

The New York City Council

*City Hall
New York, NY 10007*



Meeting Minutes

Thursday, June 20, 2002

5:00 PM

Recessed Meeting of June 5, 2002

Council Chambers - City Hall

City Council

A. Gifford Miller, Speaker

Members: Joseph P. Addabbo, Jr., Tony Avella, Maria Baez, Charles Barron, Tracy L. Boyland, Gale A. Brewer, Yvette D. Clarke, Leroy G. Comrie, James E. Davis, Bill de Blasio, Ruben Diaz, Erik Martin Dilan, Simcha Felder, Lewis A. Fidler, Helen D. Foster, Dennis P. Gallagher, James F. Gennaro, Alan J. Gerson, Eric N. Gioia, Martin J. Golden, Robert Jackson, Allan W. Jennings, Melinda R. Katz, G. Oliver Koppell, Andrew J. Lanza, John C. Liu, Margarita Lopez, Miguel Martinez, Michael E. McMahon, Hiram Monserrate, Eva S. Moskowitz, Michael C. Nelson, James Oddo, William Perkins, Madeline Provenzano, Christine C. Quinn, Philip Reed, Domenic M. Recchia, Jr., Diana Reyna, Joel Rivera, Angel Rodriguez, James Sanders, Larry B. Seabrook, Helen Sears, Jose M. Serrano, Kendall B. Stewart, Peter F. Vallone, Jr., Albert Vann, David I. Weprin, David Yassky.

Recessed Meeting of June 5, 2002 held on June 20, 2002

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

2. ROLL CALL

Present:

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

Excused:

Jennings Jr., Monserrate, Moskowitz, Rodriguez and Vann

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

1. Adoption of Minutes

None.

2. Messages and Papers from the Mayor

M 0217-2002

Communication from the Mayor - "AN ACT to amend the general municipal law, the administrative code of the city of New York, the retirement and social security law and the education law, in relation to providing special accidental death benefits and accidental death benefits to registered domestic partners of deceased members of the New York city police pension fund, subchapter two, the New York city fire department pension fund, subchapter two, the New York city employees' retirement system, the New York city teachers' retirement system and the board of education retirement system of the city of New York". S.7772, A.11799

Attachments: Stated Meeting - Hearing Transcript - 6/20, Hearing Transcript

M 0218-2002

Communication from the Mayor - AN ACT to amend the local finance law, in relation to certain periods of probable usefulness, interest rate exchange agreements of the city of New York and amortization of bonds of such city; to amend the general municipal law, in relation to the creation of certain not-for-profit corporations by the city of New York; to amend the general municipal law and the local finance law, in relation to cash sales of capital improvements; to amend the New York state medical care facilities finance agency act, in relation to assuring the continued payment of rentals; and to amend the private housing finance law, in relation to providing authority for the New York city housing development corporation to acquire mortgage loans made by the city of New York pursuant to article 8-A of such law or to acquire a participation interest in such mortgage loans and increasing the bonding authority of such corporation (Part A); to amend the vehicle and traffic law and the administrative code of the city of New York, in relation to the maximum fine for parking violations and the towing threshold in a city with a population of one million or more persons (Part B); to amend the administrative code of the city of New York, in relation to the taxation of partnerships and partners engaged in providing mobile telecommunications services under the general corporation tax, banking corporation tax and unincorporated business tax, and the utility tax on providers of mobile telecommunications services (Part C); to amend the county law, in relation to authorizing any city having a population of one million or more to increase the enhanced 911 emergency telephone system surcharge (Part D); to amend chapter 235 of the laws of 1952, relating to enabling any city of the state having a population of one million or more to adopt, and amend local laws, imposing certain specified types of taxes on cigarettes, cigars and smoking tobacco which the legislature has or would have power and authority to impose, to provide for the review of such taxes, and to limit the application of such local laws, in relation to authorizing an increase in the rate of tax on cigarettes; to amend the tax law, in relation to seizure and forfeiture of certain cigarettes and of vehicles used to transport unstamped or unlawfully stamped packages of cigarettes; and to amend the state finance law, in relation to the imposition of cigarette taxes (Part E); to amend the county law, in relation to the establishment of city wireless surcharges (Part F); to amend chapter 772 of the laws of 1966, relating to the imposition of new taxes on general, financial and transportation corporations and unincorporated businesses in a city having a population of one million or more, in relation to authorizing the

local legislative body of any such city to disallow, for purposes of such taxes, certain additional accelerated depreciation deductions with respect to certain property acquired after September 10, 2001, allowed by the amendments to the internal revenue code made by section 101 of public law 107-147 (Part G); to amend the real property tax law, in relation to the determination of adjusted base proportions in special assessing units that are cities for the fiscal year 2003 (Part H); to amend the education law, in relation to making technical amendments pertaining to the New York city school construction authority (Part I); to amend the education law, in relation to disciplinary procedures for employees or titles in the city school district of the city of New York that are or were covered by any memorandum of agreement executed by such city school district and the united federation of teachers (Part J); and to amend the education law, in relation to aid for teachers of tomorrow recruitment and retention program, and providing for the repeal of such provisions upon expiration thereof (Part K). S.7783 / A.11817

Attachments: Fiscal Impact Statement, Stated Meeting - Hearing Transcript - 6/20, Hearing Transcript

3. Communications from City, County, and Borough Offices

4. Petitions and Communications

None.

5. Land Use Call-Ups

None.

6. Communications from the Speaker

7. Discussion of General Orders

8. Report of Special Committees

None.

9. Reports of Standing Committees

Report of the Committee on State and Federal Legislation

M 0217-2002 Communication from the Mayor - "AN ACT to amend the general municipal law, the administrative code of the city of New York, the retirement and social security law and the education law, in relation to providing special accidental death benefits and accidental death benefits to registered domestic partners of deceased members of the New York city police pension fund, subchapter two, the New York city fire department pension fund, subchapter two, the New York city employees' retirement system, the New York city teachers' retirement system and the board of education retirement system of the city of New York". S.7772, A.11799

Attachments: Stated Meeting - Hearing Transcript - 6/20, Hearing Transcript

Affirmative: 42 -

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

Negative: 3 -

Felder, Gallagher and Golden

Excused: 5 -

Jennings Jr., Monserrate, Moskowitz, Rodriguez and Vann

Abstain: 1 -

Diaz

M 0218-2002

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Attachments: Fiscal Impact Statement, Stated Meeting - Hearing Transcript - 6/20, Hearing Transcript

Affirmative: 46 -

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

Excused: 5 -

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10. General Order Calendar
- Coupled on General Order
- State and Federal Legislation

M 0217-2002

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local legislative body of any such city to disallow, for purposes of such taxes, certain additional accelerated depreciation deductions with respect to certain property acquired after September 10, 2001, allowed by the amendments to the internal revenue code made by section 101 of public law 107-147 (Part G); to amend the real property tax law, in relation to the determination of adjusted base proportions in special assessing units that are cities for the fiscal year 2003 (Part H); to amend the education law, in relation to making technical amendments pertaining to the New York city school construction authority (Part I); to amend the education law, in relation to disciplinary procedures for employees or titles in the city school district of the city of New York that are or were covered by any memorandum of agreement executed by such city school district and the united federation of teachers (Part J); and to amend the education law, in relation to aid for teachers of tomorrow recruitment and retention program, and providing for the repeal of such provisions upon expiration thereof (Part K). S.7783 / A.11817

Attachments: Fiscal Impact Statement, Stated Meeting - Hearing Transcript - 6/20, Hearing Transcript

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

The following file was removed from the General Order Calendar and voted separately: M-217. See files for individual vote.

11. Introduction and Reading of Bills
See Attached
12. General Discussion
13. Extension of Remarks

INTRODUCTION AND READING OF BILLS

Res 0344-2002 **Resolution calling upon the Governor to grant clemency to all political prisoners in the State of New York who have been persecuted and unjustly convicted for their political beliefs and activities.**

Sponsors: By Council Members Barron, Baez, Foster and Sanders Jr.

Res 0345-2002 Resolution calling upon the New York State Legislature to enact a law requiring that any adult who suspects child abuse be required to report such suspected abuse to the appropriate authority.

Sponsors: By Council Members Foster, Addabbo Jr., Baez, Clarke and Sanders Jr.
; also Council Member Gerson

Res 0346-2002 Resolution calling upon the United States Congress to support Senate Bill No. 924 and House Bill No. 2009, the COPS Reauthorization bill, to continue funding police officers for community policing efforts.

Sponsors: By Council Members Nelson, Vallone Jr., Addabbo Jr., Avella, Clarke, de Blasio, Felder, Fidler, Foster, Katz, Liu, Monserrate, Reyna, Sanders Jr., Sears, Stewart and Weprin ; also Council Member Gerson

Int 0231-2002 A Local Law to amend the New York city charter and administrative code, in relation to changing the name of the department of business services to the department of small business services.

Sponsors: By Council Members Perkins, Baez, Felder, Nelson, Sanders Jr. and Weprin (by request of the Mayor); also Council Members Stewart and Gerson

Attachments: Committee Report, Fiscal Impact Statement - A, Local Law, Hearing Transcript, Stated Meeting - Hearing Transcript

Enactment No: 2002/034

Int 0232-2002 A Local Law in relation to a street name, PFC Dan Bullock Way, Borough of Brooklyn.

Sponsors: By Council Member Yassky

Attachments: Committee Report, Hearing Transcript, Hearing Transcript - Stated Meeting 3/12

At this point the Speaker (Council Member Miller) made the following announcements

Whereupon on motion of the Speaker (Council Member Miller), the Public Advocate (Ms. Gotbaum) declared the meeting in recess.