

# The New York City Council

*City Hall*  
*New York, NY 10007*



## Meeting Minutes

**Wednesday, March 2, 2011**

**1:30 PM**

**Emigrant Savings Bank - 49-51 Chambers Street**

### **City Council**

*Christine C. Quinn, Speaker*

*Members: Maria del Carmen Arroyo, Charles Barron, Gale A. Brewer,  
Fernando Cabrera, Margaret S. Chin, Leroy G. Comrie, Jr., Elizabeth S. Crowley,  
Inez E. Dickens, Erik Martin Dilan, Daniel Dromm, Mathieu Eugene, Julissa Ferreras,  
Lewis A. Fidler, Helen D. Foster, Daniel R. Garodnick, James F. Gennaro,  
Vincent J. Gentile, Sara M. Gonzalez, David Greenfield, Daniel J. Halloran III,  
Vincent M. Ignizio, Robert Jackson, Letitia James, Peter A. Koo, G. Oliver Koppell,  
Karen Koslowitz, Brad S. Lander, Jessica S. Lappin, Stephen T. Levin, Melissa  
Mark-Viverito, Darlene Mealy, Rosie Mendez, Michael C. Nelson, James S. Oddo,  
Annabel Palma, Domenic M. Recchia, Jr., Diana Reyna, Joel Rivera,  
Ydanis A. Rodriguez, Deborah L. Rose, James Sanders, Jr., Larry  
B. Seabrook, Eric A. Ulrich, James Vacca, Peter F. Vallone, Jr., James G.  
Van Bramer, Albert Vann, Mark S. Weprin, Jumaane D. Williams and Ruben Wills*

*The President Pro Tempore (Council Member Rivera)*

1. Roll Call

**Present:**

Speaker Quinn, Barron, Brewer, Cabrera, Chin, Comrie Jr., Crowley, Dickens, Dilan, Dromm, Eugene, Ferreras, Fidler, Foster, Garodnick, Gennaro, Gentile, Gonzalez, Greenfield, Halloran III, Ignizio, Jackson, James, Koo, Koppell, Lander, Lappin, Levin, Mark-Viverito, Mealy, Mendez, Nelson, Oddo, Palma, Recchia Jr., Reyna, Rivera, Rodriguez, Rose, Sanders Jr., Seabrook, Ulrich, Vacca, Vallone Jr., Van Bramer, Vann, Weprin, Williams and Wills

**Excused:**

Arroyo and Koslowitz

*The presence of a quorum was announced by The President Pro Tempore (Council Member Rivera).*

2. Invocation

*The Invocation was delivered by: Reverend Joshua Bartholomew, Abyssinian Baptist Church, 132 Odell Clark Place, New York, N.Y. 10030.*

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

3. Adoption of Minutes

*Council Member Reyna moved that the Minutes of the Stated Meeting of February 2, 2011 be adopted as printed.*

4. Messages & Papers from the Mayor

**M 0394-2011      Communication from the Mayor – Submitting Preliminary Mayor’s Management Report (PMMR) for Fiscal Year 2011.**

**Attachments:**    Hearing Transcript - Stated Meeting 3-2-11

**This Mayor’s Message was Rcvd, Ord, Prnt, Fld by Council**

**M 0395-2011      Communication from the Mayor - Submitting Financial Plan Detail and Summary Book, Volumes I and II for Fiscal Years 2011-2015, pursuant to Sections 101 and 213 of the New York City Charter.**

**Attachments:**    Hearing Transcript - Stated Meeting 3-2-11

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

**M 0396-2011      Communication from the Mayor - Submitting Preliminary Expense Budget for Fiscal Year 2012, pursuant to Sections 225 and 236 of the New York City Charter.**

**Attachments:**    Hearing Transcript - Stated Meeting 3-2-11

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

**M 0397-2011      Communication from the Mayor - Submitting Geographic Reports for Expense Budget for Fiscal Year 2012, pursuant to Sections 100 and 231 of the New York City Charter.**

**Attachments:**    Hearing Transcript - Stated Meeting 3-2-11

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

**M 0398-2011      Communication from the Mayor - Submitting Departmental Estimates Report, Volumes I, II, III, IV and V, for Fiscal Year 2012, pursuant to Sections 100, 212 and 231 of the New York City Charter.**

**Attachments:**    Hearing Transcript - Stated Meeting 3-2-11

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

**M 0399-2011      Communication from the Mayor - Submitting Contract Budget Report for Fiscal Year 2012, pursuant to Section 104 of the New York City Charter.**

**Attachments:**    Hearing Transcript - Stated Meeting 3-2-11

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

**M 0400-2011      Communication from the Mayor - Submitting the Preliminary Capital Budget, Fiscal Year 2012, pursuant to Section 213 and 236 of the New York City Charter.**

**Attachments:**    Hearing Transcript - Stated Meeting 3-2-11

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

**M 0401-2011      Communication from the Mayor - Submitting the Capital Commitment Plan, Fiscal Year 2012, Volumes 1, 2, & 3, and the Capital Commitment Plan, Fiscal Year 2010, Financial Summary, pursuant to Section 219 of the New York City Charter.**

**Attachments:**    Hearing Transcript - Stated Meeting 3-2-11

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

**M 0402-2011      Communication from the Mayor – Submitting the Preliminary Ten-Year Capital Strategy, Fiscal Year 2012-2021.**

**Attachments:**    Hearing Transcript - Stated Meeting 3-2-11

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

**M 0403-2011      Communication from the Mayor - Submitting Preliminary certificate setting forth the maximum amount of debt and reserves which the City, and the NYC Municipal Water Finance Authority, may soundly incur for capital projects for Fiscal Year 2012 and the ensuing three fiscal years, and the maximum amount of appropriations and expenditures for capital projects which may soundly be made during each fiscal year, pursuant to Section 250 (16) of the NY City Charter.**

**Attachments:**    Hearing Transcript - Stated Meeting 3-2-11

This Mayor's Message was Rcvd, Ord, Prnt, Fld by Council

**M 0404-2011      Communication from the Mayor - Withdrawing the nomination of Nancy G. Chaffetz (M 385) from the City Council for its advice and consent regarding her reappointment to the New York City Civil Service Commission.**

**Attachments:**    Hearing Transcript - Stated Meeting 3-2-11

This Mayor's Message was Rcvd, Ord, Prnt, Fld by Council

**M 0405-2011      Communication from the Mayor – Submitting the name of Frank V. Carone from the City Council for its advice and consent regarding his appointment to the New York City Taxi and Limousine Commission, Pursuant to Sections 31 and 2301 of the City Charter.**

**Attachments:**    Committee Report, Resolution, Hearing Transcript, Hearing Transcript - Stated Meeting 3-2-11

This Mayor's Message was Referred to Comm by Council to the Committee on Rules, Privileges and Elections

**M 0406-2011**      **Communication from the Mayor - Submitting the name of Nora Constance Marino from the City Council for its advice and consent regarding her appointment to the New York City Taxi and Limousine Commission, Pursuant to Sections 31 and 2301 of the City Charter.**

**Attachments:**    Committee Report, Resolution, Hearing Transcript, Hearing Transcript - Stated Meeting 3-2-11

**This Mayor's Message was Referred to Comm by Council to the Committee on Rules, Privileges and Elections**

5.      Communications from City, County & Borough Offices

**M 0407-2011**      **Communication from the Public Advocate - Submitting Public Advocate's annual report for Fiscal Year 2011, pursuant to section 24 (n) of the New York City Charter.**

**Attachments:**    Hearing Transcript - Stated Meeting 3-2-11

**This Communication was Rcvd, Ord, Prnt, Fld by Council**

6.      Petitions and Communications

7.      Land Use Call-Ups

**M 0408-2011**      **By Council Member Chin:  
Pursuant to Rule 11.20(b) of the Council and Section 20-226 (g) or Section 20-225(g) of the New York City Administrative Code, the Council resolves that the action of the Department of Consumer Affairs approving an unenclosed/enclosed sidewalk café located at 212 Lafayette Street, Community Board 2, Application 20115530 TCM shall be subject to review by the Council.**

**Attachments:**    Hearing Transcript - Stated Meeting 3-2-11

**A motion was made that this Land Use Call-Up be Approved, by Council approved by Consent Roll Call.**

**M 0409-2011**      **By Council Member Garodnick:**  
**Pursuant to Rule 11.20(b) of the Council and Section 20-226 (g) or Section 20-225(g) of the New York City Administrative Code, the Council resolves that the action of the Department of Consumer Affairs approving an unenclosed/enclosed sidewalk café located at 1022 Lexington Avenue, Community Board 8, Application 20115128 TCM shall be subject to review by the Council.**

**Attachments:**    Hearing Transcript - Stated Meeting 3-2-11

**A motion was made that this Land Use Call-Up be Approved, by Council approved by Consent Roll Call.**

**M 0410-2011**      **By Council Member Jackson:**  
**Pursuant to Rule 11.20(b) of the Council and Section 197-d(b)(3) of the New York City Charter, the Council resolves that the action of the City Planning Commission on Uniform Land Use Review Procedure Application N 100339 ZAM shall be subject to review by the Council.**

**Attachments:**    Hearing Transcript - Stated Meeting 3-2-11

**A motion was made that this Land Use Call-Up be Approved, by Council approved by Consent Roll Call.**

*The President Pro Tempore (Council Member Rivera) put the question whether the Council would agree with and adopt such motion which was decided in the affirmative by the following vote:*

Passed The Consent Agenda

**A motion was made that these files be approved by consent vote.**

**Affirmative:** 49 -

Speaker Quinn, Barron, Brewer, Cabrera, Chin, Comrie Jr., Crowley, Dickens, Dilan, Dromm, Eugene, Ferreras, Fidler, Foster, Garodnick, Gennaro, Gentile, Gonzalez, Greenfield, Halloran III, Ignizio, Jackson, James, Koo, Koppell, Lander, Lappin, Levin, Mark-Viverito, Mealy, Mendez, Nelson, Oddo, Palma, Recchia Jr., Reyna, Rivera, Rodriguez, Rose, Sanders Jr., Seabrook, Ulrich, Vacca, Vallone Jr., Van Bramer, Vann, Weprin, Williams and Wills

**Excused:** 2 -

Arroyo and Koslowitz

*At this point, the President Pro Tempore (Council Member Rivera) declared that the aforementioned items were adopted and referred to the Committee on Land Use and to the appropriate Land Use Subcommittee.*

8. Communication from the Speaker
9. Discussion of General Orders

## 10. Reports of Special Committees

*None.*

## 11. Reports of Standing Committees

Report of the Committee on Finance

**Int 0026-2010      **A Local Law to amend the administrative code of the city of New York, in relation to the sale of tax liens.****

**Attachments:** Int. No. 26 - 2/3/10, Cover Sheet, Committee Report 5/6/10, Hearing Testimony 5/6/10, Hearing Transcript 5/6/10, Proposed Int. No. 26-A - 2/18/11, Committee Report 2/18/11, Hearing Transcript 2/18/11, Committee Report 3/2/11, Hearing Transcript 3/2/11, Fiscal Impact Statement, Mayor's Letter, Message of Necessity, Hearing Transcript - Stated Meeting 3-2-11

*With Message of Necessity*

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

**Enactment No:** 2011/015

Report of the Committee on Housing and Buildings

**Int 0291-2010      **A Local Law to amend the administrative code of the city of New York, in relation to penalties for violating the housing maintenance code by failing to provide adequate heat and hot water.****

**Attachments:** Int. No. 291 - 6/29/10, Committee Report 2/8/11, Hearing Testimony 2/8/11, Hearing Transcript 2/8/11, Committee Report 3/2/11, Hearing Transcript 3/2/11, Committee Report - Stated Meeting 3/2/11, Fiscal Impact Statement, Mayor's Letter, Hearing Transcript - Stated Meeting 3-2-11

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

**Enactment No:** 2011/016

Report of the Committee on Land Use

**LU 0316-2011**      **Application no. 20115231 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of Sol's Restaurant, Inc., d/b/a Il Sole, to continue to maintain and operate an unenclosed sidewalk café located at 233 Dyckman Street, Borough of Manhattan, Council District no. 7. 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.**

**Attachments:**    Land Use Calendar - Week of February 28 - March 4, 2011, Hearing Transcript - Zoning 2-28-11, Land Use Calendar - March 1, 2011, Hearing Transcript - Land Use 3-1-11, Hearing Transcript - Stated Meeting 3-2-11

**This Land Use Application was Laid Over by Council**

**LU 0317-2011**      **Application no. 20115165 TCK, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of Marlow, Inc., d/b/a Diner, to continue to maintain and operate an unenclosed sidewalk café located at 85 Broadway, 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.**

**Attachments:**    Land Use Calendar - Week of February 28 - March 4, 2011, Hearing Transcript - Zoning 2-28-11, Land Use Calendar - March 1, 2011, Hearing Transcript - Land Use 3-1-11, Committee Report, Resolution, Hearing Transcript - Stated Meeting 3-2-11

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

**Res 0695-2011**      **Resolution approving the petition for a revocable consent for an unenclosed sidewalk café located at 85 Broadway, Borough of Brooklyn (20115165 TCK; L.U. No. 317).**

**Attachments:**    Committee Report, Hearing Transcript - Stated Meeting 3-2-11

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



**LU 0318-2011**      **Application no. 20115294 TCK, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of Agora, Inc., d/b/a Barberry, to continue to maintain and operate an unenclosed sidewalk café located at 152 metropolitan 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.**

**Attachments:** Land Use Calendar - Week of February 28 - March 4, 2011, Hearing Transcript - Zoning 2-28-11, Land Use Calendar - March 1, 2011, Hearing Transcript - Land Use 3-1-11, Committee Report, Resolution, Hearing Transcript - Stated Meeting 3-2-11

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

**Res 0696-2011**      **Resolution approving the petition for a revocable consent for an unenclosed sidewalk café located at 152 Metropolitan Avenue, Borough of Brooklyn (20115294 TCK; L.U. No. 318).**

**Attachments:** Committee Report, Hearing Transcript - Stated Meeting 3-2-11

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

Report of the Committee on Rules, Privileges, and Elections

**M 0405-2011**      **Communication from the Mayor – Submitting the name of Frank V. Carone from the City Council for its advice and consent regarding his appointment to the New York City Taxi and Limousine Commission, Pursuant to Sections 31 and 2301 of the City Charter.**

**Attachments:** Committee Report, Resolution, Hearing Transcript, Hearing Transcript - Stated Meeting 3-2-11

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

**Res 0697-2011**      **RESOLUTION APPROVING THE APPOINTMENT BY THE MAYOR OF FRANK V. CARONE AS A MEMBER OF THE NEW YORK CITY TAXI AND LIMOUSINE COMMISSION.**

**Attachments:** Committee Report, Hearing Transcript - Stated Meeting 3-2-11

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

**M 0406-2011      Communication from the Mayor - Submitting the name of Nora Constance Marino from the City Council for its advice and consent regarding her appointment to the New York City Taxi and Limousine Commission, Pursuant to Sections 31 and 2301 of the City Charter.**

**Attachments:** Committee Report, Resolution, Hearing Transcript, Hearing Transcript - Stated Meeting 3-2-11

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

**Res 0698-2011      RESOLUTION APPROVING THE APPOINTMENT BY THE MAYOR OF NORA CONSTANCE MARINO AS A MEMBER OF THE NEW YORK CITY TAXI AND LIMOUSINE COMMISSION.**

**Attachments:** Committee Report, Hearing Transcript - Stated Meeting 3-2-11

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

Report of the Committee on Women's Issues

**Int 0371-2010      A Local Law to amend the administrative code of the city of New York, in relation to pregnancy services centers.**

**Attachments:** Int. No. 371 - 10/13/2010, Committee Report 11/16/10, Hearing Testimony 11/16/10, Hearing Transcript 11/16/10, Committee Report 3/1/11, Hearing Transcript 3/1/11(Morning Hearing), Committee Report - Stated Meeting 3/2/11, Fiscal Impact Statement, Mayor's Letter, Hearing Transcript - Stated Meeting 3-2-11

**A motion was made that this Introduction be Approved by Council failed by Roll Call.**

**Affirmative:** 39 -

Speaker Quinn, Barron, Brewer, Chin, Comrie Jr., Crowley, Dickens, Dilan, Dromm, Ferreras, Fidler, Foster, Garodnick, Gennaro, Gonzalez, Greenfield, Jackson, James, Koppell, Lander, Lappin, Levin, Mark-Viverito, Mendez, Nelson, Palma, Recchia Jr., Reyna, Rivera, Rodriguez, Rose, Sanders Jr., Seabrook, Vacca, Van Bramer, Vann, Weprin, Williams and Wills

**Negative:** 9 -

Cabrera, Gentile, Halloran III, Ignizio, Koo, Mealy, Oddo, Ulrich and Vallone Jr.

**Excused:** 2 -

Arroyo and Koslowitz

**Abstain:** 1 -

Eugene

**Enactment No:** 2011/017

## 12. General Orders Calendar

**T2010-0002 Commissioner of Deeds**

**Attachments:** Hearing Transcript - Charter Meeting 1/6/10, Hearing Transcript - Stated Meeting 1/21/10, Hearing Transcript - Stated Meeting 2/3/10, Hearing Transcript - Stated Meeting 2/11/10, Hearing Transcript - Stated Meeting 3/3/10, Hearing Transcript - Stated Meeting 3/25/10, Hearing Transcript - Stated Meeting 4/14/10, Hearing Transcript - Stated Meeting 4/29/10, Hearing Transcript - Stated Meeting 5/12/10, Hearing Transcript - Stated Meeting 5/25/10, Hearing Transcript - Stated Meeting 6/9/10, Hearing Transcript - Stated Meeting 6/29/10, Hearing Transcript - Stated Meeting 7/29/10, Hearing Transcript - Stated Meeting 8/25/10, Hearing Transcript - Stated Meeting 9-16-10, Hearing Transcript - Stated Meeting 9-29-10, Hearing Transcript - Stated Meeting 10-13-10, Hearing Transcript - Stated Meeting 10-27-10, Hearing Transcript - Stated Meeting 11-17-10, Hearing Transcript - Stated Meeting 11-30-10, Hearing Transcript - Stated Meeting 12-8-10, Hearing Transcript - Stated Meeting 12-20-10, Hearing Transcript - Stated Meeting 1/5//11, Hearing Transcript - Stated Meeting 1-18-11, Hearing Transcript - Stated Meeting 2-2-11, Hearing Transcript - Stated Meeting 2-16-11, Hearing Transcript - Stated Meeting 3-2-11

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

Coupled on General Order Calendar

Finance

**Int 0026-2010 A Local Law to amend the administrative code of the city of New York, in relation to the sale of tax liens.**

**Attachments:** Int. No. 26 - 2/3/10, Cover Sheet, Committee Report 5/6/10, Hearing Testimony 5/6/10, Hearing Transcript 5/6/10, Proposed Int. No. 26-A - 2/18/11, Committee Report 2/18/11, Hearing Transcript 2/18/11, Committee Report 3/2/11, Hearing Transcript 3/2/11, Fiscal Impact Statement, Mayor's Letter, Message of Necessity, Hearing Transcript - Stated Meeting 3-2-11

*With Message of Necessity*

**Enactment No:** 2011/015

Housing and Buildings

**Int 0291-2010 A Local Law to amend the administrative code of the city of New York, in relation to penalties for violating the housing maintenance code by failing to provide adequate heat and hot water.**

**Attachments:** Int. No. 291 - 6/29/10, Committee Report 2/8/11, Hearing Testimony 2/8/11, Hearing Transcript 2/8/11, Committee Report 3/2/11, Hearing Transcript 3/2/11, Committee Report - Stated Meeting 3/2/11, Fiscal Impact Statement, Mayor's Letter, Hearing Transcript - Stated Meeting 3-2-11

**Enactment No:** 2011/016

## Land Use

- Res 0695-2011**      **Resolution approving the petition for a revocable consent for an unenclosed sidewalk café located at 85 Broadway, Borough of Brooklyn (20115165 TCK; L.U. No. 317).**

**Attachments:**    Committee Report, Hearing Transcript - Stated Meeting 3-2-11

- Res 0696-2011**      **Resolution approving the petition for a revocable consent for an unenclosed sidewalk café located at 152 Metropolitan Avenue, Borough of Brooklyn (20115294 TCK; L.U. No. 318).**

**Attachments:**    Committee Report, Hearing Transcript - Stated Meeting 3-2-11

## Rules, Privileges, and Elections

- Res 0697-2011**      **RESOLUTION APPROVING THE APPOINTMENT BY THE MAYOR OF FRANK V. CARONE AS A MEMBER OF THE NEW YORK CITY TAXI AND LIMOUSINE COMMISSION.**

**Attachments:**    Committee Report, Hearing Transcript - Stated Meeting 3-2-11

- Res 0698-2011**      **RESOLUTION APPROVING THE APPOINTMENT BY THE MAYOR OF NORA CONSTANCE MARINO AS A MEMBER OF THE NEW YORK CITY TAXI AND LIMOUSINE COMMISSION.**

**Attachments:**    Committee Report, Hearing Transcript - Stated Meeting 3-2-11

## Women's Issues

- Int 0371-2010**      **A Local Law to amend the administrative code of the city of New York, in relation to pregnancy services centers.**

**Attachments:**    Int. No. 371 - 10/13/2010, Committee Report 11/16/10, Hearing Testimony 11/16/10, Hearing Transcript 11/16/10, Committee Report 3/1/11, Hearing Transcript 3/1/11(Morning Hearing), Committee Report - Stated Meeting 3/2/11, Fiscal Impact Statement, Mayor's Letter, Hearing Transcript - Stated Meeting 3-2-11

**Enactment No:** 2011/017

## General Order Calendar

**T2010-0002 Commissioner of Deeds**

**Attachments:** Hearing Transcript - Charter Meeting 1/6/10, Hearing Transcript - Stated Meeting 1/21/10, Hearing Transcript - Stated Meeting 2/3/10, Hearing Transcript - Stated Meeting 2/11/10, Hearing Transcript - Stated Meeting 3/3/10, Hearing Transcript - Stated Meeting 3/25/10, Hearing Transcript - Stated Meeting 4/14/10, Hearing Transcript - Stated Meeting 4/29/10, Hearing Transcript - Stated Meeting 5/12/10, Hearing Transcript - Stated Meeting 5/25/10, Hearing Transcript - Stated Meeting 6/9/10, Hearing Transcript - Stated Meeting 6/29/10, Hearing Transcript - Stated Meeting 7/29/10, Hearing Transcript - Stated Meeting 8/25/10, Hearing Transcript - Stated Meeting 9-16-10, Hearing Transcript - Stated Meeting 9-29-10, Hearing Transcript - Stated Meeting 10-13-10, Hearing Transcript - Stated Meeting 10-27-10, Hearing Transcript - Stated Meeting 11-17-10, Hearing Transcript - Stated Meeting 11-30-10, Hearing Transcript - Stated Meeting 12-8-10, Hearing Transcript - Stated Meeting 12-20-10, Hearing Transcript - Stated Meeting 1/5/11, Hearing Transcript - Stated Meeting 1-18-11, Hearing Transcript - Stated Meeting 2-2-11, Hearing Transcript - Stated Meeting 2-16-11, Hearing Transcript - Stated Meeting 3-2-11

*The President Pro Tempore (Council Member Rivera) put the question whether the Council would agree with and adopt such reports, which were decided in the affirmative by the following vote:*

Passed The Consent Agenda

**A motion was made that these files be approved by consent vote.**

**Affirmative:** 49 -

Speaker Quinn, Barron, Brewer, Cabrera, Chin, Comrie Jr., Crowley, Dickens, Dilan, Dromm, Eugene, Ferreras, Fidler, Foster, Garodnick, Gennaro, Gentile, Gonzalez, Greenfield, Halloran III, Ignizio, Jackson, James, Koo, Koppell, Lander, Lappin, Levin, Mark-Viverito, Mealy, Mendez, Nelson, Oddo, Palma, Recchia Jr., Reyna, Rivera, Rodriguez, Rose, Sanders Jr., Seabrook, Ulrich, Vacca, Vallone Jr., Van Bramer, Vann, Weprin, Williams and Wills

**Excused:** 2 -

Arroyo and Koslowitz

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

*Int No. 371-A, 39-9-1.*

*See files for individual votes.*

13. Introduction & Reading of Bills  
See Attached
14. Discussion of Resolutions

## 15. Resolutions

**Res 0666-2011      Resolution calling upon the United States House of Representatives to vote against H.R. 358, a bill which will severely restrict women's right to access abortion and endanger women's lives by permitting health care providers to deny life saving care in emergencies.**

**Attachments:**    Res. No. 666 - 2/16/11, Committee Report, Hearing Transcript, Hearing Transcript - Stated Meeting 3-2-11

*Pursuant to Rule 8.50 of the Council, The President Pro Tempore (Council Member Rivera) called for a voice vote.*

*Hearing those in favor, the President Pro Tempore (Council Member Rivera) declared the Resolution to be adopted.*

*The following 3 Council Members formally voted against this item: Council Members Halloran, Ignizio, and Koo.*

*Adopted by the Council by voice-vote.*

**A motion was made that this Resolution be Approved, by Council approved by Voice Vote.**

**Res 0670-2011      Resolution calling upon the United States House of Representatives to vote against H.R. 3, a bill which will raise taxes on millions of Americans and severely limit women's right to access abortion services.**

**Attachments:** Res. No. 670 - 2/16/11, Committee Report, Hearing Transcript, Hearing Transcript - Stated Meeting 3-2-11

*Pursuant to Rule 8.50 of the Council, the President Pro Tempore (Council Member Rivera) called for a voice vote.*

*Hearing those in favor, the President Pro Tempore (Council Member Rivera) declared the Resolution to be adopted.*

*The following 3 Council Members formally voted against this item: Council Members Halloran, Ignizio, and Koo.*

*The following Council Member formally abstained to vote on this item: Council Member Wills.*

*Adopted by the Council by voice-vote.*

**A motion was made that this Resolution be Approved, by Council approved by Voice Vote.**

**Res 0672-2011      Resolution urging the United States House of Representatives to vote against H.R. 217, a bill that will restrict access to women's reproductive health services by severely restricting funding for family planning providers and the United States Senate to protect family planning funds and reject the total defunding of Planned Parenthood.**

**Attachments:**    Res. No. 672 - 2/16/11, Committee Report, Hearing Transcript, Hearing Transcript - Stated Meeting 3-2-11

*Pursuant to Rule 8.50 of the Council, The President Pro Tempore (Council Member Rivera) called for a voice vote.*

*Hearing those in favor, the President Pro Tempore (Council Member Rivera) declared the Resolution to be adopted.*

*The following 3 Council Members formally voted against this item: Council Members Halloran, Ignizio, and Koo.*

*Adopted by the Council by voice-vote.*

**A motion was made that this Resolution be Approved, by Council approved by Voice Vote.**

- 16.    General Discussion
- 17.    Extension of Remarks

#### INTRODUCTION AND READING OF BILLS

**Res 0685-2011      Resolution amending the Council Rules to provide that the Speaker shall issue Council Procurement Procedures.**

**Sponsors:**        By The Speaker (Council Member Quinn) and Council Members Brewer, Comrie Jr. and Dromm

**This Resolution was Referred to Comm by Council to the Committee on Rules, Privileges and Elections**



**Int 0486-2011**      **A Local Law to amend the New York city charter and the administrative code of the city of New York, in relation to the transfer of functions from the department of records and information services to the department of citywide administrative services, and to repeal chapter 72 of the charter concerning the department of records and information services.**

**Sponsors:**      By Council Members Brewer, Dromm, Fidler, Williams and Halloran III (by request of the Mayor)

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

**Int 0487-2011**      **A Local Law to amend the administrative code of the city of New York, in relation to requiring the installation of detectable warning surfaces.**

**Sponsors:**      By Council Members Brewer, Vacca, Cabrera, Dromm, James, Koppell, Lander, Mendez and Williams

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

**Int 0488-2011**      **A Local Law to amend the New York city charter, in relation to requiring the New York City Board of Elections to post sample ballots on its website prior to elections.**

**Sponsors:**      By Council Members Brewer, Cabrera, Chin, Dromm, Fidler, Gentile, Koppell, Lander, Lappin, Mealy, Mendez, Reyna, Rose, Van Bramer, Williams, Foster, Halloran III, Koo and Ulrich

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

**Res 0686-2011**      **Resolution calling on the United States Congress to pass and the President to sign into law the “Large Capacity Ammunition Feeding Device Act” (H.R.308/S.32), which would prohibit the transfer or possession of large capacity ammunition feeding devices unless otherwise permissible by law.**

**Sponsors:**      By Council Members Brewer, Jackson, Cabrera, Chin, Comrie Jr., Dromm, Fidler, Gentile, James, Koppell, Lander, Mendez, Rose, Vann and Williams

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

**Res 0687-2011      Resolution calling on the New York City Congressional Delegation and President Barack Obama to prevent cuts to the Community Services Block Grant Program.**

**Sponsors:**      By Council Members Comrie Jr., Brewer, Cabrera, Chin, Dickens, Dromm, Fidler, Gonzalez, James, Lander, Mealy, Mendez, Rose, Sanders Jr., Vann, Williams, Foster and Koo

**This Resolution was Referred to Comm by Council to the Committee on Finance**

**Res 0688-2011      Resolution calling upon the New York State Legislature to amend the Penal Law by creating the crime of aggravated criminal use of a firearm for discharging a firearm on school grounds or public park lands.**

**Sponsors:**      By Council Members Dickens, Brewer, Cabrera, Chin, Comrie Jr., Fidler, Gentile, Mendez, Nelson, Sanders Jr., Williams and Foster

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

**Int 0489-2011      A Local Law to amend the administrative code of the city of New York, in relation to limiting the parking of motor vehicles by dealers.**

**Sponsors:**      By Council Members Dromm, Brewer, Cabrera, Gentile, James, Lander, Mealy, Nelson, Williams and Foster

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

**Res 0689-2011      Resolution calling on the United States Food and Drug Administration to make “gluten-free” labeling of foods mandatory.**

**Sponsors:**      By Council Members Dromm, Brewer, Koppell, Mendez, Nelson, Reyna, Rose, Sanders Jr., Williams and Lappin

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

**Int 0490-2011      A Local Law to amend the administrative code of the city of New York, in relation to cancelling tickets upon showing of valid receipt.**

**Sponsors:**      By Council Members Gennaro, Cabrera, Chin, Comrie Jr., Fidler, Gentile, James, Lander, Mealy, Nelson, Reyna, Rose, Williams and Ulrich

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

**Int 0491-2011      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 gang-related arrests in schools.**

**Sponsors:**      By Council Members Halloran III, Cabrera, Chin, Fidler, James, Koppell, Mealy, Williams, Foster, Koo and Ulrich

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

**Int 0492-2011      A Local Law to amend the New York City Charter, in relation to records access by council members.**

**Sponsors:**      By Council Members Halloran III, Mealy and Sanders Jr.

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

**Res 0690-2011      Resolution proclaiming that the New York City Council stands in solidarity with public workers in Wisconsin, Ohio, and in other states around the country as their struggle for dignity and economic security is one shared by all New Yorkers and Americans.**

**Sponsors:**      By Council Members Jackson, Brewer, Chin, Comrie Jr., Dickens, Dromm, Gentile, Gonzalez, James, Koppell, Lander, Mealy, Mendez, Rivera, Rose, Sanders Jr., Van Bramer, Williams, Foster, Vacca, Eugene, Barron, Wills, Levin, Cabrera, Weprin, Mark-Viverito and Koslowitz

**Attachments:**      Res. No. 690 - 3/2/11, Committee Report

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

**Int 0493-2011      A Local Law to amend the administrative code of the city of New York, in relation to providing information about free foreclosure prevention assistance.**

**Sponsors:**      By Council Members James, Cabrera, Chin, Comrie Jr., Dromm, Fidler, Gentile, Gonzalez, Koppell, Mealy, Mendez, Rose, Sanders Jr., Van Bramer, Vann, Williams, Foster, Halloran III and Koo

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

**Res 0691-2011      Resolution calling upon the New York City Department of Health and Mental Hygiene to study the effects of fluoride in tap water.**

**Sponsors:**      By Council Members James, Cabrera, Chin, Mealy, Mendez, Rose, Williams, Foster and Koo

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

- Int 0494-2011**      **A Local Law to amend the administrative code of the city of New York, in relation to requiring the posting of a bond to ensure compliance with building and maintenance requirements by holders of mortgages commencing foreclosure actions.**
- Sponsors:**      By Council Members Lander, Comrie Jr., Fidler, Vann, Williams, Brewer, Cabrera, Chin, Dickens, Dromm, Gentile, James, Jackson, Mark-Viverito, Mendez, Rose, Rivera, Ferreras, Foster, Gonzalez, Van Bramer, Wills, Eugene, Levin, Rodriguez, Sanders Jr., Seabrook, Vacca, Palma, Halloran III and Koo
- This Introduction was Referred to Comm by Council to the Committee on Housing and Buildings
- Res 0692-2011**      **Resolution calling upon the New York State Legislature to pass and the Governor to sign into law A.1306 and S.1337, in relation to requiring all passengers of motor vehicles sixteen years and older to be restrained by safety belts.**
- Sponsors:**      By Council Members Levin, Mendez, Williams and Foster
- This Resolution was Referred to Comm by Council to the Committee on Transportation
- Res 0693-2011**      **Resolution calling on the United States Senate to ratify the Convention on the Rights of the Child in order to enable New York City to participate in proceedings before its monitoring body.**
- Sponsors:**      By Council Members Rodriguez, Dromm, Cabrera, Koppell, Lander, Mendez, Vann and Williams
- This Resolution was Referred to Comm by Council to the Committee on General Welfare
- Res 0694-2011**      **Resolution that celebrates “Harriet Tubman Day” on March 10, 2011, and supports Senate Bill S.247, sponsored by U.S. Senators Charles Schumer (D-NY), Kirsten Gillibrand (D-NY), Benjamin Cardin (D-MD) and Barbara Mikulski (D-MD), that would create two national historic park sites in New York and Maryland, in honor of Harriet Tubman, who escaped slavery to become the most famous conductor on the Underground Railroad.**
- Sponsors:**      By Council Members Vann, Brewer, Cabrera, Chin, Comrie Jr., Dickens, Dromm, Fidler, James, Koppell, Lander, Mealy, Mendez, Nelson, Rose, Sanders Jr., Van Bramer, Williams, Wills, Foster, Eugene, Koslowitz, Levin and Halloran III
- This Resolution was Referred to Comm by Council to the Committee on Cultural Affairs, Libraries and International Intergroup Relations

**Int 0495-2011      A Local Law to amend the administrative code of the city of New York, in relation to the turn off of unused sprinklers.**

**Sponsors:**      By Council Members Weprin, Cabrera, Dromm, Fidler, James, Koppell, Lander, Mealy, Rose, Williams and Foster

**This Introduction was Referred to Comm by Council to the Committee on Parks and Recreation**

**LU 0329-2011      Application no. 20115128 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of Le Magnifique LLC d.b.a Le Magnifique to establish, maintain and operate an unenclosed sidewalk café located at 1022 Lexington Avenue, Borough of Manhattan, Council District no.4. This application is subject to review and action by the Land Use Committee only if called-up by vote of the Council pursuant to Rule 11.20b of the Council and §20-226(g) of the New York City Administrative Code.**

**Sponsors:**      By Council Member Comrie Jr.

**Attachments:**      Land Use Calendar - Week of March 14 - March 18, 2011, Land Use Calendar - March 16, 2011

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

**Attachments:**      Land Use Calendar - Week of March 14 - March 18, 2011, Land Use Calendar - March 16, 2011

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

**LU 0330-2011      Application no. 20115530 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of 212 Lafayette Associates, LLC d.b.a Café Select to establish, maintain and operate an unenclosed sidewalk café located at 212 Lafayette Street, Borough of Manhattan, Council District no. 1. This application is subject to review and action by the Land Use Committee only if called-up by vote of the Council pursuant to Rule 11.20b of the Council and §20-226(g) of the New York City Administrative Code.**

**Sponsors:**      By Council Member Comrie Jr.

**Attachments:**      Land Use Calendar - Week of March 14 - March 18, 2011

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

**Attachments:**      Land Use Calendar - Week of March 14 - March 18, 2011

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

**LU 0331-2011**      **Application no. C 070245 ZMK 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, changing from an M3-1 District to an M1-4/R6A District, Section No. 12, Council District 33.**

**Sponsors:**      By Council Member Comrie Jr.

**Attachments:**      Land Use Calendar - Week of March 14 - March 18, 2011, Land Use Calendar - March 16, 2011

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

**Attachments:**      Land Use Calendar - Week of March 14 - March 18, 2011, Land Use Calendar - March 16, 2011

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

**LU 0332-2011**      **Application no. N 070246 ZRK 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, concerning Appendix F (Inclusionary housing designated areas), Council District 33.**

**Sponsors:**      By Council Member Comrie Jr.

**Attachments:**      Land Use Calendar - Week of March 14 - March 18, 2011, Land Use Calendar - March 16, 2011

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

**Attachments:**      Land Use Calendar - Week of March 14 - March 18, 2011, Land Use Calendar - March 16, 2011

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

**LU 0333-2011**      **Application no. N 100339 ZAM submitted by Columbia University in the City of New York for the grant of an authorization pursuant to Section 62-822 (a) of the Zoning Resolution to modify the location, area and minimum dimension requirements of Section 62-50 in connection with a proposed 5-story, approximately 47,700 square foot building, (Block 2244, Lots 1 and 100) in an R7-2 District, Council District 7. 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.**

**Sponsors:**      By Council Member Comrie Jr.

**Attachments:**      Land Use Calendar - Week of March 14 - March 18, 2011

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

**Attachments:**      Land Use Calendar - Week of March 14 - March 18, 2011

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

**LU 0334-2011**      **Application no. 20115317 HKM (N 110181 HKM), pursuant to §3020 of the Charter of the City of New York, concerning the designation (List No.436, LP-2427) by the Landmarks Preservation Commission of the 500 Fifth Avenue Building, located at 500 Fifth Avenue, (Block 1258, Lot 34), Council District no. 3.**

**Sponsors:**      By Council Member Comrie Jr.

**Attachments:**      Land Use Calendar - Week of March 14 - March 18, 2011, Land Use Calendar - March 16, 2011

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

**Attachments:**      Land Use Calendar - Week of March 14 - March 18, 2011, Land Use Calendar - March 16, 2011

**This Land Use Application was Referred to Comm by Council to the Subcommittee on Landmarks, Public Siting and Maritime Uses**

LU 0335-2011      **Application no. 20115318 HKX (N 110182 HKX), pursuant to §3020 of the Charter of the City of New York, concerning the designation (List No.436, LP-2399) by the Landmarks Preservation Commission of Alderbrook House, located at 4715 Independence Avenue (Block 5926, Lot 76) as a historic landmark, Council District no. 11.**

**Sponsors:**      By Council Member Comrie Jr.

**Attachments:**      Land Use Calendar - Week of March 14 - March 18, 2011

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

**Attachments:**      Land Use Calendar - Week of March 14 - March 18, 2011

**This Land Use Application was Referred to Comm by Council to the Subcommittee on Landmarks, Public Siting and Maritime Uses**

LU 0336-2011      **Application no. 20115315 HKK (N 110183 HKK), pursuant to §3020 of the Charter of the City of New York, concerning the designation (List No.436, LP-2408) by the Landmarks Preservation Commission of the Coney Island Theatre Building, located at 1301 Surf Avenue (Block 7064, Lot 16) as a historic landmark, Council District no. 47.**

**Sponsors:**      By Council Members Comrie Jr. and Fidler

**Attachments:**      Land Use Calendar - Week of March 14 - March 18, 2011, Land Use Calendar - March 16, 2011

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

**Attachments:**      Land Use Calendar - Week of March 14 - March 18, 2011, Land Use Calendar - March 16, 2011

**This Land Use Application was Referred to Comm by Council to the Subcommittee on Landmarks, Public Siting and Maritime Uses**

LU 0337-2011      **Application no. 20115316 HKM (N 110184 HKM), pursuant to §3020 of the Charter of the City of New York, concerning the designation (List No.436, LP-2432) by the Landmarks Preservation Commission of the Rogers, Peet and Company Building, located at 258 Broadway, Council District no. 1.**

**Sponsors:**      By Council Member Comrie Jr.

**Attachments:**      Land Use Calendar - Week of March 14 - March 18, 2011, Land Use Calendar - March 16, 2011

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

**Attachments:**      Land Use Calendar - Week of March 14 - March 18, 2011, Land Use Calendar - March 16, 2011

**This Land Use Application was Referred to Comm by Council to the Subcommittee on Landmarks, Public Siting and Maritime Uses**



**LU 0338-2011**      **Application no. 20115275 SCQ, a proposed site for a new, approximately 757-Seat Primary/Intermediate School Facility, located at southwest corner of Hillside Avenue and 164th Street (Block 9813, Lot 33), Council District no. 24, Borough of Queens. This matter is subject to Council review and action pursuant Section 1732 of the New York State Public Authorities Law.**

**Sponsors:**      By Council Member Comrie Jr.

**Attachments:**      Land Use Calendar - Week of March 14 - March 18, 2011, Land Use Calendar - March 16, 2011

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

**Attachments:**      Land Use Calendar - Week of March 14 - March 18, 2011, Land Use Calendar - March 16, 2011

**This Land Use Application was Referred to Comm by Council to the Subcommittee on Landmarks, Public Siting and Maritime Uses**

**LU 0339-2011**      **Application no. 20115299 SCK, a proposed site for a new, approximately 735-Seat Primary/Intermediate School Facility, located at Coney Island Ave., Turner Place, Hinckley Place and East 8th Street (Block 5342, Lot 6, 8, 10, 17, 19, 26, 28 and 30), Council District no. 40, Borough of Brooklyn. This matter is subject to Council review and action pursuant Section 1732 of the New York State Public Authorities Law.**

**Sponsors:**      By Council Member Comrie Jr.

**Attachments:**      Land Use Calendar - Week of March 14 - March 18, 2011, Land Use Calendar - March 16, 2011

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

**Attachments:**      Land Use Calendar - Week of March 14 - March 18, 2011, Land Use Calendar - March 16, 2011

**This Land Use Application was Referred to Comm by Council to the Subcommittee on Landmarks, Public Siting and Maritime Uses**

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

*Whereupon on motion of the Speaker (Council Member Quinn), the President Pro Tempore (Council Member Rivera) adjourned to meet again on Wednesday, March 23, 2011.*

*MICHAEL M. McSWEENEY, City Clerk*

*Clerk of the Council*