical professionals, medical billing companies and consumer advocates.

Consumer Affairs

Res 1612-2000

By Council Members Fisher, Carrion, Clarke, Koslowitz, Michels, Moskowitz, Nelson and Stabile ; also Council Members Eisland, Leffler, O'Donovan, Povman, The Speaker (Speaker Quinn) and Rodriguez

Resolution condemning the use of children in acts of violence in the current conflict in the Middle East.

IMMEDIATE CONSIDERATION or Parks, Recreation, Cultural Affairs and International Intergroup Relations

Res 1613-2000

By Council Members Leffler, Carrion, Malave-Dilan, Eisland, Henry, Marshall, Nelson, Perkins, The Speaker (Speaker Quinn), Reed, Wooten and Fiala ; also Council Members Fisher, Harrison, Michels, Povman and Robinson

Resolution calling upon the Congress of the United States to reauthorize the Older Americans Act ("OAA") and to include support for legal assistance and elder rights advocacy programs in the reauthorized legislation.

Aging

Int 0827-2000

By Council Members Marshall and Carrion ; also Council Members O'Donovan and Sabini

A Local Law in relation to naming sixteen public thoroughfares and public places, Rev. William E. Gardner Place, Borough of Queens, Rev. Frederick Sutter and Rev. Carl Sutter Corner, Borough of Staten Island, Sylvia Simowitz Way, Borough of Queens, John Cifichiello Way, Borough of The Bronx, Georgina Soccodato Way, Borough of The Bronx, Rev. David M. Cory Place, Borough of Brooklyn, Monsignor Dorney Way, Borough of Staten Island, Nick Bruno Way,

Borough of Staten Island, The Greater Bright Light Place,
Borough of Brooklyn, Officer Michael Buczek Avenue,
Borough of Manhattan, Bishop J. Arthur Jones Place,
Borough of The Bronx, Milt Hinton Place, Borough of
Queens, Harry Douglas Way, Borough of Queens, Liberty
Pole Boulevard, Borough of Brooklyn, Sal Candrilli Place,
Borough of Staten Island and Leonard Stavisky Place,
Borough of Queens.

***Parks, Recreation, Cultural Affairs and International Intergroup
Relations***

Int 0828-2000

*By The Speaker (Speaker Miller) and Council Members Carrion,
Dear, Marshall and Nelson*

A Local Law to amend the administrative code of the city of
New York, in relation to the installation of water closets at off
track betting parlors.

Housing and Buildings

Res 1614-2000

*By The Speaker (Speaker Miller) and Council Members Carrion,
Dear and Nelson*

Resolution of the Land Use Committee approving the filing
with the City Planning Commission of an application for
changes in the Zoning Resolution concerning the definition of
"betting parlors" and the listing of such facilities in Use Group
12.

Land Use

Int 0829-2000

*By Council Members Nelson, Carrion, Clarke, Eisland, Harrison,
Henry, Marshall, Moskowitz, Perkins, Provenzano, Reed,
Rodriguez, Warden, Fiala and Stabile ; also Council Members
O'Donovan and Robinson*

A Local Law to amend the administrative code of the city of
New York, in relation to making all children attending grades
kindergarten through eight residing more than one and
one-half miles from school eligible for general education
transportation.

Transportation

Int 0830-2000

By Council Members Sabini, Harrison, Carrion, Malave-Dilan, Henry, Koslowitz, Lopez, Marshall, Nelson, Freed and Fiala ; also Council Members Spigner and O'Donovan

A Local Law to amend the administrative code of the city of New York, to require that the owners of establishments with grease interceptors have contracts with authorized companies to maintain the devices and properly dispose of the grease.

Housing and Buildings

Int 0831-2000

By Council Members Spigner, Carrion, Malave-Dilan, Marshall and Stabile ; also Council Members Wooten and Fisher

A Local Law to amend the administrative code of the city of New York, in relation to tax benefits for conversions of property to residential use.

Housing and Buildings

Int 0832-2000

By Council Members Spigner, Carrion, Harrison, Lopez, Marshall, Michels, Malave-Dilan, Warden, Provenzano, Nelson and Stabile

A Local Law to amend the administrative code of the city of New York, in relation to banning gauges that use mercury to test gas piping, drainage and vent systems and banning the sale of such mercury gauges and replacement mercury.

Housing and Buildings

LU 0905-2000

By Council Member Eisland

Application no. 20015072 HAM, an Urban Development Action Area Project, located in Community Board 10, 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.

Preconsidered - Planning, Dispositions and Concessions

LU 0906-2000

By Council Member Eisland

Application no. 20015073 HAM, an Urban Development Action Area Project, located at 420 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 §696 of the General Municipal Law for a tax exemption.

Preconsidered - Planning, Dispositions and Concessions

LU 0907-2000

By Council Member Eisland

Application no. 20015074 HAQ, an Urban Development Action Area Project, located in Community Board 10, Council District no. 28, 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.

Preconsidered - Planning, Dispositions and Concessions

LU 0908-2000

By Council Member Eisland

Application no. 20015075 HAQ, an Urban Development Action Area Project, located in Community Board 10, Council District no. 32, 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.

Preconsidered - Planning, Dispositions and Concessions

LU 0909-2000

By Council Member Eisland

Zoning resolution amendment application no. 20000286 ZRK, pursuant to §197-d and §200 of the New York City Charter, concerning changes in the text of the zoning resolution, Borough of Brooklyn, Council District no. 39, 43, 44, relating: Proposed text amendment to allow one and two family detached and semidetached residential enlargements in rear yards in Boro Park.

Zoning and Franchises**LU 0910-2000***By Council Member Eisland*

Uniform Land Use Review Procedure application no. 20000649 ZMM, pursuant to §197-c and §197-d of the New York City Charter, concerning changes to the zoning map, Borough of Manhattan, Council District no. 3.

Zoning and Franchises**LU 0911-2000***By Council Member Eisland*

Zoning resolution amendment application no. 20000650 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. 3, relating: zoning map amendment to remove certain area from the Special Midown District Preservation Subdistrict .

Zoning and Franchises**LU 0912-2000***By Council Member Eisland*

Uniform land use review procedure application no. 20000651 ZSM, 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 Manhattan, Council District no. 3 to allow facilitate transfer of bulk across district boundaries, to modify the rear yard requirements of Section 33-26 and to modify the mandatory street wall requirements. 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.

Zoning and Franchises