

The New York City Council

*New York City Council
City Hall
New York, NY 10007*



Meeting Minutes

Wednesday, January 5, 2000

12:00 PM

CHARTER MEETING

Council Chambers - City Hall

City Council

Peter F. Vallone, Speaker

Members: Michael J. Abel, Herbert E. Berman, Tracy Boyland, Adolfo Carrion, Jr., Una Clarke, Lucy Cruz, Noach Dear, Stephen DiBrienza, Martin Malave-Dilan, June M. Eisland, Ronnie M. Eldridge, Pedro G. Espada, Stephen J. Fiala, Kenneth K. Fisher, Wendell Foster, Kathryn E. Freed, Martin Golden, Julia Harrison, Lloyd Henry, Karen Koslowitz, Howard L. Lasher, Sheldon S. Leffler, Guillermo Linares, Margarita Lopez, Helen M. Marshall, Walter L. McCaffrey, Stanley E. Michels, A. Gifford Miller, Eva S. Moskowitz, Michael C. Nelson, Jerome X. O'Donovan, James Oddo, Thomas V. Ognibene, William Perkins, Mary Pinkett, Morton Povman, Madeline Provenzano, Christine C. Quinn, Philip Reed, Jose Rivera, Annette M. Robinson, Victor L. Robles, Angel Rodriguez, John D. Sabini, Archie W. Spigner, Al Stabile, Lawrence A. Warden, Juanita E. Watkins, Thomas White, Jr., Priscilla A. Wooten

Public Advocate (Mr. Green)

1. Council Members

Present,

Abel, Carrion, Clarke, Dear, DiBrienza, Eisland, Eldridge, Fisher, Foster, Freed, Golden, Harrison, Koslowitz, Lasher, Leffler, Marshall, Malave-Dilan, McCaffrey, Michels, Miller, Moskowitz, Nelson, Oddo, O'Donovan, Perkins, Pinkett, Povman, Provenzano, Reed, Robinson, Robles, Rodriguez, Sabini, Spigner, Warden, Watkins, White, Wooten, Ognibene and Speaker Vallone

Excused,

Berman, Boyland, Cruz, Espada, Henry, Linares, Lopez, Quinn and Stabile

The presence of a quorum was announced by the Public Advocate (Mr. Green)

2. Invocation

The Invocation was delivered by Rabbi Philip Harris Singer, Congregation B'nai Isaac, 54 Avenue O, Brooklyn, N.Y. 11204.

Council Member DEAR moved that the invocation be spread in full upon the Minutes and adopted.

3. Adoption of Minutes

Council Member CARRION moved that the Minutes of the Stated Meeting of TUESDAY, DECEMBER 7, 1999 be adopted and printed.

4. Messages and Papers from the Mayor

M 0758-2000

Communication from the Mayor - Submitting the name of Vicki Match Suna to the Council for its advice and consent regarding here reappointment to the New York City Landmarks Preservation Commission for the remainder of a three-year term, which will expire on June 28, 2002, pursuant to Chapter 74, Section 3020, of the New York City Charter.

5. Communications from City, County, and Borough Offices

M 0759-2000

Communication from the Department of Homeless - Submitting 1st Quarter Report for Fiscal Year 2000

M 0760-2000 **Communication from the Board of Elections in the City of New York - Submitting the Certification of Election of Christine Quinn, as the Council Member of the 3rd Councilmanic District, New York County, Michael Nelson, as the Council Member of the 48th Councilmanic District, Kings County and James Oddo, as the Council Member of the 50th Councilmanic District, Richmond County.**

THE CITY CLERK AND CLERK OF THE COUNCIL PERFORMS THE FORMAL CEREMONY OF THE DULY ELECTED COUNCIL MEMBERS TAKING THEIR OATH OF OFFICE

6. Petitions and Communications

7. Land Use Call-Ups

M 0761-2000 **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 no. C 960284 MMR, an amendment to the City Map, shall be subject to Council review. This application is related to application no. N 960286 ZRR which is subject to Council review pursuant to Section 197-d of the New York City Charter.**

M 0762-2000 **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 no. C 960285 ZSR, a special permit, shall be subject to Council review. This application is related to application no. N 960286 ZRR which is subject to Council review pursuant to Section 197-d of the New York City Charter.**

M 0763-2000 **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 no. C 980617 ZSR, a special permit, shall be subject to Council review. This application is related to application no. N 960286 ZRR which is subject to Council review pursuant to Section 197-d of the New York City Charter.**

M 0764-2000 **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 no. C 990685 ZSR, a special permit, shall be subject to Council review. This application is related to application no. N 960286 ZRR which is subject to Council review pursuant to Section 197-d of the New York City Charter.**

The Public Advocate (Mr. Green) put the question whether the Council would agree with and adopt such reports which were decided in the affirmative by the following vote:

Affirmative, 42 -

Abel, Carrion, Clarke, Dear, DiBrienza, Eisland, Eldridge, Speaker Fiala, Fisher, Foster, Freed, Golden, Harrison, Koslowitz, Lasher, Leffler, Marshall, Malave-Dilan, McCaffrey, Michels, Miller, Moskowitz, Nelson, Oddo, O'Donovan, Perkins, Pinkett, Povman, Provenzano, Reed, Speaker Rivera, Robinson, Robles, Rodriguez, Sabini, Spigner, Warden, Watkins, White, Wooten, Ognibene and Speaker Vallone

Excused, 9 -

Berman, Boyland, Cruz, Espada, Henry, Linares, Lopez, Quinn and Stabile

8. Communications from the Speaker
 9. Discussion of General Orders
 10. Report of Special Committees
 11. Reports of Standing Committees
- Report of the Committee on Finance

Int 0675-2000 **A Local Law in relation to the date of submission by the mayor of a preliminary management report and the date prior to which the council shall conduct public hearings and the date by which the council shall submit a report or reports pertaining thereto, the date of submission by the mayor of the preliminary certificate regarding debt and reserves and appropriations and expenditures for capital projects, the date of submission by the mayor of the preliminary budget, the date of publication by the director of the independent budget office of a report on revenues and expenditures, the date of submission by the community boards of statements in regard to the preliminary budget, the date of submission by the commissioner of finance of an estimate of the assessed valuation of real property and statement of real property taxes due, expected to be received, and uncollected, the date of submission by the mayor of a tax benefit report, the date of submission by the borough boards of statements on budget priorities, the date of submission by the council of estimates of the financial needs of the council, the date of submission by the borough presidents of proposed modifications of the preliminary budget, the date of publication by the director of the independent budget office of a report analyzing the preliminary budget, and the date by which the council shall hold hearings and submit recommendations in regard to the preliminary budget, relating to the fiscal year two thousand one.**

Enactment No: 2000/001

12. General Order Calendar

LU 0596-1999 **Uniform land use review procedure application no. C 990096 PPK, pursuant to §197-c and §197-d of the New York City Charter concerning the disposition of twelve (12) city-owned properties located in Community Board 5, Borough of Brooklyn, in Council District no. 42. 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.**

Res 1139-2000 Resolution approving with a modification the decision of the City Planning Commission on ULURP No. C 990096 PPK, for the disposition of twelve (12) city-owned properties located 542 Warwick Street (Block 4046/Lot 33), 507 Elton Street (Block 4050/Lot 9), 915 Dumont Avenue (Block 4062/Lot 51), 925 Dumont Avenue (Block 4063/Lot 60), 662 Linwood Street (Block 4066/Lot 29), 674 Linwood Street (Block 4066/Lot 33), 1013 Dumont Avenue (Block 4067/Lot 1), 642 Warwick Street (Block 4078/Lot 35), 597 and 591 Ashford Street (Block 4080/Lots 17 and 19) and 605 and 601 Ashford Street (Block 4080/Lots 14 and 15), Brooklyn (L.U. No. 596).

LU 0619-1999 Uniform land use review procedure application no. C 990604 PPQ, pursuant to §197-c and §197-d of the New York City Charter concerning the disposition of twenty-five (25) city-owned properties, located in Community Board 12, Borough of Queens, in Council Districts no. 27, 28 and 31. 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.

Res 1140-2000 Resolution approving with modification the decision of the City Planning Commission on ULURP No. C 990604 PPQ, for the disposition of twenty-five (25) city-owned properties located at 107-05 and 107-01 Inwood Street (Block 10080/Lots 6 and 8), 108th Avenue (Block 10125/Lot 110), Yates Road (10132/Lot 46), 107-31 and 107-19 165th Street (Block 10169/Lots 14 and 19), 166th Street (Block 10169/Lots 112, 114 and 227), Liberty Avenue (Block 10353/Lot 65), 100-42 204th Street (Block 10870/Lot 27), 148th Street (Block 11966/Lot 134), 133rd Avenue (Block 12082/Lot 133), 154-12 118th Avenue (Block 12209/Lot 135), 131-12 161st Street (Block 12286/Lot 23), Marsden Street (Block 12336/Lot 145), Smith Street (Block 12357/Lot 33), Eveleth Road (Block 12458/Lot 167), 122-35 191st Street (12707/Lot 1), Lucas Street (Block 12720/Lot 101), Lucas Street (Block 12727/Lot 1) Merrill Street (Block 12515/Lot 110), 201st Street (Block 12690/Lot 31), Bennett Court (Block 12997/Lot 27) and 140th Avenue (Block 13022/Lot 120), Queens, (L.U. No. 619).

Int 0291-1998-A A Local Law to amend the administrative code of the city of New York and local law number forty-five for the year 1992, in relation to family child care services.

T1999-86 Commissioner of Deeds

Coupled on General Order

Finance

Int 0675-2000 A Local Law in relation to the date of submission by the mayor of a preliminary management report and the date prior to which the council shall conduct public hearings and the date by which the council shall submit a report or reports pertaining thereto, the date of submission by the mayor of the preliminary certificate regarding debt and reserves and appropriations and expenditures for capital projects, the date of submission by the mayor of the preliminary budget, the date of publication by the director of the independent budget office of a report on revenues and expenditures, the date of submission by the community boards of statements in regard to the preliminary budget, the date of submission by the commissioner of finance of an estimate of the assessed valuation of real property and statement of real property taxes due, expected to be received, and uncollected, the date of submission by the mayor of a tax benefit report, the date of submission by the borough boards of statements on budget priorities, the date of submission by the council of estimates of the financial needs of the council, the date of submission by the borough presidents of proposed modifications of the preliminary budget, the date of publication by the director of the independent budget office of a report analyzing the preliminary budget, and the date by which the council shall hold hearings and submit recommendations in regard to the preliminary budget, relating to the fiscal year two thousand one.

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Commissioner of Deeds

The Public Advocate (Mr. Green) put the question whether the Council would agree with and adopt such reports which were decided in the affirmative by the following vote:

Affirmative, 42 -

Abel, Carrion, Clarke, Dear, DiBrienza, Eisland, Eldridge, Speaker Fiala, Fisher, Foster, Freed, Golden, Harrison, Koslowitz, Lasher, Leffler, Marshall, Malave-Dilan, McCaffrey, Michels, Miller, Moskowitz, Nelson, Oddo, O'Donovan, Perkins, Pinkett, Povman, Provenzano, Reed, Speaker Rivera, Robinson, Robles, Rodriguez, Sabini, Spigner, Warden, Watkins, White, Wooten, Ognibene and Speaker Vallone

Excused, 9 -

Berman, Boyland, Cruz, Espada, Henry, Linares, Lopez, Quinn and Stabile

The following files were removed from the General Order Calendar and voted separately: Res 1141-2000. See files for individual votes.

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

INTRODUCTION AND READING OF BILLS

Int 0674-2000 **A Local Law to amend the administrative code of the city of New York, in relation to excluding the value of certain investments in subsidiaries from the tax on allocated subsidiary capital.**

Sponsors: By The Speaker (Speaker Vallone) and Council Member Berman

Int 0675-2000 **A Local Law in relation to the date of submission by the mayor of a preliminary management report and the date prior to which the council shall conduct public hearings and the date by which the council shall submit a report or reports pertaining thereto, the date of submission by the mayor of the preliminary certificate regarding debt and reserves and appropriations and expenditures for capital projects, the date of submission by the mayor of the preliminary budget, the date of publication by the director of the independent budget office of a report on revenues and expenditures, the date of submission by the community boards of statements in regard to the preliminary budget, the date of submission by the commissioner of finance of an estimate of the assessed valuation of real property and statement of real property taxes due, expected to be received, and uncollected, the date of submission by the mayor of a tax benefit report, the date of submission by the borough boards of statements on budget priorities, the date of submission by the council of estimates of the financial needs of the council, the date of submission by the borough presidents of proposed modifications of the preliminary budget, the date of publication by the director of the independent budget office of a report analyzing the preliminary budget, and the date by which the council shall hold hearings and submit recommendations in regard to the preliminary budget, relating to the fiscal year two thousand one.**

Sponsors: By Council Members Berman and Abel (by request of the Mayor); also Council Members Leffler, Povman and Provenzano

Preconsidered

Enactment No: 2000/001

Int 0676-2000 **A Local Law to amend the administrative code of the city of New York, in relation to the replacement of trees removed to facilitate construction.**

Sponsors: By Council Members Dear, Nelson, Rodriguez and Lopez ; also Council Members Eisland, Harrison, Koslowitz, McCaffrey, Michels, O'Donovan, Wooten and Espada

- Int 0677-2000** **A Local Law to amend the administrative code of the city of New York in relation to abating rats as a requirement for foundation or earthwork permits.**
- Sponsors:** By Fiala, Council Members Marshall, Nelson, Perkins, Abel, Golden and Oddo ; also Council Members Eisland, Fisher, Harrison, Michels, O'Donovan, Reed, Rodriguez, Sabini and Wooten
- Attachments:** Hearing Transcript
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- Int 0678-2000** **A Local Law to amend the administrative code of the city of New York, in relation to the monitoring of certain construction work by the department of buildings.**
- Sponsors:** By Council Members Harrison, Freed and Nelson ; also Council Members Eisland, Foster, Koslowitz, O'Donovan, Pinkett and Robinson
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- Int 0679-2000** **A Local Law to amend the New York City Charter in relation to prohibiting a former member of the Police Department from serving on the Civilian Complaint Review Board until three years after resigning or retiring from the Police Department.**
- Sponsors:** By Council Member Leffler ; also Council Members Foster, Pinkett, Rivera, Robinson and Espada
-
- Res 1136-2000** **Resolution by the Council of the City Of New York calling upon the appropriate committee to hold an oversight hearing to review the operations, methodology, and regulatory procedures of the Mayor's Office Of Film, Theatre, and Broadcasting.**
- Sponsors:** By Council Members Lopez, Perkins, Freed and Linares ; also Council Members Leffler, Michels, O'Donovan, Reed, Pinkett, Provenzano, Robinson and Rodriguez
-
- Res 1137-2000** **Resolution calling upon the appropriate committee of the Council of the City of New York to hold hearings to determine the practices used by all hospitals in New York City, including all transplant hospitals, to prevent outbreaks of Legionnaire's Disease at their facilities.**
- Sponsors:** By Council Members Oddo, Malave-Dilan, Freed, The Speaker (Speaker Miller), Nelson, Reed, Rodriguez, Abel and Golden ; also Council Members Foster, Harrison, Leffler, Pinkett, Povman, Provenzano and Rivera

Res 1138-2000 **Resolution calling upon the appropriate committee of the Council of the City of New York to conduct a hearing on the collapse of the building under construction at 54 - 58 Middleton Street in the Williamsburg section of Brooklyn, and the actions of the Department of Buildings and the Fire Department with regard to construction safety.**

Sponsors: By Council Members Robles, Freed and Abel ; also Council Members Fisher, Foster, Harrison, Rivera and Robinson

LU 0626-2000 **Uniform land use review procedure application no. C 000210 HAK, an Urban Development Action Area Designation, Project and the disposition of such property located in Community Board 4, Borough of Brooklyn, Council District no. 37. This matter is subject to Council Review and action pursuant to Section 197-c and Section 197-d of the New York City Charter and Article 16 of the General Municipal Law.**

Sponsors: By Council Members Eisland and Malave-Dilan

LU 0627-2000 **Uniform land use review procedue application no. C 000211 PSK, pursuant to Sectin 197-c and 197-d of the New York City Charter, concerning site selection for a capital project to be located in Community Board 4, Borough of Brooklyn, Council District no. 37. This application is subject to review and action by the Land Use Committee only if appealed to the Council pursuant to Section 197-d(b)(2) of the Charter or called up by vote of the Council pursuant to Section 197-d(b)(3) of the Charter**

Sponsors: By Council Members Eisland and Malave-Dilan

LU 0628-2000 **Application no. 20005117 HKM, Landmarks Preservation Commission designation no. DL-310, LP-2041, pursuant to Section 3020 of the New York City Charter, concerning the designation of the Louis H. Chalif Normal School of Dancing, located at 163-165 West 57th Street Building, Borough of Manhattan, Council District no. 4, as a landmark.**

Sponsors: By Council Member Eisland

- LU 0629-2000 **Application no. 20005118 HKM, Landmarks Preservation Commission designation no. DL-310, LP-2042, pursuant to Section 3020 of the New York City Charter, concerning the designation of 130 West 57th Street Building, Borough of Manhattan, Council District no. 4, as a landmark.**
- Sponsors:** By Council Member Eisland
- LU 0630-2000 **Application no. 20005119 HKM, Landmarks Preservation Commission designation no. DL-310, LP-2043, pursuant to Section 3020 of the New York City Charter, concerning the designation of 130 The Beaufort, located at 140 West 57th Street Building, Borough of Manhattan, Council District no. 4, as a landmark.**
- Sponsors:** By Council Member Eisland
- LU 0631-2000 **Application no. 20005159 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.**
- Sponsors:** By Council Member Eisland
- LU 0632-2000 **Application no. 20005161 HAM, an Urban Development Action Area Project, located at 522 West 151st Street, Council District no. 7, Borough of Manhattan. This matter is subject to Council review and action pursuant to Article 16 of the New York General Municipal Law, at the request of the New York City Department of Housing Preservation and Development and pursuant to Section 577 of the Private Housing Finance Law for a partial tax exemption.**
- Sponsors:** By Council Member Eisland
- LU 0633-2000 **Application no. 20005162 HAX, an Urban Development Action Area Project, located at 962-68 Anderson Avenue, Council District no. 16, Borough of the Bronx. This matter is subject to Council review and action pursuant to Article 16 of the New York General Municipal Law, at the request of the New York City Department of Housing Preservation and Development and pursuant to Section 577 of the Private Housing Finance Law for a partial tax exemption.**
- Sponsors:** By Council Member Eisland

Res 1141-2000 IN MEMORIAM - HAROLD FISHER

Sponsors: By Council Members Abel, Berman, Boyland, Carrion, Clarke, Cruz, Dear, DiBrienza, Eisland, Eldridge, Espada, Fiala, Fisher, Foster, Freed, Golden, Harrison, Henry, Koslowitz, Lasher, Leffler, Linares, Lopez, Malave-Dilan, Marshall, McCaffrey, Michels, The Speaker (Speaker Miller), Moskowitz, Nelson, Oddo, O'Donovan, Ognibene, Perkins, Pinkett, Provenzano, Povman, The Speaker (Speaker Quinn), Rivera, Reed, Robinson, Robles, Rodriguez, Sabini, Stabile, Spigner, The Speaker (Speaker Vallone), Warden, Watkins, White and Wooten

Affirmative, 42 -

Abel, Carrion, Clarke, Dear, DiBrienza, Eisland, Eldridge, Speaker Fiala, Fisher, Foster, Freed, Golden, Harrison, Koslowitz, Lasher, Leffler, Marshall, Malave-Dilan, McCaffrey, Michels, Miller, Moskowitz, Nelson, Oddo, O'Donovan, Perkins, Pinkett, Povman, Provenzano, Reed, Speaker Rivera, Robinson, Robles, Rodriguez, Sabini, Spigner, Warden, Watkins, White, Wooten, Ognibene and Speaker Vallone

Excused, 9 -

Berman, Boyland, Cruz, Espada, Henry, Linares, Lopez, Quinn and Stabile

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

Whereupon on motion of the Speaker (Council Member Vallone), the Clerk of the Council adjourned to meet again on January 19, 2000.

CARLOS CUEVAS, *City Clerk*
Clerk of the Council