

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

STATED MEETING

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March 25, 2010
Start: 02:21 pm
Recess: 04:03 pm

HELD AT: Council Chambers
City Hall

B E F O R E:
CHRISTINE C. QUINN
Chairperson

COUNCIL MEMBERS:
Maria del Carmen Arroyo
Charles Barron
Gale A. Brewer
Fernando Cabrera
Margaret Chin
Leroy G. Comrie, Jr.
Elizabeth Crowley
Inez E. Dickens
Erik Martin Dilan
Daniel Dromm
Mathieu Eugene
Julissa Ferreras
Lewis A. Fidler
Daniel R. Garodnick
James F. Gennaro
Vincent J. Gentile
Daniel J. Halloran

A P P E A R A N C E S

COUNCIL MEMBERS:

Vincent Ignizio
Robert Jackson
Letitia James
Peter Koo
G. Oliver Koppell
Karen Koslowitz
Brad Lander
Jessica S. Lappin
Stephen Levin
Melissa Mark-Viverito
Darlene Mealy
Rosie Mendez
Michael C. Nelson
James S. Oddo
Annabel Palma
Domenic M. Recchia, Jr.
Joel Rivera
Ydanis Rodriguez
Deborah Rose
James Sanders, Jr.
Larry B. Seabrook
Eric Ulrich
James Vacca
Peter F. Vallone, Jr.
Jimmy Van Bramer
Albert Vann
Mark Weprin
Jumaane D. Williams

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

Ruth Lovelace
Coach
Boy's Varsity Basketball
Boys and Girls High School

Bernard Gassaway
Principal
Boys and Girls High School

Elmer Anderson
Assistant Coach
Boy's Varsity Basketball

Michelle
American Cancer Society

Reverend Princess Thorbs
Assisting Minister
New Jerusalem Baptist Church

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2 SPEAKER QUINN: All right, if I
3 could get everybody's attention, we have two
4 ceremonials today. The first one is being led by
5 our Assistant Majority Leader Al Vann. I just
6 want to say, before the ceremonial comes up, it's
7 very exciting to be able to congratulate Boys and
8 Girls High School on their varsity basketball
9 championship. Al knows how to pick a ceremonial
10 that I'm going to love. This is the first time a
11 female coach has the boy's title. So let's hear
12 it for Ruth Lovelace. Come on up.

13 COUNCIL MEMBER VANN: If I could
14 have your attention please. Thank you very much.
15 This is Councilman Vann. I represent the 36th
16 District, which is Bed-Stuy, Crown Heights. Is
17 there anybody here from the High? The Kangaroos
18 are in the house.

19 I am very, very pleased and more
20 than pleased to have the opportunity to recognize
21 these outstanding young men who have made an
22 outstanding achievement. They have won the PSAL
23 Boy's Varsity AA Tournament this year. This
24 weekend they're going on to Glen Falls to win the
25 federation up there. Is that the state? They're

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2 going to get it.

3 I'm please and honored not just
4 because of the athletic ability, because they're
5 outstanding young gentlemen and they present a
6 very positive image of young black men in this
7 country. Their future is unlimited. Their
8 potential is unlimited. We know that they are the
9 future leaders of this America. I'm honored
10 because of that.

11 In addition to that, extremely
12 pleased that for the first time a female coach of
13 the Boy's Varsity PSAL AA Tournament has won that
14 tournament. Ms. Ruth Lovelace. Ruth, I know that
15 Frank Mickens is smiling down on us, not only
16 because of you and your leadership but because
17 Bernard Gassaway, the principal of Boys and Girls
18 is in the house, and he's carrying on the legacy.

19 On behalf of the City of New York
20 and most especially the Village of Bedford-
21 Stuyvesant, we thank you, we honor you, and we
22 recognize you today for your magnificent
23 achievements. If the clerk would read the
24 proclamations, of which there are two.

25 MICHAEL MCSWEENEY: Council City of

1
2 New York proclamations. Whereas the Council of
3 the City of New York is proud to honor the 2009-
4 2010 Boys and Girls High School boy's basketball
5 team for winning the 2010 PSAL Boy's Basketball AA
6 Championship.

7 And whereas, Boys High became Boys
8 and Girls High School, formerly known as Boys
9 High, has a great legacy of cultural and athletic
10 triumphs, including many city championships in
11 basketball. The school has produced basketball
12 greats such as Connie Hawkins, Lenny Wilkens, Mel
13 Davis, Sihugo Green, Vaughn Harper and Pearl
14 Washington. But the school's basketball team has
15 not claimed a city championship since 1979 until
16 this year.

17 And whereas, the 2009-2010 Boys and
18 Girls High School Boy's Varsity Basketball Team
19 consists of: Jonathan Arroyo, Dominique Bostick,
20 Nkosi Brown, Ralph Colon, Leroy "Truck" Fludd,
21 Anthony Hemingway, Leroy Isler, Darren Kirby,
22 Jamal Mapp, Saequahn Pettus, Jeffland Neverson,
23 Jobse Reyes, Antoine Slaughter, Calvin Sterling,
24 Michael Taylor, Jerry White and Brandon Williams.

25 They have been guided season by

1
2 Head Coach Ruth Lovelace, Assistant Coach Elmer
3 Anderson, Assistant Coach Gene Carroll, Assistant
4 Coach Barry Ward and Assistant Coach Jeff Wiggins.

5 And whereas, the 2009-2010 Boys and
6 Girls High School Boy's Basketball team went on to
7 an undefeated run during their postseason play,
8 starting with their defeat of George Westinghouse
9 High School and Paul Robeson High School in the
10 first two rounds of the Brooklyn Borough playoffs,
11 and then the Thomas Jefferson Campus for the
12 Brooklyn Borough championship.

13 And whereas, in the first three
14 rounds of PSAL AA Playoffs, their team defeated
15 Beach Channel/Channel View High School, Wadleigh
16 Secondary School and Wings Academy. They followed
17 that with the championship game at Madison Square
18 Garden against Benjamin N. Cardozo High School,
19 which they won 55-50 to become the 2010 PSAL Boy's
20 Basketball AA champions. This is the first city
21 championship for this school in 31 years.

22 And whereas, the Council of the
23 City of New York is proud to honor Ruth Lovelace,
24 coach of the Boys and Girls High School boy's
25 basketball team and the first woman head coach to

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2 win a PSAL boy's basketball championship.

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And whereas, in 1987 when Ms.

Lovelace played for Boys and Girls High School

girl's varsity basketball team, she averaged 20

points per game and 9 rebounds per game as a

sophomore. As a junior, she averaged 29 points

per game and 12 rebounds per game and was named

All City First Team. In her senior season, she

dominated by averaging 35 points per game and 15

rebounds per game, again earning First Team All

City honors and also named honorable mention All

American.

And whereas, Ms. Lovelace continued

her college basketball career at Seton Hall

University where she earned 10 points per game and

5 rebounds per game in her first season and 15

points per game and 10 rebounds per game for her

final season.

And whereas, after college, Ms.

Lovelace returned home to Bedford-Stuyvesant and

began teaching physical education at Boys and

Girls High School. In 1994, late former Boys and

Girls High School Principal Frank Mickens offered

Ms. Lovelace the head coaching job, making her the

1
2 first woman to coach boy's varsity basketball at
3 her school.

4 In her first 15 seasons as head
5 coach, "Coach Love" as she is known by her
6 players, compiled a 371-111 record with multiple
7 trips to the PSAL quarter finals, four trips to
8 the PSAL semifinals, and two trips to the PSAL
9 championship game.

10 And whereas, in her 16th season as
11 head coach, Coach Lovelace guided her team through
12 a difficult schedule, inspired trust among
13 teammates and worked towards a common goal and
14 finished the regular season with a 20-5 record.
15 As a result, Coach Ruth Lovelace became the first
16 woman to win a PSAL boy's basketball championship
17 as head coach.

18 Now therefore be it know that the
19 Council of the City of New York honors and
20 congratulates Boys and Girls High School 2009-2010
21 Boy's Varsity Basketball Team and Coach Ruth
22 Lovelace for their outstanding achievements and
23 teamwork. Christine C. Quinn, Speaker for the
24 entire Council, Albert Vann Council Member, 36
25 District, Brooklyn.

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2 RUTH LOVELACE: First, I'd like to
3 say good afternoon everybody. It gives me great
4 pride and honor to stand here and accept this
5 award on behalf of myself, my administration and
6 my players. But I can't stand here and take all
7 the credit for winning this championship, so there
8 are definitely some people that I would love to
9 thank.

10 I see a lot of parents in the
11 stands. I want to thank you for everything that
12 you do and for supporting us and lending us your
13 young men. Secondly, I want to thank my coaching
14 staff. You guys do an unbelievable job. You go
15 beyond and above measures and I thank you for
16 that.

17 Lastly, I'd like to thank the
18 administration for allowing us to do what we need
19 in order to make sure this basketball team is
20 represented throughout the city, so thank you
21 administration.

22 I guess I can't walk off without
23 thanking my players. I could go on and talk
24 forever about you guys, but I guess what I want to
25 say is thanks for believing in me and working hard

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2 for me each and every day. That's why we stand
3 here as champions. Thank you.

4 COUNCIL MEMBER VANN: Principal
5 Bernard Gassaway.

6 BERNARD GASSAWAY: Thank you and
7 good afternoon. Let me just say a special
8 congratulations to our great historic coach, Ruth
9 Lovelace and of course to our young men who are
10 going to lead the way. As they look exemplary
11 today, they are not only athletes, but we
12 emphasize also scholars. We, the team, the
13 coaches, the parents and the Bedford-Stuyvesant
14 community is bringing back the pride and joy of
15 Bed-Stuy.

16 MALE VOICE: I'd just like to say
17 thank you to Love and to Anderson and to all of
18 our coaches, Coach Carroll. It was a great
19 season. It's not over yet, but I know we're going
20 to with State and stuff. I'm just happy that my
21 teammates did a great job, working hard and
22 playing hard. We went through a lot of controversy
23 but it was fun and that's the whole thing. I just
24 love all of you all.

25 ELMER ANDERSON: Good afternoon,

1
2 everyone. My name is Elmer Anderson. Coach
3 Lovelace's trusted assistant coach for the men's
4 basketball team. I just want to take this moment
5 and thank everyone who supported Boys and Girls
6 High School throughout the course of many years.

7 But more importantly, I want to say
8 something about Coach Lovelace. I've been with
9 her for seven years and I've seen many, many
10 things occur throughout the course of her career
11 while I was there.

12 She's been helpful to students, not
13 only students on the basketball team. She's just
14 been a wonderful person to the Bedford-Stuyvesant
15 community. She's been a tremendous asset to Boys
16 and Girls High School. I just want to say to you,
17 Love, I think you're a wonderful woman and you do
18 wonderful things. I'm really honored to be on
19 your staff.

20 SPEAKER QUINN: Let me just close
21 by saying, on behalf of all of us in Council
22 saying congratulations to the team,
23 congratulations to the coach for making history
24 here yet again in New York City. We can't wait to
25 have you back when we honor and recognize the

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2 greater successes you all go onto, so good luck
3 and thank you for making us proud and representing
4 New York so well.

5 COUNCIL MEMBER VANN: We should
6 also note that the Advisory Group for Boys and
7 Girls is here. Regent Lester Young and other
8 members of the Advisory Group are here. Thank you
9 so much.

10 SPEAKER QUINN: Thank you all very
11 much. We're going to move on to our next
12 ceremonial. Before we start the next ceremonial,
13 I'd like to make a request. There was a lot of
14 conversation in the balcony and in the back of the
15 chambers during the last ceremonial. It's
16 disrespectful to the folks who are here to be
17 honored. So if you have to have conversations,
18 step aside. When the ceremonials are going on,
19 act better than if the Stated Meeting was going
20 on.

21 Let me next call up Council Member
22 Comrie and the folks who are here for the Colon
23 Cancer Awareness Month ceremonial please. Come on
24 up.

25 COUNCIL MEMBER COMRIE: A lot of

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2 members signed onto this proclamation, if you can
3 come up as well. Can we have the Colon Cancer
4 Coalition come up?

5 [Pause]

6 COUNCIL MEMBER COMRIE: I want to
7 thank Speaker Quinn and the staff and all of the
8 Council Members that signed on to this bill.
9 Today is an important occasion for the Council.
10 We're honoring the organizations and medical
11 providers that are the front lines of the fight
12 against colon cancer in our city. They are
13 providing the important colon cancer screening and
14 patient navigation initiative that's being
15 provided through City Council funding and other
16 funding.

17 The fact of the matter is that this
18 program is the only municipal-funded colon cancer
19 screening program of its type in the nation. We
20 should be proud of that fact in the City Council.
21 We've been funding this program for the past seven
22 years.

23 I want to just announce some of the
24 people that are here. I'm not sure if they're on
25 the proclamation. I hope they're here. Dr. Harry

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Winters from Woodhull Hospital, Merle Cunningham from Lutheran HealthCare; from the Bronx Dr. Melissa Schori and Dr. Sulaiman Azeez from Lincoln Medical Center; from Staten Island University Hospital, Christine Hollie; from Manhattan, Victoria Drake from St. Luke's Hospital; from Queens, Harry Grilon [phonetic] from Elmhurst Hospital; and my good friend Philip Cook from Queens Hospital Center and so many other people.

As we know, for many years the issues with colon cancer, especially in minority communities, were a death sentence because people were getting checked only after they were past stage three. This initiative has saved so many people and it's actually introduced and given people the idea and the concept that you can be safely checked early.

We just wanted to honor the entire group and this coalition that has been putting out the message that this is safe, that this is effective and this is a preventative opportunity that can definitely save lives. I did my first colon cancer screening through this initiative at Queens Hospital Center where I do all of my

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2 medical checkups at Queens Hospital Center.

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I have to say that three or four times because it's an HHC hospital, part of Health and Hospitals Corporation and it's an A-rated hospital. Health and Hospitals Corporation has really taken it to the next level with their abilities both at Queens and Elmhurst Hospital which are now two premier hospitals that are second to none in the city. I've just go to promote Queens, Madame Speaker.

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So today, I just want to congratulate the entire coalition because this truly has changed the effects and the amount of people that have been saved due to colon cancer screening. This is a tremendous achievement.

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I just want to thank all of the persons; all of the members that understand this initiative and that designed this initiative. Now we'll turn it over to Speaker Quinn for a few words before the clerk reads the proclamation.

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SPEAKER QUINN: Thank you very much. Leroy, you always check the box for Queens, so to speak. I just want to take a moment on behalf of all of my colleagues to thank everyone

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2 at the American Cancer Society, everyone at the
3 Health and Hospitals Corporation, Greater New York
4 Hospital Association, everyone in all of the
5 different hospitals and entities that are part of
6 this project.

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It is difficult to get people to
engage in any type of cancer screening.

Colorectal screening is perhaps more challenging
than most given the type of screening that it is.
But the difference here is this is a screening
that we know that can save lives. It's not a
maybe we'll see something if there's a problem
type of screening. It's a screening that really
can catch things and take something that could be
just a tragedy and make it into not such a
significant medical procedure.

So I want to thank everyone who is
out there every day making sure people, regardless
of ability to pay, an idea that was embraced in
New York City long before the rest of the country
even came around to have the debate. That
regardless of the ability to pay, people get this
important screening. I think the Council should
be very proud of itself that we've been able to

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2 keep these funds flowing even during tough times.

3 So thank you, Leroy, for reminding
4 us of it. I'm not the age yet, so I can say this
5 with particular force, if you are of the age or
6 have a family history that you should be getting a
7 colonoscopy and screening, follow Leroy's lead.
8 Go get one now. We know from personal experience
9 with past Council Members, it literally can save
10 your life and catch something early on. Thank you
11 all. The clerk will read the proclamation.

12 MICHAEL MCSWEENEY: Council City of
13 New York proclamation. Whereas, the Council of
14 the City of New York observes the month of March
15 as Colon Cancer Awareness Month to urge all New
16 Yorkers to learn more about colon cancer and the
17 most effective weapon in the battle against it,
18 early detection.

19 And whereas, for the last seven
20 years, the Council has partnered with the Eastern
21 Division of the American Cancer Society to fund
22 the colon cancer screening and patient's
23 navigation initiative which provides free
24 screening colonoscopies to uninsured New Yorkers
25 at 18 hospitals in all five boroughs. This

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2 program, the only municipally-funded one in the
3 nation, significantly serves persons of color and
4 has made an overwhelming contribution to the
5 virtual elimination of racial and ethnic
6 disparities in colonoscopy screening in New York
7 City.

8 And whereas, the 18 providers of
9 the colon screening initiative include: Lincoln
10 Medical and Mental Health Center, Jacobi Medical
11 Center, North Central Bronx Hospital, Elmhurst
12 Hospital Center, Queens Hospital Center, State
13 Island University Hospital, Richmond County
14 Medical Center, Metropolitan Hospital Center,
15 Harlem Hospital Center, St. Luke's Roosevelt
16 Hospitals, Ralph Lauren Center, Bellevue Hospital
17 Center, Mt. Sinai Hospital Center, Woodhull
18 Medical and Mental Health Center, Queens County
19 Hospital Center, Coney Island Hospital, Lutheran
20 Medical Center and SUNY Downstate Medical Center.

21 And whereas, together these
22 providers have performed more than 13,000
23 colonoscopies since the initiative began,
24 detecting and removing more than 2,200 pre-
25 cancerous polyps, providing that colonoscopies

1
2 save lives by detecting the cancer at an early
3 localized stage when the five-year survival rate
4 is 90%.

5 And whereas, the Council of the
6 City of New York honors the Eastern Division of
7 the American Cancer Society and hereby proclaims
8 this March 2010 to be Colon Cancer Awareness
9 Month. We encourage all New Yorkers to learn more
10 about colon cancer to assist with prevention
11 efforts and to recognize the importance of
12 screenings. Christine C. Quinn, Speaker for the
13 entire Council; Leroy Comrie, Council Member 27th
14 District Queens; Marie del Carmen Arroyo, Council
15 Member 17th District the Bronx, and many other
16 members of the City Council.

17 SPEAKER QUINN: Thank you very
18 much. There was literally I think a full quorum
19 of the Council on the proclamation. I think we're
20 now going to hear from Michelle, is that right?
21 Come on up, Michelle.

22 MICHELLE: Thanks very much. We're
23 really, really grateful to have such a wonderful
24 partnership with the City Council. This has been
25 a fantastic initiative for seven years where we

1
2 have helped to eliminate disparities in cancer
3 screening and really saved lives. We couldn't be
4 more thankful and appreciative of this. Thanks so
5 much. Get screened, it's March.

6 SPEAKER QUINN: Tell Steve we said
7 hi. Thank you everybody and that concludes our
8 ceremonial for this Stated.

9 [Pause]

10 MALE VOICE: Ladies and gentlemen,
11 can I have your attention please. At this time,
12 can you please place all cell phones and
13 electronic devices on vibrate? Will all non-
14 Council employees and lobbyists please leave main
15 floor of the chambers? Thank you.

16 [Pause]

17 COUNCIL MEMBER RIVERA: Ladies and
18 gentlemen, I call today's Stated Meeting of March
19 25, 2010 to order. Please rise for the Pledge of
20 Allegiance.

21 COUNCIL: I pledge allegiance to
22 the flag of the United States of America and to
23 the Republic for which it stands, one nation under
24 God, indivisible, with liberty and justice all.

25 COUNCIL MEMBER RIVERA: Roll call.

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MICHAEL MCSWEENEY: Arroyo?

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COUNCIL MEMBER ARROYO: Here.

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MICHAEL MCSWEENEY: Barron?

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COUNCIL MEMBER RIVERA: Can we get

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silence in the chambers please?

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MICHAEL MCSWEENEY: Thank you.

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Brewer?

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COUNCIL MEMBER BREWER: [No

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response].

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MICHAEL MCSWEENEY: Cabrera?

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COUNCIL MEMBER CABRERA: Here.

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MICHAEL MCSWEENEY: Chin?

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COUNCIL MEMBER CHIN: Here.

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MICHAEL MCSWEENEY: Comrie?

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COUNCIL MEMBER COMRIE: Present.

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MICHAEL MCSWEENEY: Crowley?

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COUNCIL MEMBER CROWLEY: Here.

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MICHAEL MCSWEENEY: Dickens?

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COUNCIL MEMBER DICKENS: Here.

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MICHAEL MCSWEENEY: Dilan?

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COUNCIL MEMBER DILAN: [No

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response].

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MICHAEL MCSWEENEY: Dromm?

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COUNCIL MEMBER DROMM: Here.

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MICHAEL MCSWEENEY: Eugene?

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COUNCIL MEMBER EUGENE: Here.

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MICHAEL MCSWEENEY: Ferreras?

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COUNCIL MEMBER FERRERAS: Here.

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MICHAEL MCSWEENEY: Fidler?

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COUNCIL MEMBER FIDLER: Here.

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MICHAEL MCSWEENEY: Foster?

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COUNCIL MEMBER FOSTER: [No

10 response].

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MICHAEL MCSWEENEY: Garodnick?

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COUNCIL MEMBER GARODNICK: [No

13 response].

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MICHAEL MCSWEENEY: Gennaro?

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COUNCIL MEMBER GENNARO: Here.

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MICHAEL MCSWEENEY: Gentile?

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COUNCIL MEMBER GENTILE: Here.

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MICHAEL MCSWEENEY: Gonzalez?

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COUNCIL MEMBER GONZALEZ: [No

20 response].

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MICHAEL MCSWEENEY: Halloran?

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COUNCIL MEMBER HALLORAN: Present.

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MICHAEL MCSWEENEY: Garodnick?

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COUNCIL MEMBER GARODNICK: Here.

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MICHAEL MCSWEENEY: Ignizio?

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COUNCIL MEMBER IGNIZIO: [No

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response].

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MICHAEL MCSWEENEY: Jackson?

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COUNCIL MEMBER JACKSON: Here.

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MICHAEL MCSWEENEY: James?

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COUNCIL MEMBER JAMES: [No

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response].

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MICHAEL MCSWEENEY: Koo?

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COUNCIL MEMBER KOO: Yes.

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MICHAEL MCSWEENEY: Koppell?

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COUNCIL MEMBER KOPPELL: Here.

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MICHAEL MCSWEENEY: Koslowitz?

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COUNCIL MEMBER KOSLOWITZ: Here.

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MICHAEL MCSWEENEY: Lander?

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COUNCIL MEMBER LANDER: Here.

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MICHAEL MCSWEENEY: Lappin?

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COUNCIL MEMBER LAPPIN: Here.

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MICHAEL MCSWEENEY: Levin?

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COUNCIL MEMBER LEVIN: Here

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MICHAEL MCSWEENEY: Mark-Viverito?

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COUNCIL MEMBER MARK-VIVERITO:

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Here.

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MICHAEL MCSWEENEY: Mealy?

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COUNCIL MEMBER MEALY: Here.

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MICHAEL MCSWEENEY: Mendez?

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COUNCIL MEMBER MENDEZ: Here.

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MICHAEL MCSWEENEY: Nelson?

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COUNCIL MEMBER NELSON: Here.

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MICHAEL MCSWEENEY: Palma?

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COUNCIL MEMBER PALMA: Here.

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MICHAEL MCSWEENEY: Recchia?

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COUNCIL MEMBER RECCHIA: Here.

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MICHAEL MCSWEENEY: Reyna?

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COUNCIL MEMBER REYNA: [No

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response].

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MICHAEL MCSWEENEY: Rodriquez?

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COUNCIL MEMBER RODRIGUEZ: Here.

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MICHAEL MCSWEENEY: Rose?

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COUNCIL MEMBER ROSE: Here.

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MICHAEL MCSWEENEY: Sanders?

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COUNCIL MEMBER SANDERS: Present.

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MICHAEL MCSWEENEY: Seabrook?

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COUNCIL MEMBER SEABROOK: Here.

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MICHAEL MCSWEENEY: Ulrich?

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COUNCIL MEMBER ULRICH: [No

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response].

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MICHAEL MCSWEENEY: Ignizio?

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COUNCIL MEMBER IGNIZIO: Here.

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MICHAEL MCSWEENEY: Vacca?

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COUNCIL MEMBER VACCA: Here.

3

MICHAEL MCSWEENEY: James?

4

COUNCIL MEMBER JAMES: Here.

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MICHAEL MCSWEENEY: Vallone?

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COUNCIL MEMBER VALLONE: Here.

7

MICHAEL MCSWEENEY: Van Bramer?

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COUNCIL MEMBER VAN BRAMER: Here.

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MICHAEL MCSWEENEY: Vann?

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COUNCIL MEMBER VANN: Here.

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MICHAEL MCSWEENEY: Weprin?

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COUNCIL MEMBER WEPRIN: Here.

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MICHAEL MCSWEENEY: White?

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COUNCIL MEMBER WHITE: [No

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response].

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MICHAEL MCSWEENEY: Williams?

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COUNCIL MEMBER WILLIAMS: Here.

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MICHAEL MCSWEENEY: Oddo?

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COUNCIL MEMBER ODDO: [No

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response].

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MICHAEL MCSWEENEY: Rivera?

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COUNCIL MEMBER RIVERA: Here.

23

MICHAEL MCSWEENEY: Speaker Quinn?

24

SPEAKER QUINN: Here.

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2 COUNCIL MEMBER RIVERA: A quorum is
3 present. Ladies and gentlemen, please rise for
4 the Invocation being delivered by Reverend
5 Princess Thorbs.

6 REV. PRINCESS THORBS: Let us pray.
7 Gracious God, God of Abraham, Isaac and Jacob, we
8 thank you, God, for another day. Now Lord, we ask
9 that you would enter into this chamber. We
10 welcome you, Father that you would allow your
11 anointing and your wisdom to be upon your people.
12 God bless those with your wisdom that are going to
13 be ruling over your people. Give them your divine
14 guidance according to your will. Amen.

15 COUNCIL: Amen.

16 COUNCIL MEMBER RIVERA: Council
17 Member Comrie?

18 COUNCIL MEMBER COMRIE: I want to
19 spread the motion in full upon the record. I want
20 to thank Reverend Thorbs for coming today and
21 being one of the fastest prayers that we've had in
22 the Council. I just want to say that I'm very
23 proud to have known her for quite a long time.
24 Her and her mother who is here today, Reverend
25 Carlene Thorbs, she is following in her mother's

1
2 footsteps. When I first met her mother I was a
3 fledgling neophyte schoolboy member and her mother
4 guided me and mentored me and kept me away from
5 her daughter because she had bigger things planned
6 for her. Now Jimmy's looking up. It was a long
7 time ago, Jimmy.

8 But I just want to say thank you to
9 Reverend Thorbs and to Princess Thorbs because
10 they're community activists. They're active in
11 every major event in our community and they truly
12 have God and community in mind. Thank you.

13 COUNCIL MEMBER RIVERA: Thank you,
14 Council Member. Council Member Chin for the
15 adoption of the minutes.

16 COUNCIL MEMBER CHIN: I'd like to
17 make a motion that the minutes of the Stated
18 Meeting of January 6 and January 21, 2010 be
19 adopted as printed. Thank you.

20 COUNCIL MEMBER RIVERA: So ordered.
21 Messages and papers from the Mayor.

22 COUNCIL MEMBER ODDO: M 0030,
23 submitting Matthew W. Daus for appointment to the
24 Civil Service Commission.

25 SPEAKER QUINN: Rules, Privileges

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2 and Elections.

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COUNCIL MEMBER ODDO: Preconsidered
M 0031, submitting David Yassky for appointment to
the Taxi and Limousine Commission.

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7

SPEAKER QUINN: Rules, Privileges
and Elections. Can we get a little quiet please?

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COUNCIL MEMBER ODDO: M 0032,
submitting Diana Chapin for reappointment to the
Landmarks Preservation Commission.

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SPEAKER QUINN: Rules, Privileges
and Elections.

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COUNCIL MEMBER ODDO: M 0033,
submitting Elizabeth Ryan for reappointment to the
Landmarks Preservation Commission.

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SPEAKER QUINN: Rules, Privileges
and Elections.

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COUNCIL MEMBER ODDO: M 0034,
submitting Pablo Vengoechea for reappointment to
the Landmarks Preservation Commission.

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SPEAKER QUINN: Rules, Privileges
and Elections.

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COUNCIL MEMBER RIVERA:
Communicates from City, County and Borough
offices?

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COUNCIL MEMBER ODDO: M 0035

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through M 0076 on page seven, base station

4

licenses.

5

SPEAKER QUINN: Transportation.

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COUNCIL MEMBER RIVERA: Petitions

7

and communications?

8

COUNCIL MEMBER ODDO: None.

9

COUNCIL MEMBER RIVERA: Land-Use

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call-ups.

11

COUNCIL MEMBER ODDO: M 0077

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through M 0079 and M 0082.

13

SPEAKER QUINN: If we could, please

14

couple all of those on a Land Use call-up vote and

15

have a roll call on the coupled Land Use call-up

16

please.

17

MICHAEL MCSWEENEY: Arroyo?

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COUNCIL MEMBER ARROYO: Aye.

19

MICHAEL MCSWEENEY: Barron?

20

COUNCIL MEMBER BARRON: Aye.

21

MICHAEL MCSWEENEY: Brewer?

22

COUNCIL MEMBER BREWER: Yes.

23

MICHAEL MCSWEENEY: Cabrera?

24

COUNCIL MEMBER CABRERA: Aye.

25

MICHAEL MCSWEENEY: Chin?

1

2

COUNCIL MEMBER CHIN: Aye.

3

MICHAEL MCSWEENEY: Comrie?

4

COUNCIL MEMBER COMRIE: Aye.

5

MICHAEL MCSWEENEY: Crowley?

6

COUNCIL MEMBER CROWLEY: Aye.

7

MICHAEL MCSWEENEY: Dickens?

8

COUNCIL MEMBER DICKENS: Aye. And

9

I request unanimous consent to vote on all Land

10

Use call-ups and items coupled on the General

11

Order.

12

COUNCIL MEMBER RIVERA: So ordered.

13

If we could get silence in the chambers please,

14

thank you.

15

COUNCIL MEMBER DICKENS: Thank you

16

and aye on all.

17

MICHAEL MCSWEENEY: Dilan?

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COUNCIL MEMBER DILAN: [No

19

response].

20

MICHAEL MCSWEENEY: Dromm?

21

COUNCIL MEMBER DROMM: Aye.

22

MICHAEL MCSWEENEY: Eugene?

23

COUNCIL MEMBER EUGENE: Aye.

24

MICHAEL MCSWEENEY: Ferreras?

25

COUNCIL MEMBER FERRERAS: Aye. I

1
2 request unanimous consent to vote aye on all call-
3 ups. With permission, I vote aye on all coupled
4 General Orders and Resolutions.

5 COUNCIL MEMBER RIVERA: So ordered.

6 COUNCIL MEMBER FERRERAS: Thank
7 you.

8 MICHAEL MCSWEENEY: Fidler?

9 COUNCIL MEMBER FIDLER: [No
10 response].

11 MICHAEL MCSWEENEY: Garodnick?

12 COUNCIL MEMBER GARODNICK: Aye.

13 MICHAEL MCSWEENEY: Gennaro?

14 COUNCIL MEMBER GENNARO: Mr. Acting
15 Public Advocate, I vote yes on these items and I
16 ask to be able to vote on all coupled General
17 Orders and the whole calendar today.

18 COUNCIL MEMBER RIVERA: So ordered.

19 COUNCIL MEMBER GENNARO: I vote
20 aye.

21 MICHAEL MCSWEENEY: Gentile?

22 COUNCIL MEMBER GENTILE: Aye.

23 MICHAEL MCSWEENEY: Gonzalez?

24 COUNCIL MEMBER GONZALEZ: [No
25 response].

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MICHAEL MCSWEENEY: Halloran?

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COUNCIL MEMBER HALLORAN: Aye.

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MICHAEL MCSWEENEY: Ignizio?

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COUNCIL MEMBER IGNIZIO: Aye.

5

MICHAEL MCSWEENEY: Jackson?

6

COUNCIL MEMBER JACKSON: Aye.

7

MICHAEL MCSWEENEY: James?

8

COUNCIL MEMBER JAMES: Aye. And

9

I'd like to vote on all Land Use call-ups and all
coupled General Orders and on the General Calendar
and on Resolutions. I vote aye, thank you.

10

11

12

COUNCIL MEMBER RIVERA: So ordered.

13

MICHAEL MCSWEENEY: Koo?

14

COUNCIL MEMBER KOO: Aye.

15

MICHAEL MCSWEENEY: Koppell?

16

COUNCIL MEMBER KOPPELL: Aye.

17

MICHAEL MCSWEENEY: Koslowitz?

18

COUNCIL MEMBER KOSLOWITZ: Aye.

19

MICHAEL MCSWEENEY: Lander?

20

COUNCIL MEMBER LANDER: Aye.

21

MICHAEL MCSWEENEY: Lappin?

22

COUNCIL MEMBER LAPPIN: Aye.

23

MICHAEL MCSWEENEY: Levin?

24

COUNCIL MEMBER LEVIN: Aye.

25

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MICHAEL MCSWEENEY: Mark-Viverito?

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COUNCIL MEMBER MARK-VIVERITO: Aye.

3

MICHAEL MCSWEENEY: Mealy?

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COUNCIL MEMBER MEALY: Aye.

5

MICHAEL MCSWEENEY: Mendez?

6

COUNCIL MEMBER MENDEZ: Aye.

7

MICHAEL MCSWEENEY: Nelson?

8

COUNCIL MEMBER NELSON: Aye.

9

MICHAEL MCSWEENEY: Palma?

10

COUNCIL MEMBER PALMA: Aye.

11

MICHAEL MCSWEENEY: Recchia?

12

MICHAEL MCSWEENEY: Rodriquez?

13

COUNCIL MEMBER RODRIGUEZ: Aye.

14

MICHAEL MCSWEENEY: Rose?

15

COUNCIL MEMBER ROSE: Aye.

16

MICHAEL MCSWEENEY: Sanders?

17

COUNCIL MEMBER SANDERS: Aye.

18

MICHAEL MCSWEENEY: Seabrook?

19

COUNCIL MEMBER SEABROOK: Yes. Mr.

20

Majority Leader, with unanimous consent I'd like

21

vote aye on all General and Land use call-ups.

22

COUNCIL MEMBER RIVERA: So ordered.

23

MICHAEL MCSWEENEY: Ulrich?

24

COUNCIL MEMBER ULRICH: Aye.

25

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MICHAEL MCSWEENEY: Vacca?

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COUNCIL MEMBER VACCA: Aye.

3

MICHAEL MCSWEENEY: Vallone?

4

COUNCIL MEMBER VALLONE: Aye.

5

MICHAEL MCSWEENEY: Van Bramer?

6

COUNCIL MEMBER VAN BRAMER: Aye.

7

MICHAEL MCSWEENEY: Vann?

8

COUNCIL MEMBER VANN: [No

9

10 response].

MICHAEL MCSWEENEY: Weprin?

11

COUNCIL MEMBER WEPRIN: Aye.

12

MICHAEL MCSWEENEY: White?

13

COUNCIL MEMBER WHITE: [No

14

15 response].

MICHAEL MCSWEENEY: Williams?

16

COUNCIL MEMBER WILLIAMS: Aye.

17

MICHAEL MCSWEENEY: Oddo?

18

COUNCIL MEMBER ODDO: Yes.

19

MICHAEL MCSWEENEY: Rivera?

20

COUNCIL MEMBER RIVERA: I vote aye.

21

MICHAEL MCSWEENEY: Speaker Quinn?

22

SPEAKER QUINN: Aye.

23

COUNCIL MEMBER RIVERA: Today's

24

25 Land Use call-ups are adopted by a vote of 45 in

1

2 the affirmative with zero in the negative.

3 Communications from the Speaker?

4

5 SPEAKER QUINN: Thank you very
6 much. First, I want recognize our former
7 colleague, Council Member David Yassky, who I
8 think has joined us. He is soon to be our new
9 Taxi and Limousine Commissioner. Congratulations,
10 David.

11

12 He joined us earlier, but I think
13 he's left. I'm not sure if David Greenfield, the
14 new Council Member-elect is still with us. If he
15 is, I just want to recognize him, but I think he
16 may have left.

17

18 Today we're voting on a couple of
19 important pieces of legislation. The first one
20 being Proposed Intro 6-A, a piece of legislation
21 that got passed through our Consumer Affairs
22 Committee. I want to thank Chairperson Koslowitz
23 for her work on it. It was sponsored by Council
24 Member Garodnick, who we'll hear from in a minute.

25

26 This problem of improper process
27 serving is a very large and significant problem in
28 our city, particularly impacting low and moderate
29 income New Yorkers. It was a problem I think most

1
2 of us were not fully aware of the breadth or depth
3 of and wouldn't have been if Council Member
4 Garodnick hadn't brought this problem to our
5 attention. So I really want to thank you and the
6 MFY Legal Services of you have singled out as
7 being central in this effort.

8 I also want to thank members of our
9 staff Lacy Clarke, Damien Butvick, Alix Pustilnik,
10 and Rob Newman who worked very long and hard in
11 getting the specifics and the details of this
12 piece of legislation right.

13 Very simply, as we all look around
14 in the City of New York, given the recession we
15 are in, the number of New Yorkers who are in a
16 foreclose, a landlord/tenant situation, some time
17 of credit or debt situation is unfortunately
18 growing.

19 Therefore, the number of New
20 Yorkers who might be in a situation where they
21 have to be served legal papers telling them of
22 this situation is growing.

23 We have a process server process
24 and profession in the City of New York which prior
25 to this law being passed is one that is largely

1

2 unregulated, without standards and no way at all
3 of knowing in fact whether the individuals charged
4 with the constitutional requirement of delivering
5 these papers are doing it.

6 So what's happening is you have
7 people going in, paying a fee, becoming process
8 servers. No tests, no requirements. Then
9 individuals are going out, charged with delivering
10 important legal papers to New Yorkers who are in a
11 legal predicament.

12 We have no way of tracking that and
13 we hear countless stories of New Yorkers never
14 getting their legal papers. In fact, this happens
15 so rampantly it has a nickname, "sewer service".
16 That people don't deliver the papers, they just
17 throw them down the sewer.

18 So what happens? You don't appear
19 in court. You don't go through the legal process
20 and you end up losing. How often do people find
21 out that they've lost? They go to the bank and
22 their accounts are frozen and they cannot get to
23 them.

24 We heard a story during this
25 process of a Haitian gentleman whose son was in

1
2 Haiti calling and emailing because he needed money
3 to help the situation after the earthquake. The
4 man went to the bank to get money for his and he
5 couldn't get it. He had been served legal papers
6 but never been served legal papers. So he didn't
7 go to court, he didn't appear and his accounts
8 were frozen.

9 Because of Council Member
10 Garodnick's bill that we will pass today, there
11 will now be a test, a standard, a way to track
12 process servers, a way to prove and monitor and
13 give oversight to make sure New Yorkers who are
14 supposed to get legal papers get them. Then they
15 can begin the legal process and defend themselves.
16 This is an incredibly important step forward in
17 making sure that people's constitutional right is
18 not being violated in New York City.

19 Again, I really want to thank
20 Council Member Garodnick for shining a light on
21 this problem in our city and helping us take steps
22 forward to really address a big problem for a lot
23 of New Yorkers. So Dan, I want thank you again,
24 and let me call on the bill's sponsor, Council
25 Member Garodnick.

1
2 COUNCIL MEMBER GARODNICK: Thank
3 you very much, Speaker Quinn. I also want to join
4 you in thanking Chair Koslowitz for holding the
5 hearings on this bill as well as MFY Legal
6 Services for their advocacy.

7 What we are talking about today is
8 strengthening the very foundation of our legal
9 system. That is the chance to defend yourself in
10 court. There is a disturbing trend at work in New
11 York which is tens of thousands of residents who
12 are being sued for old debts which they may or may
13 not truly owe. Yet they are only learning they've
14 been sued after they have lost and when they find
15 that their bank accounts are frozen or their wages
16 have been garnished.

17 The reason for this comes as a
18 surprise to them. They were never properly served
19 in the first instance. It's not a small problem.
20 Every year in New York City, debt collectors bring
21 320,000 cases and the judgments they win total
22 \$800 million. Of these cases, 75% of them result
23 in default judgments. In other words, the
24 defendant never showed up in court to defend.

25 Getting a legal notice is a pretty

1
2 scary thing, not something that most people just
3 simply ignore. So MFY Legal Services studied a
4 sample of cases to understand this shocking
5 percentage of defaults. And what they found was
6 even more shocking.

7 The defendants in these cases were
8 almost never served properly. In fact, of more
9 than 350 of MFY's clients who were sued in debt
10 collection cases in 2007, not one was served
11 properly with a summons and complaint.

12 It does not matter what you're
13 looking at, when something works zero out of 350
14 times, you're not dealing about accidents or
15 coincidence, you're dealing with a system that is
16 severely broken.

17 In this case, that system is making
18 it extremely difficult for working New Yorkers to
19 gain and sustain financial independence.

20 The bill that we are voting on
21 today is going to protect defendants in a few
22 ways. First it will require a surety bond,
23 insurance, in order to obtain and maintain a
24 process server's license. This is extremely
25 important, especially when individuals' due

1
2 process rights hang in the balance, and because a
3 shocking number of process servers resort to sewer
4 services, particular in the cases I described.

5 An investigation by the attorney
6 general found that one server who claimed to have
7 made 77 attempts in a single day over a span of
8 400 miles. Because of this, we are going to use
9 global positioning technology in a noninvasive way
10 to confirm whether or no they went where they said
11 they did.

12 We will also improve the
13 professionalism of the industry by requiring
14 licensees to pass an examination on the proper
15 service of process. We'll even improve the rights
16 of the workers in the industry by requiring that
17 process serving agencies give their employees a
18 statement of their employees' rights.

19 The overall result of this
20 legislation is that process servers will be held
21 appropriately to a higher standard. They will
22 become accountable if service is not completed.
23 Working New Yorkers will not have to live in fear
24 that they are losing thousands of dollars in court
25 cases that they did not even know about.

1
2 So I thank again the Speaker, Chair
3 Koslowitz, all of the advocates, particular MFY,
4 and I encourage my colleagues to cast a yes vote
5 on this important legislation Intro 6-A. Thank
6 you.

7 SPEAKER QUINN: Thank you, Council
8 Member Garodnick. We're also voting today on
9 Intro 59-A, a piece of legislation that is passed
10 out of our Education Committee. I want to thank
11 Chairperson Robert Jackson. It's sponsored by
12 Council Member Jimmy Van Bramer and I want to
13 thank him. I want to thank the staff who worked on
14 this, Rachel Cordero, Aysha Schomberg, Jan Atwell,
15 Shauneequa Owusu and Terzah Nasser and also Laura
16 Popa who worked on this legislation.

17 This bill is going to do a very
18 exciting thing. It is going to make sure that all
19 students in the New York City Public School system
20 are offered an application for a public library
21 card in the five boroughs.

22 There are far too many public
23 school students who don't have a library card.
24 Not having a library card shuts them off from all
25 of the services of the public libraries in the

1
2 City of New York. We want to make sure that every
3 student can walk into a public library on a
4 regular basis, get the books, DVDs, the other
5 tremendous resources the libraries have to offer.

6 We want to thank the Department of
7 Education for working with us and finding a cost-
8 free way to use materials they already have,
9 expand them, incorporate these applications, use
10 their electronic communication with parents to get
11 them the applications.

12 In doing so we will make sure the
13 hundreds of thousands of students who don't have
14 library cards get them and then open up the wonder
15 and the possibilities of our library system to
16 them. So I want to thank everyone who has worked
17 on this legislation. Let me first call on the
18 chair of the committee, Council Member Robert
19 Jackson and then the sponsor of the bill, Council
20 Member Van Bramer.

21 COUNCIL MEMBER JACKSON: Thank you,
22 Speaker Quinn. Let me just say that this appears
23 to be a no-brainer. You would think that everyone
24 has had the opportunity, but that's not so. Under
25 the legislation put forward by our colleague

1
2 Jimmy, this will happen. Every student entering
3 their school for the first time or 6th grade or
4 high school or elementary school will have an
5 application put in their hand.

6 In fact, this is a great piece of
7 legislation that's going to cost the city nothing.
8 It's not going to cost us anything, but in fact
9 it's going to open the doors to our children in
10 order so they can explore the world through books,
11 through computers, through videos and really
12 that's what life is about. Let me thank Jimmy for
13 putting this piece of legislation forward and all
14 of the committee staff that worked on it. Thank
15 you.

16 COUNCIL MEMBER VAN BRAMER: Thank
17 you, Madame Speaker and Education Chair Jackson.
18 No institution understands better than this one
19 that libraries are an integral part of our
20 education system. It is undeniable that children
21 who read more and use their libraries do better
22 academically. As an education resource, it is
23 important to use every opportunity to bring
24 libraries and students together. The Library Card
25 Act will do just this.

1
2 We all know that a library card in
3 the hands of a child is a passport to a world of
4 books and lifelong learning. Library cards are a
5 free resource and every child, regardless of
6 income or immigration status is eligible for one.

7 While many children have library
8 cards, far too many do not. In Queens alone,
9 approximately 45%, over 113,000 school age
10 children do not have library cards. In Brooklyn,
11 about 33%, or nearly 200,000 school age children
12 do not have library cards, though they are
13 eligible. A similar number of children lack
14 library cards in the areas served by the New York
15 Public Library.

16 While library systems do great work
17 to try and increase enrollment, the truth is that
18 the best, most efficient and most comprehensive
19 way to distribute library card applications is
20 through our schools. This is a low-cost way of
21 greatly increasing the number of students who have
22 library cards.

23 I would like to thank Speaker
24 Quinn, Chair Jackson, Chuck Meara, Rob Newman,
25 Aysha Schomberg, Terzah Nasser, Laura Popa and

1
2 Rachel Cordero for their terrific work on this
3 issue, and all of my colleagues who have already
4 signed on. I urge everyone to support this
5 important legislation. Thank you.

6 SPEAKER QUINN: Thank you very
7 much. Lastly, we are voting today on a piece of
8 legislation, Intro 3-A that was both introduced by
9 Chairperson by Daniel Dromm and passed out of his
10 Immigration Affairs Committee. I want to thank
11 Julene Beckford and Alix Pustilnik who both worked
12 on this bill.

13 This piece of legislation requires
14 that the Administration for Children's Services
15 develop clear plans to make sure that the children
16 in their care who qualify for Special Immigrant
17 Juvenile Status are given the opportunity, put
18 through the process so they can gain that status.

19 Right now we believe there are
20 potentially hundreds of young people in the care
21 of ACS who qualify for that status.
22 Unfortunately, we do not believe that ACS has the
23 proper procedures in place to make sure workers
24 are working with these young people to get them
25 this status.

1
2 Getting this status is an
3 incredibly important step towards citizenship.
4 It's a status that will enable these young people
5 for scholarship and other monies that not having
6 the status and other services that they don't have
7 the status that they would be cut off from, and
8 it's a status that is only eligible up to a
9 certain age. So it's incredibly important that
10 ACS begin working with these young people and
11 getting them into this status that they qualify
12 for.

13 I want to thank Chairperson Dromm
14 for his work on this very, very much. I want to
15 thank the advocates who worked with Danny on this
16 issue and call on the chair and the sponsor,
17 Council Member Dromm.

18 COUNCIL MEMBER DROMM: Thank you
19 very much, Speaker Quinn. It's indeed a pleasure
20 to have this as my first piece of legislation to
21 hopefully pass because it's so very important to
22 so many members of city and especially to the
23 children to whom this is going to affect.

24 I'd also like to thank the
25 advocates who helped me on this Theresa Moser from

1
2 Legal Aid Society, Katherine Fleet from Legal Aid
3 Society, Myra Elgabry from Lawyers for Children,
4 with additional thanks to the Covenant House and
5 to staff members Alix Pustilnik, Julene Beckford,
6 Israel Rodriguez and my chief of staff Will
7 Sweeney.

8 Specifically, this law will
9 identify children in ACS documents for their
10 country of birth. It identifies all children with
11 ACS as early as possible who may qualify for these
12 benefits. It identifies children within ACS so
13 that they can receive these immigration benefits,
14 it tracks the children and it assists the children
15 who need these services with such things as
16 securing their birth certificates.

17 So indeed, this is a great piece of
18 legislation and I ask my colleagues to support us
19 on this. Thank you.

20 SPEAKER QUINN: Thank you very
21 much, Chairperson Dromm. I want to thank our
22 Majority Leader Chairperson Rivera for his work in
23 the Rules Committee where, as I mentioned, former
24 Council Member David Yassky I being voted on as
25 the new head of our Taxi and Limousine Commission

1
2 and also Michael Ryan as the Richmond County
3 Democratic Commissioner of our Board of Elections.
4 So thank you for that. That concludes
5 Communications from the Speaker.

6 COUNCIL MEMBER RIVERA: Thank you
7 very much. Moving on to Discussion of General
8 Orders, we have Council Member Oliver Koppell.

9 COUNCIL MEMBER KOPPELL: Thank you
10 very much, Mr. Majority Leader. I want to
11 compliment Dan Garodnick and the Speaker for
12 dealing with the issue of sewer service in Intro
13 6-A.

14 Unfortunately, though there are
15 many good things in the bill, there is a problem
16 with the bill that forces me to have to abstain.
17 The problem is the bonding requirement. We have
18 seen that requiring businesses to get bonds often
19 is a barrier to allowing them to business and
20 often is based on criteria that have little to do
21 with the actual that they're going to do. It may
22 have to do with their credit standing or it may
23 have to do with the assets that they have.

24 So in a number of instances,
25 particularly for home improvement contractors, we

1
2 have an alternative system. If you can't get a
3 bond, you sign up and you have to pay a certain
4 amount into a fund and that fund is there to
5 protect people who may be injured by the home
6 improvement contractor who doesn't do his job.

7 I believe that in connection with
8 the process serving industry there are many people
9 who are very small business people and who may
10 have great difficulty getting a bond. That
11 doesn't mean that I don't want people who could be
12 adversely affected if they're not properly served,
13 if I don't want them to have a remedy. They
14 should have a remedy like the people who hire a
15 home improvement contractor.

16 In fact, the sponsor and the staff
17 have responded to my concern because the
18 individual process server, if he can't get a bond,
19 can deposit \$1,000 into a fund. That's a good
20 thing. There's an alternative there, but not for
21 the processing service business.

22 Now you can be a business if you're
23 just a process server yourself and you hire one or
24 two independent contractors. That makes you a
25 business. It doesn't mean you're a great big

1
2 business. We should not make the bonding
3 requirement a gate keeping function because it may
4 have nothing to do with your ability to serve
5 process properly, as long as there is security for
6 the possible victim, and that security can be
7 provided by a fund. So I ask that the businesses
8 also have an alternative, as do the individuals,
9 but I couldn't convince the sponsor to do that.

10 We're going to be monitoring this.
11 I hope I'm wrong. I hope everybody can get a
12 bond. But I'm fearful that the 120 small
13 businesses will have great difficulty staying in
14 business for the lack of a bond.

15 COUNCIL MEMBER RIVERA: Thank you.
16 Council Member Vacca.

17 COUNCIL MEMBER VACCA: Thank you.
18 I'd like to vote aye on all. I commend Council
19 Member Van Bramer, Council Member Dromm and I
20 especially commend Dan Garodnick. I think, as
21 someone who is not an attorney, at the Caucus and
22 today again I've learned and I appreciate
23 Councilman Garodnick introducing this significant
24 legislation. I vote aye on all. Thank you.

25 COUNCIL MEMBER RIVERA: So ordered.

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2 Council Member Levin?

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COUNCIL MEMBER LEVIN: I just want to congratulate and recognize my predecessor and friend David Yassky on his appointment to the Taxi and Limousine Commission. I know that I speak on behalf of all Council Members from Brooklyn and all staff when I say that we now know who to call when we have a hard time getting a cab to take us from Manhattan to Brooklyn on a Saturday night. Congratulations David and all the best. Thanks.

COUNCIL MEMBER RIVERA: Council Member Ydanis Rodriguez.

COUNCIL MEMBER RODRIGUEZ: I would like to congratulate our next commissioner David Yassky. At the same time, I would like to share with everyone what I also expressed to him, which is that as someone that represents a district that I have six livery taxi companies, I hope that we're going to be working together to address the issue on how we can improve the working conditions of the livery cab drivers. I know many of those drivers are being harassed by many agents of the TLC. I hope that under his supervision we will be able to improve that working condition.

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2 COUNCIL MEMBER RIVERA: Council
3 Member Sanders and then Council Member Vallone.

4 COUNCIL MEMBER SANDERS: I want to
5 also congratulate the new Commissioner Yassky.
6 But I also want to encourage him to keep up the
7 struggle against prejudice in the industry. Just
8 the other night I was up there waiting and trying
9 to get a taxi. I almost had to be forced to get
10 my good colleague Gale Brewer to get me a taxi.
11 I'm here to say that the problem still continues.
12 Please, Mr. Commissioner, keep up the fight
13 against it. There was notable change when there
14 was a fight against this with the old
15 commissioner. The fight must be continued. Thank
16 you for your help, Council Member Brewer. Thank
17 you.

18 COUNCIL MEMBER RIVERA: Council
19 Member Vallone.

20 COUNCIL MEMBER VALLONE: Thank you.
21 I also want to commend David Yassky, my good
22 friend. I think he'll do a great job as
23 commissioner. I want to commend Dan Garodnick for
24 a great bill and my two colleagues Van Bramer and
25 Dromm who are already having bills voted on by

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2 this City Council which is a very impressive feat
3 and not an easy thing to do. Both bills are noble
4 purposes.

5 I do have to apologize to Council
6 Member Dromm though. I'm not going to be able to
7 support yours during this budget crisis. I
8 believe it's an unfunded mandate to ACS at a time
9 when this overworked agency which is responsible
10 for our children's safety is going to be taking
11 severe cuts.

12 Yes, it calls only for creating a
13 plan, but that plan does include things like
14 mandatory training and additional services to be
15 provided by that agency which are costs, even if
16 just in manpower or overtime costs. So again,
17 it's a noble purpose, a good idea but just at a
18 bad time for me, so I'm going to wind up
19 abstaining on that one, but congratulations on all
20 the work you did.

21 COUNCIL MEMBER RIVERA: Thank you.
22 Council Member Jumaane Williams.

23 COUNCIL MEMBER WILLIAMS: I want to
24 also congratulate my colleagues Van Bramer and
25 Dromm and Garodnick, particularly the ACS

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2 immigration one. I think it's fantastic and one
3 that's definitely necessary. So I'm probably
4 going to vote aye on all. I also want to
5 congratulate David Yassky.

6 I also do want to point out two
7 things. I hope he does sit down with some of us
8 to discuss the livery cab conditions in the outer
9 boroughs and also like Council Member Sanders was
10 saying, a few years I actually took a cab driver
11 to court. He was suspended for not picking me up.
12 I'm sure the reason was pretty obvious. Even now
13 I have one that I should be going to soon for the
14 same reason. So this problem still does exist and
15 I hope those two things will be better addressed.
16 Thank you.

17 COUNCIL MEMBER RIVERA: Thank you
18 very much. Council Member Weprin.

19 COUNCIL MEMBER WEPRIN: Thank you.
20 I want to congratulate David Yassky on his new
21 apartment as well as my colleagues, the sponsors
22 of the bills passed today, especially my neighbors
23 from Queens.

24 I do want to comment on Intro 59-A
25 by Mr. Van Bramer on the library cards, how

1
2 distressing I find it that the Department of
3 Education needs this prodding in order to
4 encourage students to get these library cards.

5 It seems very simple that when we
6 register our children in school that one of the
7 many forms that we must fill out as parents would
8 include one that would let you get a library card
9 and then therefore every student would have a
10 library card without having to just get the
11 information and then seek out the best way to get
12 it. However, I will be supporting all the pieces
13 of legislation. Thank you.

14 COUNCIL MEMBER RIVERA: Seeing no
15 others, we're going to move on to Report of
16 Special Committees.

17 COUNCIL MEMBER ODDO: None.

18 COUNCIL MEMBER RIVERA: Report of
19 Standing Committees.

20 COUNCIL MEMBER ODDO: Report of the
21 Committee on Consumer Affairs, Intro 6-A, process
22 servers.

23 SPEAKER QUINN: Amended and coupled
24 on General Orders.

25 COUNCIL MEMBER ODDO: Report of the

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2 Commission on Education, Intro 59-A, library card
3 applications.

4 SPEAKER QUINN: Amended and coupled
5 on General Orders.

6 COUNCIL MEMBER ODDO: Report of the
7 Committee on Finance, Preconsidered Reso 127,
8 transparency.

9 SPEAKER QUINN: Coupled on General
10 Orders.

11 COUNCIL MEMBER ODDO: Preconsidered
12 LU 0048 and Reso 129.

13 SPEAKER QUINN: Coupled on General
14 Orders.

15 COUNCIL MEMBER ODDO: Preconsidered
16 M 0080 and Reso 130 and M 0081 and Reso 131,
17 Council operating budget.

18 SPEAKER QUINN: Coupled on General
19 Orders.

20 COUNCIL MEMBER ODDO: Report of the
21 Committee on Immigration, Intro 3-A, Special
22 Immigrant Juvenile Status.

23 SPEAKER QUINN: Amended and coupled
24 on General Orders.

25 COUNCIL MEMBER ODDO: Report of the

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2 Committee on Land Use, LU 0021 and Reso 132, the
3 UDAP Manhattan.

4 SPEAKER QUINN: Coupled on General
5 Orders.

6 COUNCIL MEMBER ODDO: LU 0041 and
7 Reso 133 through LU 0043 and Reso 135, sidewalk
8 cafes.

9 SPEAKER QUINN: Coupled on General
10 Orders.

11 COUNCIL MEMBER ODDO: LU 0044 and
12 Reso 136, zoning resolution.

13 SPEAKER QUINN: Coupled on General
14 Orders.

15 COUNCIL MEMBER ODDO: LU 0045 and
16 Reso 137, Landmarks designation.

17 SPEAKER QUINN: Coupled on General
18 Orders.

19 COUNCIL MEMBER ODDO: LU 0046 and
20 Reso 138, sidewalk café.

21 SPEAKER QUINN: Coupled to be filed
22 pursuant to a letter of withdrawal.

23 COUNCIL MEMBER ODDO: LU 0047 and
24 Reso 139, acquisition of office space.

25 SPEAKER QUINN: Coupled on General

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2 Orders.

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COUNCIL MEMBER ODDO: Preconsidered
LU 0049 and Reso 140, UDAP Manhattan.

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SPEAKER QUINN: Coupled on General
Orders.

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COUNCIL MEMBER ODDO: Report of the
Committee on Rules, Privileges, and Elections, M
0025 and Reso 141 approving the appointment of
Michael J. Ryan, Richmond County Democratic
Commissioner of Elections.

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SPEAKER QUINN: Coupled on General
Orders.

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COUNCIL MEMBER ODDO: Preconsidered
M 0031 and Reso 142 approving the appointment of
David S. Yassky as a member of the New York City
Taxi and Limousine Commission.

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SPEAKER QUINN: Coupled on General
Orders.

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COUNCIL MEMBER RIVERA: The General
Order Calendar.

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COUNCIL MEMBER ODDO: Resolution
appointing various persons Commissioner of Deeds.

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SPEAKER QUINN: Coupled on General
Orders. At this time I'd like to ask for a roll

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2 call on all items that have been coupled on the
3 General Order calendar please.

4 MICHAEL MCSWEENEY: Arroyo?

5 COUNCIL MEMBER ARROYO: Aye.

6 MICHAEL MCSWEENEY: Barron?

7 COUNCIL MEMBER BARRON: May I be
8 excused to explain my vote?

9 COUNCIL MEMBER RIVERA: Yes.

10 COUNCIL MEMBER BARRON: I thought I
11 was going to have an aye on all day here today,
12 but honesty compels me and as one of the strongest
13 progressive voices in this City Council, I have
14 concerns about the appointment of David Yassky to
15 the Taxi and Limousine Commission.

16 We have to be cautious of any
17 appearance or any perception of the Mayor awarding
18 people that supported him on term limits or any
19 other vote in this Council. David Yassky was a
20 longstanding member of this Council. When we have
21 members in the Council that have to be the checks
22 and balance for the Mayor. We have to be very
23 concerned that no one gets rewarded or punished
24 for their votes.

25 While David Yassky may have some

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2 hidden expertise that I didn't know about in terms
3 of dealing with the Taxi and Limousine Commission,
4 I will leave it open for that possibility. But I
5 think we should be very, very careful on how we
6 award people that the Mayor appoints to
7 commissions when they had a longstanding history
8 in this City Council.

9 So that it might be just a fair and
10 open thing and nothing to it, I'm going to abstain
11 and not vote against it, giving David the benefit
12 of the doubt. But it does seem to me to be
13 something that we as a Council should be very
14 concerned about and not set a precedent of those
15 who serve in this body that has to be a check and
16 balance to this Mayor and a progressive voice in
17 this city. We need to be very concerned about the
18 appearance, the perception of a possibility that
19 this is an award for something. So with that, I
20 say aye on all and I abstain on Preconsidered M
21 0031.

22 MICHAEL MCSWEENEY: Brewer?

23 COUNCIL MEMBER BREWER: I vote aye.
24 I want to state that I look forward to David
25 Yassky as the chair of TLC. I'm very fond of

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2 Jessica Lappin, but I also loved sitting next to
3 David Yassky. I will vote aye on all others. I
4 also want to commend the individual who's being
5 nominated from Staten Island because as
6 Governmental Operations Chair, we will certainly
7 be working with all colleagues on the issue of the
8 Board of Elections and the challenges that they
9 face. Thank you very much.

10 MICHAEL MCSWEENEY: Cabrera?

11 COUNCIL MEMBER CABRERA: Aye.

12 MICHAEL MCSWEENEY: Chin?

13 COUNCIL MEMBER CHIN: Aye on all.

14 MICHAEL MCSWEENEY: Comrie?

15 COUNCIL MEMBER COMRIE: Aye on all.

16 Congratulations Council Member Garodnick, Daniel
17 Dromm and to Jimmy Van Bramer on their bills and
18 especially to my two Queens colleagues on passing
19 their first pieces of legislation.

20 I'm proud to say that I've had a
21 good, honest and open relationship in working with
22 David Yassky over the last eight years, which is
23 why I'm going to vote for him because I think that
24 David has integrity and will be a great addition
25 in the leadership of TLC.

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2 With all due respect to any other
3 opinion, I think that we will be able to
4 communicate with him. He'll be responsive to our
5 communities. He will also be able to embrace the
6 new technologies needed to take TLC to a new
7 level. I vote aye on all.

8 MICHAEL MCSWEENEY: Crowley?

9 COUNCIL MEMBER CROWLEY: Aye on
10 all.

11 MICHAEL MCSWEENEY: Dilan?

12 COUNCIL MEMBER DILAN: Mr.
13 President Pro Tempore, I'd like to request
14 unanimous consent to vote on all Land Use call-
15 ups.

16 COUNCIL MEMBER RIVERA: So ordered.

17 COUNCIL MEMBER DILAN: I vote aye
18 and I vote aye on all General Order Calendar
19 items.

20 MICHAEL MCSWEENEY: Dromm?

21 COUNCIL MEMBER DROMM: Aye on all.
22 I'd like to congratulate my colleague Jimmy Van
23 Bramer on his first piece of legislation and also
24 congratulate Dan Garodnick on his. Thank you.

25 MICHAEL MCSWEENEY: Eugene?

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COUNCIL MEMBER EUGENE: Aye.

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MICHAEL MCSWEENEY: Fidler?

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COUNCIL MEMBER FIDLER: Majority

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Leader Rivera, may I be briefly excused to explain
my vote?

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COUNCIL MEMBER RIVERA: Yes.

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COUNCIL MEMBER FIDLER: I am always

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so happy that my name comes up in the alphabet

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after Charles Barron. It gives me the opportunity

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to respond to what he says and get the last word

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in.

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I have to tell you, I'm extremely

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pleased to be voting for David Yassky today. It's

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not just because he's a friend. It's not even

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because it proves that there is life after the

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City Council. It's not even to show that every

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now and then Lew Fidler and the Bloomberg

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administration can agree wholeheartedly on

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something. It's because I think he is an absolute

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round peg for a round hole in this appointment.

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The taxi industry in this city has

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evolved over years to a day and time where the

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world is different. What may have worked before

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maybe doesn't work so well now. Having someone

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2 like David who is innovative, who is not afraid to
3 think outside the box, look at an industry to see
4 whether or not we can do better for handicap
5 accessibility, whether we can do better in
6 fighting air pollution, whether we can do better
7 in fighting congestion in the Central Business
8 District, whether we can do better in providing
9 for consumers and whether we can do better for the
10 people who work in this industry, I think David
11 Yassky is a homerun. I think he's exactly what
12 this job needs.

13 So having said that, I vote aye on
14 all and I really think that we should be very,
15 very proud that our former colleague is going to
16 be the TLC chairman.

17 MICHAEL MCSWEENEY: Garodnick?

18 COUNCIL MEMBER GARODNICK: Thank
19 you. I wanted to congratulate David Yassky on his
20 appointment. We look forward to working with him,
21 not only because he's a capable and creative
22 thinker but also because we look forward to giving
23 him a particularly hard time when he comes before
24 the Transportation Committee.

25 I also wanted to recognize the work

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on the process servers legislation of Alix Pustilnik and Lacy Clarke and Rob Newman. I was remiss in not doing that before. They were an incredible resource in this process. So I want to say thank you. I am please to vote aye on all.

MICHAEL MCSWEENEY: Gentile?

COUNCIL MEMBER GENTILE: With congratulations to Brooklynites David Yassky and Matt Daus for their new positions, and congratulations to my colleagues on the General Order calendar today, I vote aye on all.

MICHAEL MCSWEENEY: Gonzalez?

COUNCIL MEMBER GONZALEZ: [No response].

MICHAEL MCSWEENEY: Halloran?

COUNCIL MEMBER HALLORAN: May I be excused to explain my vote?

COUNCIL MEMBER RIVERA: Yes.

COUNCIL MEMBER HALLORAN: I'm going to vote aye on all, but I did want to indicate that I share Council Member Vallone's concern about overtaxing an agency which is right now experiencing cuts.

I share his concern that this will

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2 wind up creating what amounts to an unfunded
3 mandate. I wonder whether this effort would be
4 better spent elsewhere. But I certainly
5 understand emotionally why this is a necessary
6 vote. I just wanted to, for the record, indicate
7 that I think we may find people coming back to us
8 next year when this program takes off and find
9 that it does not in fact cost this body anything.

10 In fact, it will wind up incurring
11 substantial costs. Given the demographics of the
12 budget that we have this year and what we're
13 likely to have next year, we may find that this
14 law winds up putting us in a position where work
15 that should be getting done by ACS is not getting
16 done in order to fulfill this mandate and they
17 will seek further funding from us. With that
18 being said, I vote aye on all.

19 MICHAEL MCSWEENEY: Ignizio?

20 COUNCIL MEMBER IGNIZIO: Yes.

21 MICHAEL MCSWEENEY: Jackson?

22 COUNCIL MEMBER JACKSON: Aye on
23 all.

24 MICHAEL MCSWEENEY: Koo?

25 COUNCIL MEMBER KOO: Aye on all.

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MICHAEL MCSWEENEY: Koppell?

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COUNCIL MEMBER KOPPELL: Request permission to abstain and explain my vote.

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COUNCIL MEMBER RIVERA: Yes.

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COUNCIL MEMBER KOPPELL: I would just like to say there may be some in this house who are unaware of the tremendous work that David Yassky did as a member of this body with respect specifically to taxis.

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For anyone to suggest that he comes to this job without experience or understanding doesn't know that he, perhaps more than anyone else, was responsible for the fact that we have hybrid taxis in the fleet today. He's worked extensively to encourage the modernization of the taxi fleet and was able to do that through legislation that we passed in this house.

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Let me say, it isn't David Yassky who is fortunate to be appointed to the job. It is the City of New York that is fortunate to have David Yassky with his knowledge of this industry and his overall ability and innovative approach to problems, to have him as the head of the Taxi Commission. I'm very much looking forward to his

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2 service and want to congratulate him on the
3 appoint and say that whatever else you might think
4 of Mayor Bloomberg this is, indeed as Lew Fidler
5 said, a homerun.

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7 I also wish to vote aye on all
8 matters on the General Orders Calendar with the
9 exception of Intro 6-A on which I abstain.

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MICHAEL MCSWEENEY: Koslowitz?

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12 COUNCIL MEMBER KOSLOWITZ: I would
13 like to congratulate Council Member Dan Garodnick.
14 It was a pleasure working with you. I would also
15 like to congratulate Danny Dromm and Jimmy Van
16 Bramer on your legislation. I also would like to
17 congratulate David Yassky. I didn't have the
18 privilege of working with him before, but I sure
19 look forward to working with him now. I vote aye.

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MICHAEL MCSWEENEY: Lander?

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22 COUNCIL MEMBER LANDER: I also want
23 to congratulate four friends and colleagues to
24 Council Members Dromm and Van Bramer on their
25 first legislation, to Council Member Garodnick on
a terrific piece of legislation that's going to
make a real difference in the lives of working
class and low income people in the city and to my

1
2 friend David Yassky, a smart and dedicated public
3 servant who will do a great job at the TLC. I
4 vote aye on all.

5 MICHAEL MCSWEENEY: Lappin?

6 COUNCIL MEMBER LAPPIN: I also want
7 to congratulate Danny Dromm and Jimmy Van Bramer
8 for passing their first bills today, and the ever-
9 fabulous Dan Garodnick, my former seat mate. I
10 wanted to vote aye on all and wish David Yassky
11 the best of luck and heartfelt congratulations on
12 his new position.

13 MICHAEL MCSWEENEY: Levin?

14 COUNCIL MEMBER LEVIN: With
15 congratulations to Council Members Dromm, Van
16 Bramer and Garodnick and former Council Member
17 Yassky, I vote aye on all.

18 MICHAEL MCSWEENEY: Mark-Viverito?

19 COUNCIL MEMBER MARK-VIVERITO:
20 Congratulations as well all around I guess, to
21 Danny Dromm and Jimmy Van Bramer and Dan Garodnick
22 and I vote aye on all.

23 MICHAEL MCSWEENEY: Mealy?

24 COUNCIL MEMBER MEALY: Yes, I would
25 like to congratulate all my new colleagues on

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2 passing their first legislation. I would like to
3 thank my colleague Dan Garodnick for great
4 legislation. I also want to thank the good and
5 nice David Yassky and congratulations. I vote aye
6 on all.

7 MICHAEL MCSWEENEY: Mendez?

8 COUNCIL MEMBER MENDEZ: I'm voting
9 aye and congrats to all.

10 MICHAEL MCSWEENEY: Nelson?

11 COUNCIL MEMBER NELSON: Ditto to
12 Darlene. What's going on here? Let's keep it
13 down here. I'll just say aye on all then.

14 MICHAEL MCSWEENEY: Palma?

15 COUNCIL MEMBER PALMA: Aye.

16 MICHAEL MCSWEENEY: Recchia?

17 COUNCIL MEMBER RECCHIA: Yes, hold,
18 Gary is telling me something. I would like to
19 first congratulate my good friend David Yassky. I
20 just have to say that you're not going to find a
21 more ethical person, a person who has credentials,
22 credibility. He's an outstanding advocate for the
23 hybrid taxis. He introduced legislation. He was
24 working with the Taxi and Limousine Commission,
25 with the industry; he cares about all the people.

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2 I want to wish him the best of luck. The mayor
3 could not have chosen a better person than David
4 Yassky for this position. I vote aye on all.

5 MICHAEL MCSWEENEY: Rodriguez?

6 COUNCIL MEMBER RODRIGUEZ: Aye on
7 all.

8 MICHAEL MCSWEENEY: Rose?

9 COUNCIL MEMBER ROSE: I'd like to
10 also congratulate my fellow newbies, Danny Dromm
11 and my seatmate Jimmy Van Bramer, for passing
12 their first legislation. That's a great
13 accomplishment. I'd also like to congratulate Dan
14 Garodnick. I would like to also vote aye on all.
15 I'd like to say the appointment of Michael Ryan
16 was a great choice because Mike has a history of
17 integrity and I know he's going to serve the Board
18 of Elections in an exemplary manner. Thank you,
19 and congratulations, Mr. Yassky.

20 MICHAEL MCSWEENEY: Sanders?

21 COUNCIL MEMBER SANDERS: Aye on
22 all.

23 MICHAEL MCSWEENEY: Ulrich?

24 COUNCIL MEMBER ULRICH: Permission
25 to explain my vote.

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COUNCIL MEMBER RIVERA: Yes.

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COUNCIL MEMBER ULRICH: Thank you.

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4 I would first like to congratulations my
5 colleagues Dan Garodnick and Danny Dromm on
6 passing their first piece of legislation. But
7 with respect to my colleague, Council Member Van
8 Bramer's bill, I have to say that I was very
9 undecided walking into the chamber today that he
10 would introduce such a controversial piece of
11 legislation.

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But about several minutes ago, we
13 had a little powwow in the back of the chamber and
14 he assured me, being the progressive that he is,
15 that this would not result in the further
16 extension of the arm of big government into the
17 public schools. So with that assurance and
18 because he is a dear friend and colleague, I am
19 voting aye on all.

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MICHAEL MCSWEENEY: Vallone?

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COUNCIL MEMBER VALLONE: I asked
22 Commissioner Yassky for a refund of my taxi
23 overcharges before I vote for him. But then I
24 realized I don't work in Albany so I'm going to
25 vote for him anyway. Thanks, Jimmy, I can always

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2 count on you. You know, when he fought for the
3 hybrid taxis, it was very unpopular with the taxi
4 industry. So I think this is actually a very bold
5 appointment by the mayor and I commend both of
6 them. I'm going to vote aye on all and abstain on
7 3-A. Thanks.

8 MICHAEL MCSWEENEY: Van Bramer?

9 COUNCIL MEMBER VAN BRAMER: I'd
10 like to congratulate Danny Dromm on a terrific
11 piece of legislation that's very important and
12 also Councilman Dan Garodnick. I'd like to
13 congratulate a good friend, David Yassky, who is a
14 great public servant and a really, really smart
15 guy. Just to let everybody know that despite Eric
16 Ulrich's support, I will be voting for my
17 legislation.

18 MICHAEL MCSWEENEY: Vann?

19 COUNCIL MEMBER VANN:
20 Congratulations to the new appointees and my
21 colleagues for their first legislation as well as
22 Council Member Garodnick. I vote aye on all.

23 MICHAEL MCSWEENEY: Weprin?

24 COUNCIL MEMBER WEPRIN: Aye on all.

25 MICHAEL MCSWEENEY: White?

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COUNCIL MEMBER WHITE: [No

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response].

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MICHAEL MCSWEENEY: Williams?

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COUNCIL MEMBER WILLIAMS: Aye on

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all.

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MICHAEL MCSWEENEY: Oddo?

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COUNCIL MEMBER ODDO: Yes.

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MICHAEL MCSWEENEY: Rivera?

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COUNCIL MEMBER RIVERA: I vote aye

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on all.

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MICHAEL MCSWEENEY: Speaker Quinn?

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SPEAKER QUINN: Aye on all.

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COUNCIL MEMBER RIVERA: All items

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on today's General Order Calendar were adopted by

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a vote of 46 in the affirmative with zero in the

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negative and zero abstentions. With the exception

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of Preconsidered M 0031 and Reso 142, which was

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adopted by a vote of 45 in the affirmative, zero

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in the negative and one abstention and Intro 6-A

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which was adopted by a vote of 45 in the

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affirmative, zero in the negative, and one

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abstention and Intro 3-A which was adopted by a

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vote of 45 in the affirmative, zero in the

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negative and one abstention and the revised Land

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2 Use call-ups is 46 in the affirmative with zero in
3 the negative. We now move on to Introduction and
4 Reading of the bills.

5 SPEAKER QUINN: All bills are
6 referred to committees as indicated on the agenda.

7 COUNCIL MEMBER RIVERA: Discussion
8 of Resolutions. Seeing none at this point, we'll
9 go on to a vote of the Resolution. We have
10 Resolution 17-A, an amended resolution calling up
11 on the New York State Legislature to adopt and the
12 governor to sign legislation which would allow
13 credit unions, savings banks and savings and loan
14 associations to accept and secure deposits from
15 municipal corporations. Amended and adopted by
16 the Committee on Community Development. All in
17 favor say aye.

18 COUNCIL: Aye.

19 COUNCIL MEMBER RIVERA: All opposed
20 say nay. Any abstentions? The ayes have it.
21 We'll move on to General Discussion. We have
22 Council Member Barron.

23 COUNCIL MEMBER BARRON: Thank you
24 very much. To my colleagues, I want to encourage
25 you to sign on to Resolution 81. It's calling for

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2 the Central Park jogger victims, the five young
3 men that were falsely accused of rape and beating
4 the Central Park jogger in 1989.

5 Most of them spent 7 to 16 years in
6 prison until a DNA test was taken and the admitted
7 perpetrator of that crime was imprisoned and
8 confessed to it. These youngsters were coerced
9 into a confession and served 16 years, some of
10 them, in prison. They lost the best of their
11 youth.

12 So we're calling on this city to
13 settle out of court. They were proven innocent.
14 They had the wrong people. Even a known drug
15 dealer sued the city and the mayor settled out of
16 court with a known drug dealer, but can't settle
17 out of court for the Central Park jogger families
18 and these young men who lost their youthfulness
19 when they were falsely accused and spent over a
20 decade in prison.

21 We're calling on the city to
22 compensate them. Settle out of court like you did
23 with the drug dealer. These young men are
24 innocent. DNA proved their innocence. It's time
25 for the city to stop putting their family through

1
2 more trauma. They lost jobs, they lost their
3 youthfulness, and they lost opportunities in
4 school. They're suffering now financially and
5 emotionally and so are their families.

6 We're asking that you support this
7 resolution calling on the city to settle the case
8 outside of court. It is only fair. It is only
9 right. They suffered enough. So I ask that you
10 sign on to my resolution. Thank you very much.

11 COUNCIL MEMBER RIVERA: Thank you.
12 Council Member Dickens, okay, and we'll move to
13 the next one, Council Member Nelson.

14 COUNCIL MEMBER NELSON: Thank you.
15 How many of my colleagues have been woken at night
16 or startled by a commercial as they're watching
17 television that was like ten times the decibel
18 level of the show that they were watching? I
19 think it's extremely disconcerting. Ten countries
20 seem to have the technology to stop this. The FCC
21 of our country claims that it does not.

22 So my resolution is urging Congress
23 to sign legislation that would require the FCC to
24 monitor the volume in advertisements on television
25 programming and determine acceptable levels,

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2 telling us that we can't live with Shamwell or
3 some other product.

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5 We have to provide certain veterans
6 with training and support and medical services and
7 that's Reso 123. The first one was Reso 124. Then
8 along with Council Member Vallone, we are calling
9 upon President Obama to rescind a plan that would
10 transfer New York City's Coast Guard Maritime
11 Safety and Security Team to Boston. I don't think
12 we have to spell out the importance of keeping the
13 Coast Guard in New York City.

13

14 Fourth, there's a local law to
15 amend the administration code in the City of New
16 York in relation to notices of violations of the
17 litter law issue to residential buildings. That's
18 Intro 0025. What this does is if you own
19 property, under eight residences, you should not
20 be receiving a ticket for those who are littering
21 at a bus stop in front of your property. That is
22 really a "gotcha" type of a law and this must be
23 changed.

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24 I'll end it off with again, three
25 names, Matt McCabe, Julio Huertas and Jonathan
Keefe, the Navy Seals who are going on trial next

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2 month. Be outraged fellow Council Members.

3 COUNCIL MEMBER RIVERA: Thank you
4 very much, Council Member. Council Member Vann?

5 COUNCIL MEMBER VANN: Thank you.
6 Under current state law, only commercial banks and
7 trust companies are authorized or allowed to
8 accept municipal deposits while so-called thrift
9 institutions, community development financial
10 institutions are prohibited from receiving such
11 deposits. It virtually is a monopoly for
12 commercial and trust companies. This is obviously
13 an antiquated law and had it not been in place, up
14 to \$6 billion could have been deposited by
15 municipal funds.

16 Fortunately, there are several
17 bills in the legislature now which would provide
18 authorization for the deposit of municipal funds.
19 Also, the governor has amended in his executive
20 budget the provision that municipalities will be
21 given the option of placing their deposits in
22 credit unions and savings banks and savings and
23 loans, along with commercial banks. So if you can
24 imagine the good that could be done when these
25 local financial institutions can receive and

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2 secure those deposits and can invest and make
3 those loans in the local community.

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5 Actually, Mayor Bloomberg has
6 committed I think \$25 million to be deposited
7 locally if the authorization occurs in the state
8 legislature. I guess the significance and
9 practicality of this resolution, and this might be
10 the one thing that would further encourage and
11 support the state legislature to pass it. So it's
12 a very significant resolution. I encourage all of
13 my colleagues to support it. Thank you very much.

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COUNCIL MEMBER RIVERA: Thank you.

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Council Member Jackson.

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COUNCIL MEMBER JACKSON: Thank you,
Mr. Majority Leader. My colleagues, I rise to
communicate with you that several of our
colleagues, Margaret Chin, Danny Dromm, Dr.
Mathieu Eugene and Melissa and Ydanis, we rode the
buses down to Washington, D.C. for a huge
immigration reform rally trying to ensure that
families are united, that people are not deported
that should be here and that immigration reform
take place as promised by President Barack Obama.

I say to you that that's important

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2 and some of you may not think so, but put yourself
3 in their place, trying to live the American dream,
4 trying to provide for their families, and also
5 trying to ensure that their families are not
6 deported.

7 So I ask you to support the New
8 York City Immigration Coalition. Over 11,000 New
9 Yorkers went down to Washington, D.C. on the Mall.
10 I talked to some people from Texas who rode the
11 bus 22 hours in order to be there. Let me tell
12 you, it was an experience, a very positive one.

13 But also I rise to also support
14 Council Member Barron's Intro 81 and obviously the
15 Central Park Five, those who were convicted and
16 later found innocent, deserve justice for the
17 years that they have spent in prison. I ask all
18 of you to join Council Member Barron in support
19 Resolution 81 in order to provide justice for the
20 individuals that were wrongfully convicted.

21 Also, to all of the women, this is
22 Women's History Month. I congratulate all women
23 and their struggle to be leaders in our great
24 society. Just look in this Council Chambers. We
25 have many leaders, including our Speaker Christine

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2 Quinn who is the leader of this body.

3 Congratulations to all women.

4 COUNCIL MEMBER RIVERA: Thank you
5 very much. Council Member Oddo.

6 COUNCIL MEMBER ODDO: Thank you,
7 Mr. Majority Leader. I just want to ask my
8 colleagues, to whomever you pray, if you would
9 keep in your thoughts a young man by the name of
10 Gunner Sandburg who is a high school kid out in
11 Marin County, California who is trying desperately
12 to cling on to life. They induced a coma because
13 the swelling in his brain was so bad.

14 We all come here with our own
15 experiences and our own agendas and then somewhere
16 along the line we get these pet causes. Around
17 nine years ago, I stumbled into one and that was
18 to protect our young student athletes from the
19 dangers of baseballs being hit off of metal bats.

20 It was a controversial issue. The
21 Council was criticized on the editorial pages of
22 the tabloids and major publications. But unlike
23 every other legislature, this legislature stood
24 tall. It was led by a wonderful Youth Services
25 chair and a brave Speaker. We passed a bill that

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2 banned the use of metal bats in New York City. It
3 has worked despite all of the distortions and lies
4 of the folks who make it and make a lot of money.

5

6 A week and a half ago it happened
7 again to a young man doing nothing wrong other
8 than pitching a ball to another young guy with a
9 bat. He pitched the ball came back at him at such
10 a rate of speed he literally did not have a chance
11 to protect himself. He collapsed and he got up
12 and he seemed fine.

12

13 Thanks to the foresight of someone
14 in attendance, they said let's not take any
15 chances and take him to the emergency room. At
16 the emergency room all hell broke loose. He has
17 shown no brain activity over the weekend. On
18 Monday there was some signs of life.

18

19 I ask each of when you drop on your
20 knees tonight, to please keep Gunner Sandburg in
21 your prayers and his family. Hopefully he has a
22 miracle inside him.

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23 I thank those of you who voted yes
24 under some very trying times a few years ago. I
25 believe in my heart of hearts that you helped
prevent a kid from New York and a family from New

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2 York having and enduring the same pain that the
3 Sandburgs are now in California. Thank you.

4 COUNCIL MEMBER RIVERA: Thank you
5 very much. Council Member Gentile.

6 COUNCIL MEMBER GENTILE: Thank you
7 to my colleagues Eric Ulrich, Ydanis Rodriguez,
8 Vincent Ignizio, Mathieu Eugene, Brad Lander and
9 Dan Halloran who joined me on the steps this
10 morning in support of the three bills I'm
11 introducing today to benefit veterans.

12 We in New York City must find
13 tangible ways to honor our veterans. Veterans'
14 organizations deserve a break when it comes to
15 city fees and fines. Many of those fines are so
16 costly that they break the back of these
17 organizations. Two of the bills I'm introducing
18 will provide relief from those fines.

19 One by exempting veterans' groups,
20 that's Intro 109, from FDNY fees that relate to
21 inspection and permits that they conduct at
22 Veteran Halls. This takes the burden of costly
23 FDNY fees off the shoulders of veterans who
24 usually have small budgets and can't afford to pay
25 them.

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While nobody wants veterans halls to harbor health code violations, Intro 110 gives veterans groups a window of time to fix Department of Health violations before any fine is imposed. Faced with the budget gap, city agencies can be overzealous in trying to ticket to bridge that gap. But we should not allow the men and women who serve this country from becoming victims of overzealous city agencies. Instead, give them the chance to correct any health code issues before fining them.

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The third bill, Intro 111, provides easy access to information and services for benefits. It would require that the city establish a physical and central source of information for veterans and one in each borough. Many counties in the state have established veteran service agencies. Why not New York City with upwards of 225,000 veterans within its borders?

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I urge my colleagues to sign on to each of these bills and on behalf of the veterans I thank you and go big red.

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COUNCIL MEMBER RIVERA: Thank you

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2 very much. Council Member Williams?

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COUNCIL MEMBER WILLIAMS: Thank

you. I just want to encourage my colleagues also

to sign on to Council Member Barron's Resolution

81. Just to look at this case on the merits, it's

very disturbing. These five young men who look

like me were wrongly accused and spent time in

jail.

There was a similar incident in

Kentucky. Five white students were accused by one

black female. When it was found that they were

wrongly accused, the DA, who dared to believe her

was dismissed of their job.

These five young men, many careers

were made off of them and no one has been taken to

task for the veracious way that they went after

them. At the very least, at minimum, the city can

stop torturing them more and stop punishing them

more and just give them what they deserve which is

a settlement for what they suffered wrongly.

COUNCIL MEMBER RIVERA: Thank you

very much. Next is Council Member Brewer.

COUNCIL MEMBER BREWER: Thank you

very much. I'm sure you've all heard of paid sick

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2 time more than you wish to. But I am deeply
3 appreciative of all of the colleagues who have
4 signed on. I'm deeply appreciative to all the
5 businesses and nonprofits and worker groups and
6 unions and individuals who have taken the time to
7 improve the bill.

8 I'm very appreciative of all of the
9 Speaker's staff and the Speaker who put time in,
10 whether you're for or against it, trying to figure
11 out what would make good legislation.

12 Whether or not it moves forward,
13 there has been a huge discussion. We will
14 continue to press forward. Obviously, I would
15 like to see the bill's passage for the one million
16 low wage workers who do not have the opportunity
17 to provide support for their own illness or those
18 of a loved one. So I'm here to say thank you and
19 we will continue the discussion.

20 COUNCIL MEMBER RIVERA: Thank you
21 very much. Council Member Fidler?

22 COUNCIL MEMBER FIDLER: I know this
23 is probably going to sound silly but in this
24 "gotcha" era that we're living in, I figured
25 better safe than sorry. As I was sitting here

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2 listening to Council Member Vann discuss Reso 17-A
3 I think I probably should have disclosed before I
4 voted yes that I own an infinitesimal share of
5 Esquire Bank in Brooklyn and I own about 2,000
6 shares of Citigroup. I don't know if they're
7 commercial banks or what kind of bank they are.
8 There it is. It's disclosed on my COIB form as
9 well.

10 COUNCIL MEMBER RIVERA: Thank you.
11 Council Member Mark-Viverito, followed by Council
12 Member Rose, followed by Council Member Vann and
13 then Council Member Dilan.

14 COUNCIL MEMBER MARK-VIVERITO:
15 Thank you. I was actually not intending to speak
16 but I actually feel compelled. When Council
17 Member Jackson reminded us about the wonderful and
18 historic rally in D.C. where hundreds of thousands
19 of us were marching to remind our administration
20 to keep its promise on immigration reform, our
21 Congress was passing historic legislation on
22 health care reform.

23 But I have to stand up to really
24 denounce the unfortunate tactics that the
25 Republican Party and the reactionary right is

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2 taking in this country. When you have individuals
3 that are spitting on congressional reps, when they
4 are throwing racial slurs, homophobic rants, when
5 they are acting in sheer violence and inciting
6 violence and that some of our congressional reps
7 representing the Republican Party are inciting
8 that behavior as well, it is very unfortunate.

9 We as a legislative body need to
10 stand up on behalf of our colleagues in government
11 to say that that kind of behavior is not
12 acceptable. That we really expect different
13 standards and have different expectations of how
14 people should be treated in this country. I'll
15 bring it up to my colleagues in the Black, Latino
16 and Asian Caucus when we meet afterwards that we
17 may want to write a letter or present some sort of
18 a resolution denouncing what has happened this
19 past week and continues to happen. People I'm
20 sure are well aware of the tactics that are being
21 implemented by the Republican Party in the Senate
22 to really stall the discussion and try to really
23 not allow this health care reform legislation to
24 move forward. So, I really would ask my
25 colleagues to stand up as well and speak out

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2 against the tactics that are being implemented in
3 this country today. Thank you.

4 COUNCIL MEMBER RIVERA: Thank you
5 very much. Council Member Rose followed by
6 Council Member Vann.

7 COUNCIL MEMBER ROSE: Thank you. I
8 would like to encourage all of my colleagues in
9 the Council to sign on to Intro 129. While I
10 understand that it's a Staten Island issue, it is
11 an issue of equity for us.

12 As you know, Staten Island does not
13 have a public hospital. It's the only borough
14 that doesn't have an HHC facility. We've been
15 fighting for years to have one so that the people
16 who are underserved and unserved in our
17 communities can get the care.

18 Today we recognized the Colon
19 Cancer Initiative that came from the Council and
20 through HHC. We were not able to have a HHC
21 hospital participate in this and so it put the
22 burden on two of the private hospitals in Staten
23 Island. There are many programs that come through
24 HHC that are so important to the wellbeing of the
25 constituents on Staten Island that we're not able

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2 to participate in because of the lack of a
3 hospital.

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So I'm asking that a task force be convened because the excuse has been that we have enough beds. Although we might have enough beds, they are specifically targeted. Whereas the need might be for telemetry beds, there are not enough and yet there is an overabundance of maybe pediatric beds.

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So I'm asking that you sign onto this bill and help us to get this task force so that they can determine the real need, what beds are needed and if in fact HHC's decision that we have enough beds is in fact accurate and serves the wellbeing of our communities. So I'm asking my colleagues to please sign on to Intro 29.
Thank you.

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COUNCIL MEMBER RIVERA: Thank you very much. Council Member Vann?

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COUNCIL MEMBER VANN: Thank you. I paused when I spoke the first time and you thought I was ended, but I understand that. Incredibly, you may have seen in the papers or on the internet that NYCHA has placed in Tompkins Houses, a public

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housing, in a play area, a replica of a jail.

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There's an area that has little bar on it and it

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had "jail", not stenciled and not painted on

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there, it was engraved in the actual door, which

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means that this was a conscious design, either by

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NYCHA or someone they contracted with. Presumably

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they approved the design.

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This is incredible and no one can

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really believe this. This apparently was put

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there some time ago. I'm equally disturbed that

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over such a long period of time that there was no

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opposition or no one was offended enough to

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express that and make complaints.

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I hope that the complaint went un-

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responded to as opposed to there being an

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acceptance of this theory or this belief that

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encourages young people that jail is a necessary

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part of the experience in the city and in their

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community.

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So I'm upset on two fronts. Number

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one that NYCHA somehow did this or allowed this to

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happen. I tried to talk to somebody yesterday and

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they have not yet gotten back to me. Secondly,

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hopefully that we've not so been traumatized and

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2 internalized such behavior in our community that
3 something like this could go without the community
4 being offended and outraged. I don't know which
5 is worse, what NYCHA did or what may have been
6 accepted.

7

8 In either case, there needs to be a
9 response by NYCHA. At minimum they need to
10 explain, they need to apologize to the city and
11 specifically to this community. They need to get
12 back to me as a legitimate representative of this
13 community in terms of what happened and what we're
14 doing to correct that. Thank you.

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16 COUNCIL MEMBER RIVERA: Thank you
very much. Seeing no others, this meeting is
adjourned.

C E R T I F I C A T E

I, Donna Hintze certify that the foregoing transcript is a true and accurate record of the proceedings. I further certify that I am not related to any of the parties to this action by blood or marriage, and that I am in no way interested in the outcome of this matter.



Signature_____

Date April 8, 2010