

CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON PUBLIC SAFETY

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February 14, 2017  
Start: 10:34 a.m.  
Recess: 11:13 a.m.

HELD AT: Committee Room - City Hall

B E F O R E: VANESSA L. GIBSON  
Chairperson

COUNCIL MEMBERS: Vincent J. Gentile  
James Vacca  
Julissa Ferreras-Copeland  
Jumaane D. Williams  
Robert E. Cornegy, Jr.  
Chaim M. Deutsch  
Rafael Espinal, Jr.  
Rory I. Lamcman  
Ritchie J. Torres  
Steven Matteo

A P P E A R A N C E S (CONTINUED)

2 CHAIRPERSON GIBSON: Good morning, ladies  
3 and gentlemen, good morning colleagues. Welcome to  
4 City Hall. Happy Valentine's Day to each and every  
5 one of you. I am Council Member Vanessa Gibson of  
6 the 16th District in the Bronx, and I'm proud to  
7 serve as Chair of the Committee on Public Safety.  
8 This morning we will voting on 13 bills relating to  
9 the New York City's Nuisance Abatement Law, and one  
10 bill related to the use of ATVs and dirt bikes on our  
11 city streets. The Nuisance Abatement Law was first  
12 passed by the City Council in 1977 to streamline the  
13 legal process for evictions and civil actions for  
14 residential and houses of prostitution, obscenity,  
15 environmental violations, violations of alcohol  
16 beverage control law and other similar activities.  
17 The original law was effectively used to target many  
18 of the conditions in and around Times Square during  
19 the 1970s and '80s. Since that time, the law has  
20 been expanded to include additional activities that  
21 would constitute a nuisance under the law. While the  
22 law has been effective in addressing a number of  
23 quality of life issues in our communities in the  
24 city, it has been unevenly applied. Today's package  
25 of legislation will limit the application to ensure

2 that innocent residents and business owners do not  
3 lose their homes, nor businesses but will still allow  
4 the city to address a number of nuisance issues.  
5 This package of bills have the support of the NYPD  
6 and in no will affect the department's ability to  
7 criminally enforce any behavior. These amendments  
8 will still ensure that the city, the department and  
9 other agencies will have the tools needed to swiftly  
10 close house of prostitution, bodegas and grocery  
11 stores that sell K-2 and other actual nuisances, but  
12 also will protect many New Yorkers that are not  
13 involved in any such illegal activity. I would like  
14 to thank all of the sponsors for proposing these  
15 important pieces of legislation that we are voting on  
16 today.

17 The first bill Proposed Intro 1308-A is  
18 sponsored by the Speaker Melissa Mark-Viverito and is  
19 in relation to limiting the application of temporary  
20 orders obtained pursuant to the Nuisance Abatement  
21 Law.

22 Proposed Intro 1315-A, sponsored by  
23 Council Member Dan Garodnick, is in relation to  
24 resolving conflicts between the Nuisance Abatement  
25 Law and related proceedings and fines for public

2 nuisances involving alcohol such as our Alcohol and  
3 Beverage Control Law.

4 I am proud to sponsor the next bill,  
5 Intro 1317-A in relation to excluding certain  
6 violations involving possession of a controlled  
7 substance or marijuana from the Nuisance Abatement  
8 Law.

9 Proposed Intro 1318-A, sponsored by  
10 Council Member Barry Grodenchik, is in relation to  
11 requiring verification of occupancy prior to  
12 enforcing injunctive relief pursuant to the Nuisance  
13 Abatement Law.

14 Proposed Intro 1320-A, sponsored by  
15 Council Member Corey Johnson, is in relation to  
16 requiring laboratory reports and drug-related  
17 nuisance abatement cases.

18 Proposed Intro 1321-A, also sponsored by  
19 Council Member Corey Johnson, is in relation to  
20 limiting exclusions of natural persons pursuant to  
21 the Nuisance Abatement Law.

22 Proposed Intro 1323-A, sponsored by  
23 Council Member Karen Koslowitz, is in relation to  
24 limiting exclusions of natural persons pursuant to  
25 the Nuisance Abatement Law.

2 Proposed Intro 1326, sponsored by Council  
3 Member Steve Levin, is in relation to repealing the  
4 Padlock Law.

5 Proposed Intro 1327-A, sponsored by  
6 Council Member Mark Levine, is in relation to  
7 requiring reporting on the use of the Nuisance  
8 Abatement Law.

9 Proposed Intro 1333-B, sponsored by  
10 Council Member Donovan Richards is in relation to  
11 amending the definition of public nuisances and  
12 establishing timeliness requirements under the  
13 Nuisance Abatement Law and to also repeal certain  
14 provisions of the Nuisance Abatement Law defining  
15 public nuisances and provisions relating thereto.

16 Proposed Intro 1338-A, sponsored by  
17 Council Member Rafael Salamanca, is in relation to  
18 requiring procedures for the corporation counsel when  
19 filing actions under the Nuisance Abatement Law.

20 Proposed Intro 1339-A, sponsored by  
21 Council Member Ritchie Torres, is in relation to  
22 restricting certain orders and dispositions pursuant  
23 to the Nuisance Abatement Law.

24 Lastly, Intro 1344-A, sponsored by  
25 Council Member Jumaane Williams is in relation to

2 amending the Nuisance Abatement Law regarding alcohol  
3 beverages. In addition to this package of 13 bills  
4 related to nuisance abatement, we are also voting on  
5 a bill relating to ATVs and dirt bikes in the city.

6 Sponsored by Council Member Andrew Cohen,  
7 Proposed Intro 834-B is in relation to the use of  
8 all-terrain vehicles including dirt bikes.

9 Once again, I want to thank all the  
10 sponsors including the Speaker of the City Council  
11 for proposing these important pieces of legislation.  
12 It was an incredible amount of work that was done to  
13 get to this package of bills and they are truly  
14 common sense measures that will close an incredible  
15 amount of loopholes, but still allow the NYPD to  
16 address public nuisances while protecting the rights  
17 of all New Yorkers. I ask all of my colleagues to  
18 certainly consider all these bills, and join me in  
19 voting yes on these measures and certainly want to  
20 recognize the staff that did the work to get this  
21 hearing together. Our Senior Legislative Counsel  
22 Brian Crowe. Thank you Brian for all of your work.  
23 Our Senior Legislative Counsel Deepa Ambekar;  
24 Legislative Counsel Beth Golub; Legislative Policy  
25 Analyst Casey Addison and our Senior Legislative

2 Financial Analyst Steve Riester. Thank you once  
3 again to the staff, and thank you all of my  
4 colleagues for joining us, and with that, does anyone  
5 have any questions on this package of bills and the  
6 legislation by Council Member Cohen? Okay and—  
7 [background comments]—and with that, we are going to  
8 ask Billy Martin to begin calling the roll. Thank  
9 you once again, colleagues.

10 CLERK: William Martin, Committee Clerk.  
11 Roll call vote Committee on Public Safety. All items  
12 are coupled. Chair Kid—Chair Gibson.

13 CHAIRPERSON GIBSON: I vote aye.

14 CLERK: Gentile.

15 COUNCIL MEMBER GENTILE: Aye on all.

16 CLERK: Vacca.

17 COUNCIL MEMBER VACCA: May I explain my  
18 vote?

19 CHAIRPERSON GIBSON: Yes, you may.

20 COUNCIL MEMBER VACCA: Okay, I'd like to  
21 make a statement, and I appreciate all the fine work  
22 that this committee and the Council have done. I  
23 know now in New York City we're all proud of the fact  
24 that crime is low, but nothing we do should endanger  
25 the gains we have made. Some of the specific bills



2 before us, in my view, have that potential. I served  
3 as a district manager to a community board for 26  
4 years before coming to this Council, and I know what  
5 in theory my sound good, could have a negative impact  
6 on communities upon implementation. Residents have a  
7 right to live free from fear, and have—and have  
8 criminal activities in their commercial areas  
9 addressed as well. If you live with the nuisance  
10 next door to you, or in the adjoining apartment or in  
11 a store where you get a quart of milk, believe me,  
12 the word nuisance truly does not begin to describe  
13 your experience. The rights of individuals always  
14 should be a concern and they are to me, but I must  
15 report to you that the use of nuisance abatement in  
16 my district and in the Bronx has overwhelmingly given  
17 communities relief from chronic situations that cried  
18 out for action. Responsible legislation must seek to  
19 achieve an appropriate balance. So while I will be  
20 supporting some of the bills, I cannot vote to  
21 support all of them. So I vote aye on all except  
22 1315-A, 1323-A, 1326-A, 1333-B and 1344-A.

23 CLERK: Ferreras-Copeland.

24 COUNCIL MEMBER FERRERAS-COPELAND:

25 [background comments]

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2 CLERK: Deutsch.

3 COUNCIL MEMBER DEUTSCH: I vote no on  
4 1317-A, 1323-A, 1308-A and 1315-A and aye on the  
5 rest. [background comments]

6 CHAIRPERSON GIBSON: You started mumbling.  
7 What is it?

8 COUNCIL MEMBER DEUTSCH: Oh, 1315.

9 CHAIRPERSON GIBSON: Uh-huh.

10 COUNCIL MEMBER DEUTSCH: No and  
11 everything else yes.

12 CHAIRPERSON GIBSON: Okay. [background  
13 comments]

14 CLERK: Lancman.

15 COUNCIL MEMBER LANCMAN: Aye on all.

16 CLERK: Torres.

17 COUNCIL MEMBER TORRES: Aye on all.

18 CLERK: Matteo.

19 COUNCIL MEMBER MATTEO: Can I briefly  
20 explain my vote?

21 CHAIRPERSON GIBSON: yes.

22 COUNCIL MEMBER MATTEO: Thank you. While  
23 I support some of these reform bills, which can  
24 strike the proper balance between individual property  
25 rights and due process, I am opposed to those bills

2 in this package that either remove or impose  
3 unnecessary restrictions on these valuable  
4 enforcement tools or legislate decisions that are  
5 best made in a court of law. There have been  
6 establishments in my district that have bee--closed  
7 in my district that have been rightfully shuttered  
8 using the Nuisance Abatement Law, and I don't see the  
9 need to weaken that. With that, I'm voting no on  
10 1315, 1317, 1323, 1326, 1333 and 1344. [pause]

11 CLERK: Cornegy

12 COUNCIL MEMBER CORNEGY: [off mic] Aye on  
13 all. [background comments, pause] No, we'll wait.  
14 Okay. While we keep the roll open, I want to thank  
15 all of my colleagues for being here again, and did  
16 not for the record acknowledge the presence of my  
17 colleagues Council Members Torres, Deutsch, Gentile,  
18 Vacca, Minority Leader Matteo, Council Member  
19 Ferreras-Copeland, Cornegy and Lancman. Thank you,  
20 colleagues. [pause] [background comments]

21 CLERK: Council Member Espinal.

22 COUNCIL MEMBER ESPINAL: With  
23 congratulations to the--Madam Chair, I vote aye.  
24 Happy Valentine's Day. [pause]

25 CLERK: Council Member Ferreras-Copeland.

2 COUNCIL MEMBER FERRERAS-COPELAND: I'd  
3 like to explain my vote. Just so they hear and so  
4 yes, I can explain my vote, yes? Okay. I just  
5 wanted to acknowledge that while this package of  
6 legislation is a step forward to helping support the  
7 NYPD and is completely supported by our commissioner,  
8 I want to take this opportunity to recognize that  
9 there's districts that have incredible challenges  
10 like mine, but because this very specifically does  
11 not relate to the criminal acts of-or changing  
12 anything that the NYPD can still arrest people based  
13 on prostitution or sex trafficking or areas where  
14 liquor is sold and there is no license or liquor is  
15 sold beyond certain hours. I'm going to vote aye on  
16 the package of legislation with the understanding  
17 that the criminal intent will not be affected by this  
18 package. Thank you. [pause]

19 CLERK: So the items on the Public Safety  
20 have been adopted as the-by the following:

21 Introduction 834-B has been adopted by a  
22 vote of 10 in the affirmative, 0 in the negative and  
23 no abstentions. Introduction 1308-A has been adopted  
24 by a vote of 9 in the affirmative, 1 in the negative,  
25 and no abstentions. Introduction 1315-A is 7 in the

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2 affirmative, 3 in the negative and no abstentions.

3 1317-A is 8 in the affirmative, 2 in the negative and

4 0 abstentions. 1318-A is 10 in the affirmative, 0 in

5 the negative and no abstentions. Introd-

6 Introd-Introductions 1320-A and 1321-A are also 10

7 in the affirmative, 0 in the negative and no

8 abstentions. 1323-A is 7 in the affirmative, 3 in

9 the negative and no abstentions. 1326 is 8 in the

10 affirmative, 2 in the negative and no abstentions.

11 1327 [pause] excuse me. Continuation of roll call on

12 Committee on Public Safety, Council Member Williams.

13 COUNCIL MEMBER WILLIAMS: Aye. [pause]

14 CLERK: All items on today's Public

15 Safety agenda are adopted as the following:

16 Introduction 834-B is 11 in the

17 affirmative, 0 in the negative, no abstentions. 1308

18 is 10 in the affirmative, 1 in the negative, and no

19 abstentions. 1315 is 8 in the affirmative, 3 in the

20 negative, 0 abstentions. Introduction 1317 is 9 in

21 the affirmative, 2 in the negative and no

22 abstentions, and Introductions 1318-A, 1320-A, and

23 1321-A are 11 in the affirmative, 0 in the negative

24 and no abstentions. Introduction 1323-A is 8 in the

25 affirmative, 3 in the negative and no abstentions.

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2 Introduction 1326 is 9 in the affirmative, 2 in the  
3 negative and no abstentions. Introduction 1327-A is  
4 11 in the affirmative, 0 in the negative and no  
5 abstentions. Introduction 1333-B is adopted 9 in the  
6 affirmative, 2 in the negative and non abstentions.  
7 Introductions 1338-A and 1339-A are adopted by as 11  
8 in the affirmative, 0 in the negative and no  
9 abstentions, an Introduction 1344-A is adopted by a  
10 vote of 9 in the affirmative, 2 in the negative and  
11 no abstentions. Thank you very much. [pause]

12 LEGAL COUNSEL: This Public Safety  
13 hearing is now adjourned. [gavel]

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C E R T I F I C A T E

World Wide Dictation certifies that the foregoing transcript is a true and accurate record of the proceedings. We further certify that there is no relation to any of the parties to this action by blood or marriage, and that there is interest in the outcome of this matter.



Date March 2, 2017