

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

STATED COUNCIL MEETING

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September 4, 2008

Start: 1:00pm

Recess: N/A

HELD AT: Council Chambers
City Hall

B E F O R E:
BETSY GOTBAUM
Public Advocate

COUNCIL MEMBERS:
Joseph P. Addabbo, Jr.
Maria del Carmen Arroyo
Tony Avella
Maria Baez
Charles Barron
Gale A. Brewer
Anthony Como
Leroy G. Comrie, Jr.
Bill de Blasio
Inez E. Dickens
Erik Martin Dilan
Mathieu Eugene
Simcha Felder

A P P E A R A N C E S

COUNCIL MEMBERS:

Lewis A. Fidler
Helen D. Foster
Daniel R. Garodnick
James F. Gennaro
Vincent J. Gentile
Eric N. Gioia
Sara M. Gonzalez
Vincent Ignizio
Robert Jackson
Letitia James
Melinda R. Katz
G. Oliver Koppell
Jessica S. Lappin
John C. Liu
Melissa Mark-Viverito
Miguel Martinez
Michael E. McMahon
Darlene Mealy
Rosie Mendez
Hiram Monserrate
Michael C. Nelson
James S. Oddo
Annabel Palma
Christine C. Quinn
Domenic M. Recchia, Jr.
Diana Reyna
Joel Rivera
James Sanders, Jr.
Larry B. Seabrook
Helen Sears
Kendall Stewart
James Vacca
Peter F. Vallone
Albert Vann
David I. Weprin
Thomas White, Jr.
David Yassky

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

Betsy Gotbaum
Public Advocate

Father Darrell A. DaCosta
St. Paul The Apostle, Corona, NY

Kathleen Kennedy Townsend

[START TAPE 1002]

BETSY GOTBAUM: Stated Meeting of
September 4th will begin. All rise. I pledge
allegiance to the flag--

ALL: --Of the United States of
America, and to the Republic, for which it stands,
one nation, under God, indivisible, with liberty
and justice for all.

BETSY GOTBAUM: Roll call.

CITY CLERK: Addabbo.

COUNCIL MEMBER ADDABBO, JR: Here.

CITY CLERK: Arroyo.

COUNCIL MEMBER DEL CARMEN ARROYO:

Here.

CITY CLERK: Avella.

COUNCIL MEMBER AVELLA: Here.

CITY CLERK: Baez.

COUNCIL MEMBER BAEZ: Here.

CITY CLERK: Barron.

COUNCIL MEMBER BARRON: Here.

CITY CLERK: Brewer.

COUNCIL MEMBER BREWER: Here.

CITY CLERK: Como.

[No Response]

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STATED COUNCIL MEETING

CITY CLERK: Comrie.

COUNCIL MEMBER COMRIE, JR.: Here.

CITY CLERK: de Blasio.

COUNCIL MEMBER DE BLASIO: Here.

CITY CLERK: Dickens.

[No Response]

CITY CLERK: Dilan.

[No Response]

CITY CLERK Eugene.

COUNCIL MEMBER EUGENE: Present.

CITY CLERK: Felder.

[No Response]

CITY CLERK: Fidler.

COUNCIL MEMBER. FIDLER: Here.

CITY CLERK: Foster.

COUNCIL MEMBER FOSTER: Here.

CITY CLERK: Garodnick.

COUNCIL MEMBER GARODNICK: Here.

CITY CLERK: Gennaro.

[No response]

CITY CLERK: Gentile.

COUNCIL MEMBER GENTILE: Here.

CITY CLERK: Gerson.

[No Response]

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CITY CLERK: Gioia.

[No Response]

CITY CLERK: Gonzalez.

[No Response]

CITY CLERK: Ignizio.

COUNCIL MEMBER IGNIZIO: Here.

CITY CLERK: Jackson.

COUNCIL MEMBER JACKSON: Here.

FEMALE VOICE: Quiet, please.

CITY CLERK: James.

COUNCIL MEMBER JAMES: Here.

CITY CLERK: Katz.

[No Response]

CITY CLERK: Koppell.

COUNCIL MEMBER KOPPELL: Here.

CITY CLERK: Lappin.

COUNCIL MEMBER LAPPIN: Here.

CITY CLERK: Liu.

COUNCIL MEMBER LIU: Here.

CITY CLERK: Mark-Viverito.

COUNCIL MEMBER MARK-VIVERITO:

Here.

CITY CLERK: Martinez.

[No Response]

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CITY CLERK: McMahon.

[No Response]

CITY CLERK: Mealy.

COUNCIL MEMBER MEALY: Present.

CITY CLERK: Mendez.

[No Response]

CITY CLERK: Monserrate.

[No Response]

CITY CLERK: Nelson.

COUNCIL MEMBER NELSON: Here.

CITY CLERK: Palma.

COUNCIL MEMBER PALMA: Here.

CITY CLERK: Recchia.

COUNCIL MEMBER RECCHIA, JR.: Aye.

CITY CLERK: Reyna.

COUNCIL MEMBER REYNA: Here.

CITY CLERK: Sanders.

[No Response]

CITY CLERK: Seabrook.

[No Response]

CITY CLERK: Sears.

COUNCIL MEMBER SEARS: Here.

CITY CLERK: Stewart.

COUNCIL MEMBER STEWART: Here.

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CITY CLERK: Vacca.

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COUNCIL MEMBER VACCA: Here.

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CITY CLERK: Vallone.

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[No Response]

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CITY CLERK: Vaan.

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COUNCIL MEMBER VAAN: Here.

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CITY CLERK: Weprin.

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COUNCIL MEMBER WEPRIN: Here.

9

CITY CLERK: White.

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COUNCIL MEMBER WHITE, JR.: Here.

11

CITY CLERK: Yassky.

12

[No Response]

13

CITY CLERK: Oddo.

14

[No Response]

15

CITY CLERK: Rivera.

16

COUNCIL MEMBER RIVERA: Here.

17

CITY CLERK: Speaker Quinn.

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SPEAKER QUINN: Here.

19

BETSY GOTBAUM: Quorum is present.

20

Thank you. All rise for the invocation by Father
Darrell DaCosta. Quiet, please.

21

22

DARRELL A. DACOSTA: Let us pray.

23

Oh Lord, in this governmental body we take time to
turn our attention to you. Some may choose to

24

25

1
2 call you a higher power, some a final judge and
3 ruler; others, a mystery or story; others, their
4 Lord, Savior and faithful friend. We invoke your
5 assistance on this assembly as they use the powers
6 entrusted to them today and throughout their term
7 of office. We ask for your guidance, right
8 judgment and courage to exercise wisdom, justice
9 and compassion in accordance with your Holy Will.
10 May all the people whom this Council serves
11 experience the leadership, support and order that
12 was meant for them to have. We pray this in God's
13 name. Amen.

14 ALL: Amen.

15 BETSY GOTBAUM: - - a motion to
16 deliver the invocation by Council Member Sears.

17 COUNCIL MEMBER SEARS: Motion to
18 spread the invocation in full upon the record by--

19 BETSY GOTBAUM: So ordered.

20 Adoption of the minutes?

21 CITY CLERK: None.

22 SPEAKER QUINN: And Madam Public
23 Advocate I ask my colleagues to please stand
24 again.

25 [Pause]

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2 SPEAKER QUINN: Today we will stand
3 in a moment of silence because on August 28th,
4 2008, Army Specialist Jorge Feliz Nieve, 26, of
5 Queens Village, he's lived both in Council Member
6 Comrie and Council Member Weprin's district, was
7 killed in Iraq when his vehicle went off a cliff.
8 He was assigned to the 3rd Squadron, 3rd Armored
9 Cavalry Regiment in Ft. Hood, Texas. Specialist
10 Nieve was born in the Dominican Republic and after
11 struggling financially in the Dominican Republic,
12 he came to live in the United States with his aunt
13 in the hope for a better future. He joined the
14 military and told his aunt, quote, I can get our
15 family more money this way, everything will be
16 fine. Besides his aunt and cousins, he leaves
17 behind his wife and a mother, both of whom still
18 live in the Dominican Republic.

19 [Pause]

20 SPEAKER QUINN: Thank you. But
21 before we sit, I just had to share-- at a loss of
22 a New Yorker, I wanted to share some exciting news
23 about a soon-to-be new New Yorker, an additional
24 member of the Council family, Rob Newman, our
25 legislative director will be leaving-- not leaving

1
2 the Council, just leaving New York on Saturday to
3 go to Ethiopia to pick up, with his wife, and
4 adopt their new four month old daughter, Salaam;
5 is that correct?

6 [Applause]

7 SPEAKER QUINN: So Salaam will be
8 with us very soon. She will be the first little
9 girl and third child to Rob and Nurette
10 [phonetic], and we want to wish them all the best
11 of luck. And I've seen her pictures and she is as
12 beautiful as her name. And we can't wait to all
13 meet her very soon, as soon as she gets here. So
14 congratulations Rob to you and Nurette, and best
15 of luck.

16 [Applause]

17 BETSY GOTBAUM: Messages and papers
18 from the Mayor?

19 SPEAKER QUINN: Okay, sorry.
20 Adoption of the minutes.

21 CITY CLERK: None.

22 SPEAKER QUINN: Okay, messages and
23 papers from the Mayor.

24 CITY CLERK: M 1112.

25 SPEAKER QUINN: Rules, Privileges

1

2 and Elections.

3

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BETSY GOTBAUM: Communication from
city, county and borough offices?

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CITY CLERK: None.

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BETSY GOTBAUM: Petitions and
communications?

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CITY CLERK: None.

9

BETSY GOTBAUM: Land Use call-ups.

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MALE VOICE: M 1113 through M 1115.

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SPEAKER QUINN: Those are Land Use
call-ups and if they could be coupled on a vote

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for Land Use call up and if we could please have a

14

role call on the Land Use call-ups.

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CITY CLERK: Addabbo.

16

COUNCIL MEMBER ADDABBO, JR.: Aye.

17

CITY CLERK: Arroyo.

18

COUNCIL MEMBER DEL CARMEN ARROYO:

19

Aye.

20

CITY CLERK: Avella.

21

COUNCIL MEMBER AVELLA: Aye, and

22

I'd like to have unanimous consent to vote on all

23

general ordered.

24

BETSY GOTBAUM: So ordered.

25

COUNCIL MEMBER AVELLA: Thank you,

1

2 I vote yes.

3

CITY CLERK: Baez.

4

COUNCIL MEMBER BAEZ: I am

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requesting permission to vote aye on all general

6

coupled orders, please?

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BETSY GOTBAUM: So ordered.

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COUNCIL MEMBER BAEZ: Aye.

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CITY CLERK: Barron.

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COUNCIL MEMBER BARRON: I'm

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requesting permission to vote aye on all general

12

order items.

13

BETSY GOTBAUM: So ordered.

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COUNCIL MEMBER BARRON: Aye on all.

15

CITY CLERK: Brewer.

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COUNCIL MEMBER BREWER: Aye on all.

17

CITY CLERK: Katz.

18

COUNCIL MEMBER KATZ: I vote aye on

19

all the Land Use call ups and request unanimous

20

consent on all of the general order calendar, and

21

I vote aye.

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BETSY GOTBAUM: So ordered.

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CITY CLERK: Comrie.

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COUNCIL MEMBER COMRIE, JR.: Aye on

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all.

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STATED COUNCIL MEETING

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CITY CLERK: de Blasio.

COUNCIL MEMBER DE BLASIO: Aye on

all.

CITY CLERK: Dickens.

COUNCIL MEMBER DICKENS: Aye on

all.

CITY CLERK: Dilan.

COUNCIL MEMBER DILAN: Aye on all.

CITY CLERK: Eugene.

COUNCIL MEMBER EUGENE: Aye on all.

CITY CLERK: Felder.

COUNCIL MEMBER FELDER: Aye on all.

CITY CLERK: Fidler.

COUNCIL MEMBER FIDLER: Aye.

CITY CLERK: Foster.

COUNCIL MEMBER FOSTER: Aye on all.

CITY CLERK: Garodnick.

COUNCIL MEMBER GARODNICK: Aye.

CITY CLERK: Gentile.

COUNCIL MEMBER GENTILE: Aye on

all.

CITY CLERK: Gerson.

[No Response]

CITY CLERK: Ignizio.

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[No Response]

CITY CLERK: Jackson.

COUNCIL MEMBER JACKSON: Aye.

CITY CLERK: James.

COUNCIL MEMBER JAMES: Aye on all.

CITY CLERK: Koppell.

COUNCIL MEMBER KOPPELL: Aye.

CITY CLERK: Lappin.

COUNCIL MEMBER LAPPIN: Aye.

CITY CLERK: Liu.

COUNCIL MEMBER LIU: Yes.

CITY CLERK: Mark-Viverito.

COUNCIL MEMBER MARK-VIVERITO: Aye

on all.

CITY CLERK: Martinez.

[No Response]

CITY CLERK: Mealy.

COUNCIL MEMBER MEALY: Aye and on

all Land Use call ups sets LU 810 and Res 01604.

No, not now.

CITY CLERK: Mendez.

COUNCIL MEMBER MENDEZ: Aye on all.

CITY CLERK: Monserrate.

[No Response]

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CITY CLERK: Nelson.

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COUNCIL MEMBER NELSON: Aye.

3

CITY CLERK: Palma.

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COUNCIL MEMBER PALMA: Aye on all.

5

CITY CLERK: Recchia.

6

COUNCIL MEMBER. RECCHIA, JR.: Aye

7

on all.

8

CITY CLERK: Reyna.

9

COUNCIL MEMBER REYNA: Aye on all.

10

CITY CLERK: Sanders.

11

COUNCIL MEMBER SANDERS, JR.:

12

Permission to vote on all previous Land Use items?

13

BETSY GOTBAUM: So ordered.

14

COUNCIL MEMBER SANDERS, JR.: I

15

vote aye and yes.

16

MALE VOICE: This is the only Land

17

Use.

18

COUNCIL MEMBER SANDERS, JR.:

19

Absolutely, this Land Use.

20

CITY CLERK: Seabrook.

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COUNCIL MEMBER SEABROOK: Yes, and

22

President with the unanimous consent, I'd like to

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vote aye on all Land Use call-ups and with

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permission.

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BETSY GOTBAUM: So ordered.

COUNCIL MEMBER SANDERS: Aye.

CITY CLERK: Sears.

COUNCIL MEMBER SEARS: Aye.

CITY CLERK: Stewart.

COUNCIL MEMBER STEWART: Permission
to vote on all Land Use call up and also all
general orders.

BETSY GOTBAUM: So ordered.

COUNCIL MEMBER STEWART: Aye on
all. Thank you.

CITY CLERK: Vacca.

COUNCIL MEMBER VACCA: Aye.

MALE VOICE: Vallone.

COUNCIL MEMBER VALLONE, JR.: Aye.

CITY CLERK: Vann.

COUNCIL MEMBER VANN: Aye.

CITY CLERK: Weprin.

COUNCIL MEMBER WEPRIN: Aye.

CITY CLERK: White.

COUNCIL MEMBER WHITE, JR.: I vote
aye on all Land Use call ups and I ask for
unanimous consent to vote on all coupled general
orders.

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BETSY GOTBAUM: - -

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COUNCIL MEMBER WHITE, JR.: I vote

4

aye.

5

CITY CLERK: Yassky.

6

[No Response]

7

CITY CLERK: Ignizio.

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VINCENT IGNIZIO: Yes.

9

[Pause]

10

CITY CLERK: Monserrate.

11

COUNCIL MEMBER MONSERRATE: Aye on

12

all.

13

CITY CLERK: Oddo.

14

COUNCIL MEMBER ODDO: Yes.

15

CITY CLERK: Rivera.

16

COUNCIL MEMBER RIVERA: Yes.

17

CITY CLERK: Speaker Quinn.

18

SPEAKER QUINN: Yes.

19

[Pause]

20

BETSY GOTBAUM: Today's Land Use

21

call-ups were adopted by a vote of 41 in the

22

affirmative, zero negative. Communication from

23

the speaker?

24

SPEAKER QUINN: Thank you. We're

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voting on three pieces of legislation today that

1
2 continue in our efforts around reforming and
3 improving the Department of Buildings. Let me say
4 before I comment on these three pieces of
5 legislation that deal specifically with crane
6 safety, that I think it's important that all of us
7 note as we start today's meeting that we lost
8 another construction worker earlier today.

9 BETSY GOTBAUM: Quiet please.

10 SPEAKER QUINN: There was a
11 construction accident in my district in the West
12 40s. We obviously don't know all of the
13 circumstances of that death yet. There will be an
14 investigation, but obviously that worker and his
15 family are very much in our mind today,
16 particularly since we are voting on these three
17 pieces of legislation, Intro 794, 5 and 96-A, all
18 are part of our ongoing effort to make sure no
19 more lives are lost as a result of construction or
20 construction work in our city. These three pieces
21 of legislation directly relate to the two tragic
22 accidents that occurred in Council Member Lappin's
23 district. These three bills will go a long way to
24 making the mantling, dismantling, jumping and
25 operation of cranes safer in the City of New York.

1
2 They'll require very specific initial and ongoing
3 training for all individuals who work in or around
4 cranes. They'll also require specific and
5 detailed communications between people on the
6 jobsite and the Department of Buildings about
7 crane safety. They'll require that people who are
8 using cranes to build buildings develop specific
9 plans for any time they mantle, dismantle or jump
10 the crane, and will require that the Department of
11 Buildings conduct inspections to make sure those
12 plans are documented and on site. This
13 legislation will also significantly limit the
14 times in the City of New York when nylon slings
15 can be used with cranes. Many of us know that one
16 of the incidents that occurred in Council Member
17 Lappin's district was relevant to the use of a
18 nylon sling. So together, these three pieces of
19 legislation are going to make sure we have better
20 communication, better coordination between
21 construction workers and city agencies, better
22 trained workers and also make sure that the
23 materials and products that we're using are the
24 highest quality and the safest ones that are
25 available. I want to thank Bob Aham [phonetic],

1
2 Bed Goodman [phonetic], Jeff Haberman and Rob
3 Newman, who all worked on this legislation. I
4 also wanted to thank the Mayor's office of
5 legislative affairs; they have been partners with
6 us in every Department of Building piece of
7 legislation we've done. I also want to thank Erik
8 Dilan, who has worked tirelessly on this issue
9 since taking over as chair of our Housing and
10 Buildings Committee. I also want to thank Council
11 Member Lappin, the prime sponsor of these bills,
12 who responded in an incredibly focused manner
13 after these two incidents occurred in her
14 district. Let me first call on Council Member
15 Lappin and then Chairperson Dilan.

16 COUNCIL MEMBER LAPPIN: Thank you,
17 Madam Speaker. I want to thank you and Chair
18 Dilan for all of your work. I wanted to thank Rob
19 Newman for hours and hours and hours of tireless
20 meetings over the last six months. Construction
21 in this city is happening at an incredibly rapid
22 pace and our oversight and safety regulations have
23 to keep up. And there are those that would say
24 construction is a dangerous business and leave it
25 at that. But I think we have a responsibility to

1
2 do what we can to make construction and to make
3 crane operations safer. And I think these bills
4 certainly bring us one step closer to that goal.
5 The average person on the street should know that
6 once these bills are enacted, the people working
7 on those cranes will have training. It seems
8 crazy to think that now there is no requirement
9 that those workers be trained; and that's going to
10 change. In terms of the safety protocols and
11 putting together a plan; one to have a plan, and
12 two, to make sure that everybody sits at the
13 table, reviews the plan, knows exactly what their
14 task is during a dangerous operation, is
15 critically important. And I wanted to note, it
16 has been almost six months since the first crane
17 collapse. These bills were not put together
18 hastily. They were put together over a long
19 period of time, over multiple hearings with
20 incredible amount of consultation with those in
21 the industry, in labor, with the Mayor, with my
22 colleagues, all of us working together to draft
23 legislation that really will make a difference and
24 do it in a sensible way. So I'm very proud to be
25 the sponsor of this legislation and to be able,

1
2 after the vote, to go back to my community, to
3 look my neighbors in the eye, those who are still
4 feeling the impact of these tragedies and tell
5 them that we, as a body, have done something and
6 done something that matters.

7 SPEAKER QUINN: Thank you very
8 much, Council Member Lappin. If I can next call
9 on the Chair of Housing and Building Committee,
10 Erik Dilan; but if I could get a little quiet in
11 the Chamber. There's a little bit of a din and
12 it's hard to hear the members.

13 COUNCIL MEMBER DILAN: Thank you,
14 Madam Speaker. If I could just very briefly, I
15 just wanted to thank the members of the Housing
16 and Buildings Committee for meeting over the
17 summer on these bills to allow these three items
18 to come to the floor of the Council in a very
19 expeditious manner. To some six months might seem
20 like a long time, but I think that these bills
21 were carefully crafted and they weren't knee jerk
22 reactions, and they were appropriate, all three,
23 based on the knowledge that we have as a result of
24 the two accidents, at this point, without the
25 benefit of a completed investigation. All three

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of these items, I have no doubt in my mind--

BETSY GOTBAUM: [Interposing] Quiet please.

COUNCIL MEMBER DILAN: --will help cranes operate in New York City better. And so far it's been a three-pronged approach; it's been the Council, the Mayor and the industry in Real Estate. So at this time I just want to just thank Lou Coletti, and Amber Loy [phonetic] for their work on these bills. I'd like to thank James Conway of the Operating Engineer for their input and their work on these bills, obviously Council Member Lappin for bringing these bills to my Committee. And I know they have a citywide benefit, but I think that her constituents should be proud of her today, in acting on their behalf in such a rapid manner. And in light of what happened in the Speaker's district today--

BETSY GOTBAUM: [Interposing] Quiet please.

COUNCIL MEMBER DILAN: --I'm glad that we're passing these bills because we need these bills to be enacted as soon as possible to prevent any further fatalities. And I look

1
2 forward to working on new pieces of legislation in
3 the future that will continue the safe practices
4 of all building practices throughout the city, not
5 just cranes. Thank you, Madam Speaker.

6 SPEAKER QUINN: Thank you very
7 much, Chairperson Dilan. We are also voting today
8 on intro 721-A, a piece of legislation that was
9 sponsored by Peter Vallone and passed out of his
10 Committee, the Public Safety Committee. I want to
11 thank Alix Pustilnick and Oona Peterson for their
12 work on this bill. Many of us saw the news
13 reports of, not once but twice, individuals
14 scaling the side of the New York Times building.
15 And we also saw countless police officers and
16 emergency service workers responding to try to get
17 those individuals--

18 BETSY GOTBAUM: [Interposing] Quiet
19 please. It's very hard to hear her. You're all
20 making too much noise.

21 SPEAKER QUINN: It was very
22 worrisome to see on TV all of these public safety
23 workers going out there, potentially risking their
24 own lives to get these individuals off of the
25 Times building without them being injured and

1
2 before they fell and perhaps injured pedestrians
3 or others. And when these individuals ended up in
4 court, as has happened with some other individuals
5 who climbed other buildings, the law isn't as
6 specific or clear as it should be, about what
7 these individuals can and should be charged with.
8 So with the common sense of Council Member
9 Vallone, Intro 721-A will make a very clear Class
10 A misdemeanor relevant to that type of behavior.
11 And some may say, well it's up to the individual;
12 if they want to put their own life at risk, that's
13 up to them. But the truth is they're also
14 endangering other individuals, pedestrians, others
15 in the buildings and it is not a choice for any of
16 those public safety workers in our city, and
17 there's no reason why those individuals have to
18 respond to something that isn't even clearly a
19 crime in the laws of the City. And I want to
20 thank Chairperson Vallone for his work on this and
21 call on him to speak.

22 COUNCIL MEMBER VALLONE, JR: Thank
23 you, Madam Speaker, but you summed it up very well
24 and I'll pass. Thanks.

25 SPEAKER QUINN: All right. Lastly

1
2 today, we are voting on intro 737-A, a piece of
3 legislation introduced by Council Member Vacca,
4 the chair of our Senior Center Subcommittee,
5 passed out of our Aging Committee, which is
6 chaired by Council Member Arroyo. You know elder
7 abuse is a problem in every neighborhood in every
8 borough in this city, from Staten Island to the
9 Bronx. But it's a problem that often seniors
10 don't feel comfortable sharing. It's often a time
11 when seniors don't know where to turn, because
12 often the individuals who are acting in this
13 horrible and abusive way are family members,
14 caregivers, people to whom they are very, very
15 close. This piece of legislation will require
16 that the Department for Aging develops and
17 conducts very specific training programs, training
18 programs which will help those who run senior
19 centers and conduct services for seniors in the
20 City of New York, help make sure they can identify
21 the signs of elder abuse and help connect those
22 New Yorkers in need with services that will help
23 them get out of harm's way and get them free of
24 the abuse that they're suffering. I want to thank
25 Kris Sartori, Terzah Nasser, and Shaniqua Owusu,

1
2 who all worked on this bill. Let me first call on
3 the Chair of our Committee, Council Member Arroyo,
4 and then the bill's sponsor, Council Member Vacca.

5 COUNCIL MEMBER DEL CARMEN ARROYO:

6 Thank you, Madam Speaker. I want to thank Council
7 Member Vacca for his foresight and his work on
8 this legislation, as you've mentioned, the
9 committee staff and all of their work to develop
10 legislation that makes a great deal of sense to
11 address an issue that is very serious in our city
12 and in this country. As you pick up the paper and
13 you see the kinds of crimes that are committed
14 against the aging residents of our city and in
15 this country, and I think the next level of this
16 conversation is raising the penalty and/or the
17 crime level of crimes against seniors. I want to
18 take this moment to express my condolences to
19 Shaniqua Owusu and her family for the loss of her
20 grandmother. Shaniqua worked really, really hard
21 on this as policy analyst for the Committee on the
22 Aging and Subcommittee on Senior Centers. So, to
23 her family our deepest condolences. And again,
24 congratulations, Jimmy, good work.

25 COUNCIL MEMBER VACCA: I'd like to

1
2 thank the Council and to thank my many colleagues
3 who are supporting this bill. We have 327 senior
4 citizen's center in our city. And if we're going
5 to start an effective fight against senior abuse
6 and recognize that senior abuse exists to a large
7 degree in communities throughout our city, it
8 makes sense to have senior centers serve as a
9 focal point for our efforts to recognize and
10 address senior abuse issues. My legislation would
11 require that employees at senior centers be
12 trained three times a year on what to look for
13 when it comes to senior abuse, be it mental, be it
14 financial, be it physical, be it family related.
15 Many times our seniors are abused or taken
16 advantage of by family members. We need to have
17 recognition of when that happens. And we need to
18 have people who are in senior centers who can
19 reach out and help. Secondly, once they're
20 trained those senior center employees would be
21 required to conduct training for senior center
22 participants. 20 percent of our seniors attend
23 senior citizen centers. But in addition to that,
24 they also attend churches and other community
25 organizations. Their knowledge, their eyes and

1
2 ears will be key in our efforts to address elder
3 abuse and to make outstanding outreach efforts in
4 the senior community, recognizing what it is and
5 getting help. So I want to thank everyone
6 involved, Rob Newman, the staff, the Aging staff,
7 the speaker, the Mayor's office. I hope that this
8 keeps a spotlight on something many of us may not
9 speak about, something that many of our elderly
10 people do not want to confront. It's another
11 opportunity for us to reach out to those who are
12 isolated, living alone, who may have family
13 crises, this is an opportunity for us to really
14 deal with something that exists in our city and
15 that demands our attention. Thank you.

16 SPEAKER QUINN: Thank you, Council
17 Member Vacca. I also want to thank Diana Reyna
18 and the Rules Committee, Chairperson Katz and the
19 Land Use Committee and particularly Chairperson
20 Lappin for all of the work that their Committees
21 did for today's Stated Meeting. And that
22 concludes communications from the speaker.

23 BETSY GOTBAUM: General discussion.

24 [Pause]

25 SPEAKER QUINN: It's actually

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2

discussion of general orders. Please.

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4

BETSY GOTBAUM: Discussion of
general orders. Council Member Martinez?

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COUNCIL MEMBER MARTINEZ: Thank
you, Madam Public Advocate. May I be excused to
vote on all Land Use call up and all General
Calendar items?

9

10

11

BETSY GOTBAUM: So ordered.

COUNCIL MEMBER MARTINEZ: Is that a
yes?

12

13

14

BETSY GOTBAUM: Yes. So ordered.

MIGU COUNCIL MEMBER EL MARTINEZ:

Thank you.

15

16

17

[Off Mic]

MIGUEL MARTINEZ: Oh, I said I vote
yes.

18

19

BESTY GOTBAUM: Anybody else?

Council Member Fidler?

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COUNCIL MEMBER FIDLER: Thank you.
You know, I actually have a soft spot in my heart
for landmarks. The very first landmark that was
designated by the Landmarks Preservation
Commission in the City of New York sits in a park
that is named after my father. But, you know, not

1
2 everything that is old and unique deserves that
3 status. In fact, occasionally something that's
4 old and unique is just a shameful, disgraceful,
5 hunk of junk. We are going to vote on the NOHO
6 historic district today. And that is going to
7 include one piece of property that we should be
8 ashamed of and not be landmarking. That property
9 on the Bowery houses 22 people who are living in
10 subhuman conditions. And despite the best efforts
11 of Council Member Gerson, whom I hold in the
12 highest regard, by subjecting this building to the
13 landmarking process, it will be impossible at
14 worst, delayed at best, that this building will be
15 renovated. This building has walls that don't go
16 to the ceilings, has interior rooms, is vermin
17 invested, rodent infested and cannot be rehabbed
18 without a gut renovation of the building. The
19 tenants of that building now, it's an SRO, have
20 legal rights, if this building gets developed,
21 that will get them out of this subhuman housing.
22 If we landmark this property they will have to go
23 through a process, promise that it will be
24 expedited, the result cannot be guaranteed, where
25 the Landmarks Preservation Commission will delay

1
2 their ability to get out of this property, delay
3 the renovation of this property. It makes
4 absolutely no sense. This property, whatever it
5 was built for in the 20s, is falling apart and has
6 absolutely no value to the City of New York. It
7 makes no sense to landmark it and then send it
8 through a process for a hardship labor on an
9 expedited basis. Those things are absolutely
10 inconsistent and I urge people to vote no on the
11 NOHO historic district. Let it come back without
12 that property in.

13 BETSY GOTBAUM: Anybody else?

14 Council Member Mendez?

15 COUNCIL MEMBER MENDEZ: Thank you,
16 Madam Public Advocate. My colleague Alan Gerson
17 is not here. The NOHO historic district covers a
18 part of my district and mostly his district; but
19 there's an invisible line that goes up the Bowery.
20 And while it divides most of it into his district,
21 I still consider that my community. And these
22 blocks that are being considered today for
23 historic status as a historic district is part
24 that has been kept out. We have NOHO historic
25 district 1, NOHO historic district 2, and this is

1
2 the NOHO historic extension. This building with
3 all these blocks makes sense to be included
4 because it is part of the historic nature of the
5 history of the Bowery and of flophouses. And
6 while the building is in bad repair and needs to
7 get fixed, it is difficult but not impossible. We
8 have done it before in our district and Council
9 Member Alan Gerson and I are committed to the men
10 who are still living there to make sure that it
11 still happens. Thank you very much. And I ask
12 all my colleagues to vote in favor.

13 BESTY GOTBAUM: Anybody else? So
14 nobody else? Reports of special Committees.

15 CITY CLERK: None.

16 BESTY GOTBAUM: Reports of standing
17 Committee?

18 CITY CLERK: Report of the
19 Committee on Aging, Intro 737-A Elder Abuse
20 Prevention.

21 SPEAKER QUINN: Amended and coupled
22 on general orders.

23 CITY CLERK: Report of the
24 Committee on Finance, pre-considered LU 866 and
25 Reso. 1598 Supportive Housing Program.

1
2 SPEAKER QUINN: Coupled under
3 general orders.

4 CITY CLERK: Report of the
5 Committee on Housing and Buildings, Intro 794, 95
6 and 96-A, Crane Safety Legislation.

7 SPEAKER QUINN: Amended and coupled
8 under general orders of the message of necessity.

9 CITY CLERK: Report of the
10 Committee on Land Use LU 763 and Reso. 1599
11 through LU 778 and Reso. 1602, various UDAAPs.

12 SPEAKER QUINN: Coupled on general
13 orders.

14 CITY CLERK: LU 809 and Reso. 1603
15 UDAAP Brooklyn.

16 SPEAKER QUINN: Coupled on general
17 orders.

18 CITY CLERK: LU 810 and Reso. 1604,
19 various UDAAPs.

20 SPEAKER QUINN: Coupled on general
21 orders.

22 CITY CLERK: LU 827 and Reso. 1605,
23 Landmarks Preservation Commissions Designation.

24 SPEAKER QUINN: Coupled on general
25 orders.

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2 CITY CLERK: LU 852 and Reso. 1606
3 UDAAP Brooklyn.

4 SPEAKER QUINN: Coupled on general
5 orders.

6 CITY CLERK: LU 859 and Reso. 1607,
7 Zoning Map Amendment.

8 CITY CLERK: Coupled on general
9 orders.

10 CITY CLERK: Report of the
11 Committee on Public Safety, intro 721-A.

12 SPEAKER QUINN: Amended and coupled
13 on general orders.

14 MALE VOICE: Report on the
15 Committee of Rules, Privileges and Elections M
16 1106 and Reso. 1608, approving the appointment of
17 Frederick Bland, Landmarks Preservation
18 Commission.

19 SPEAKER QUINN: Coupled on general
20 orders.

21 CITY CLERK: M 1107 and Reso. 1609
22 approving the reappointment of Joan Gerner,
23 Landmarks Preservation Commission.

24 SPEAKER QUINN: Coupled on General
25 orders.

1
2 CITY CLERK: M 1108 and Reso. 1610
3 approving the reappointment of Christopher Moore,
4 Landmarks Preservation Commission.

5 SPEAKER QUINN: Coupled on general
6 orders, with a fan club here.

7 BETSY GOTBAUM: Excuse me. General
8 order calendar.

9 CITY CLERK: LU 834 and Reso. 1611,
10 Zoning Resolution Amendment.

11 SPEAKER QUINN: Coupled on general
12 orders.

13 CITY CLERK: Resolution appointing
14 various persons Commissioner of Deeds.

15 SPEAKER QUINN: Coupled on general
16 orders. And at this point I ask for a roll call
17 on all items that have been coupled on the general
18 order calendar, please.

19 CITY CLERK: Addabbo.

20 COUNCIL MEMBER ADDABBO, JR: Aye.

21 CITY CLERK: Arroyo.

22 COUNCIL MEMBER DEL CARMEN ARROYO:
23 Aye.

24 CITY CLERK: Brewer.

25 COUNCIL MEMBER BREWER: Aye.

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CITY CLERK: Como.

2

COUNCIL MEMBER COMO: Aye on all.

3

CITY CLERK: Comrie.

4

COUNCIL MEMBER COMRIE, JR: Aye.

5

CITY CLERK: De Blasio.

6

COUNCIL MEMBER DE BLASIO: Aye.

7

CITY CLERK: Dickens.

8

COUNCIL MEMBER DICKENS: Aye.

9

CITY CLERK: Dilan.

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COUNCIL MEMBER DILAN: Aye on all.

11

CITY CLERK: Eugene.

12

COUNCIL MEMBER EUGENE: Aye.

13

CITY CLERK: Felder.

14

COUNCIL MEMBER FELDER: I'd like to

15

ask permission to vote on this and everything

16

else.

17

BETSY GOTBAUM: So ordered.

18

COUNCIL MEMBER FELDER: Yes.

19

CITY CLERK: Fidler.

20

COUNCIL MEMBER FIDLER: With

21

apologies to Council Members Gerson and Mendez, I

22

vote no on LU 827 and accompanying Reso. 1605 and

23

aye on everything else.

24

CITY CLERK: Foster.

25

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COUNCIL MEMBER. FOSTER: Aye.

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CITY CLERK: Garodnick.

3

COUNCIL MEMBER GARODNICK: Aye.

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CITY CLERK: Gennaro.

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COUNCIL MEMBER GENNARO: Madam

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Public Advocate, I wish to vote yes on all these

7

items and also yes on the preceding Land Use

8

items. I vote yes on those as well.

9

CITY CLERK: Gentile.

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COUNCIL MEMBER GENTILE: Aye.

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CITY CLERK: Ignizio.

12

COUNCIL MEMBER IGNIZIO: I'd like

13

to vote no on Land Use 827 and companion

14

Resolution 1605, aye on all others.

15

CITY CLERK: Jackson.

16

COUNCIL MEMBER JACKSON: I vote aye

17

on all.

18

CITY CLERK: James.

19

COUNCIL MEMBER JAMES: Aye on all

20

and congratulations to Chris Moore.

21

CITY CLERK: Koppell.

22

COUNCIL MEMBER KOPPELL: Aye.

23

CITY CLERK: Lappin.

24

COUNCIL MEMBER LAPPIN: Aye on all.

25

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CITY CLERK: Liu.

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COUNCIL MEMBER LIU: Yes.

3

CITY CLERK: Mark-Viverito.

4

COUNCIL MEMBER MARK-VIVERITO: Aye

5

on all.

6

MALE VOICE: McMahon.

7

COUNCIL MEMBER MCMAHON: Madam

8

Public Advocate, I request permission to vote all
Land Use items yes as well as all general coupled
orders, I vote aye.

9

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BETSY GOTBAUM: So ordered.

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COUNCIL MEMBER MCMAHON: Thank you.

13

CITY CLERK: Mealy.

14

COUNCIL MEMBER MEALY: May I have

15

permission to vote on all Land Use and all general
coupled ordered?

16

17

BETSY GOTBAUM: So ordered.

18

COUNCIL MEMBER MEALY: I vote aye,

19

and no on Land Use 810 and Reso. 1604.

20

MALE VOICE: Thank you. No, no.

21

Give it to me. I need--

22

[Pause]

23

CITY CLERK: Mendez.

24

COUNCIL MEMBER MENDEZ: Aye on all.

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CITY CLERK: Monserrate.

COUNCIL MEMBER MONSERRATE: Aye on
all.

CITY CLERK: Nelson.

COUNCIL MEMBER NELSON: Aye on all.

CITY CLERK: Palma.

COUNCIL MEMBER PALMA: Aye on all.

CITY CLERK: Recchia.

COUNCIL MEMBER RECCHIA, JR.: Aye
on all.

CITY CLERK: Reyna.

[No Response]

CITY CLERK: Gioia.

COUNCIL MEMBER GIOIA: Thank you.
I'd like to vote yes.

CITY CLERK: Sanders.

COUNCIL MEMBER SANDERS, JR.: Yes
to all.

CITY CLERK: Seabrook.

COUNCIL MEMBER SEABROOK: Yes, I'd
like to--

[Off Mic]

CITY CLERK: Sears.

COUNCIL MEMBER SEARS: I vote no on

1

2 721-A and yes on all the rest.

3 CITY CLERK: Vacca.

4 COUNCIL MEMBER VACCA: Aye on all.

5 CITY CLERK: Vallone.

6 COUNCIL MEMBER VALLONE, JR.: May I

7 briefly be heard, Madam Chair? I just want to--

8 Helen Sears just voted against 721-A, so I am now

9 forced to divulge the fact that Helen Sears is

10 actually Spiderwoman, which explains the dark

11 glasses. But I wanted to thank everyone for their

12 support and vote aye on all. Thanks.

13 CITY CLERK: Vann.

14 COUNCIL MEMBER VANN: Aye on all.

15 CITY CLERK: Weprin.

16 COUNCIL MEMBER WEPRIN: Aye on all.

17 CITY CLERK: Yassky.

18 COUNCIL MEMBER YASSKY: Madam

19 Public Advocate, may I vote on Land Use call-ups

20 as well?

21 BETSY GOTBAUM: Yes.

22 COUNCIL MEMBER YASSKY: Yes. I

23 vote yes on all the Land Use call-ups and on the

24 coupled general orders.

25 CITY CLERK: Oddo.

1
2 COUNCIL MEMBER ODDO: No on LU 827
3 and Reso. 1605, yes on all others. And I wasn't
4 paying attention, was Vallone complaining that he
5 came in second place in the Batman vote contest?

6 COUNCIL MEMBER VALLONE, JR.: Only
7 because I voted for you, Jimmy.

8 CITY CLERK: Rivera.

9 [No Response]

10 CITY CLERK: Speaker Quinn.

11 SPEAKER QUINN: Aye on all.

12 [Pause]

13 BETSY GOTBAUM: Oh we did have
14 some.

15 [Pause]

16 BETSY GOTBAUM: You're right.

17 [Pause]

18 BETSY GOTBAUM: All items on
19 today's general order calendar were adopted by a
20 vote of 49 in the affirmative, 0 negative and 0
21 abstentions, with the exception of LU 827 and
22 Resolution 1605, which was adopted by a vote of 46
23 in the affirmative, 3 negative, 0 abstentions and
24 LU 810, and Resolution 1604, which was adopted by
25 a vote of 48 affirmative, 1 negative and 0

1
2 abstentions and intro 721-A, which was adopted by
3 a vote of 48 in the affirmative, 1 negative and 0
4 abstentions. The revised Land Use call up vote is
5 49 affirmative, 0 negative. Introduction and
6 reading of bills.

7 SPEAKER QUINN: All bills are
8 referred to Committees as indicated on the agenda
9 please.

10 BETSY GOTBAUM: General discussion.
11 We don't see anybody. Oh, Council Member Weprin,
12 I understand you have something to say.

13 COUNCIL MEMBER WEPRIN: Yes.
14 Public Advocate, I want to introduce a special
15 guest we have in the back of the chamber.

16 BETSY GOTBAUM: Quiet please.

17 COUNCIL MEMBER WEPRIN: Someone I
18 spent some time with at the recent Democratic
19 National Convention in Denver. She's the former
20 Lieutenant Governor of the State of Maryland and
21 the eldest child of the late and great former
22 United States Senator from New York State, Robert
23 F. Kennedy. And that's Kathleen Townsend Kennedy.

24 [Applause]

25 COUNCIL MEMBER WEPRIN: Thank you.

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BETSY GOTBAUM: General discussion.

3

Seeing no one. That's it. Okay. Council meeting

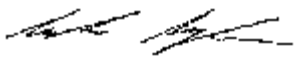
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is adjourned.

5

C E R T I F I C A T E

I, Erika Swyler 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 September 12, 2008 _____