

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

STATED MEETING

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June 15, 2009
Start: 12:00 pm
Recess: 12:35 pm

HELD AT: Council Chambers
City Hall

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

COUNCIL MEMBERS:
Maria del Carmen Arroyo
Tony Avella
Maria Baez
Charles Barron
Gale A. Brewer
Leroy G. Comrie, Jr.
Elizabeth Crowley
Bill de Blasio
Inez E. Dickens
Erik Martin Dilan
Mathieu Eugene
Simcha Felder
Julissa Ferreras
Lewis A. Fidler
Helen D. Foster

A P P E A R A N C E S

COUNCIL MEMBERS:

Daniel R. Garodnick
James F. Gennaro
Vincent J. Gentile
Alan J. Gerson
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
Darlene Mealy
Rosie Mendez
Kenneth Mitchell
Michael C. Nelson
James S. Oddo
Annabel Palma
Domenic M. Recchia, Jr.
Diana Reyna
Joel Rivera
James Sanders, Jr.
Larry B. Seabrook
Helen Sears
Kendall Stewart
Eric Ulrich
James Vacca
Peter F. Vallone, Jr.
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
City of New York

PUBLIC ADVOCATE BETSY GOTBAUM:

Call the recessed meeting of June 10th to order on
June 15th. Roll call. Quiet please.

MICHAEL MCSWEENEY: Baez?

COUNCIL MEMBER BAEZ: I'm here.

MICHAEL MCSWEENEY: Barron?

COUNCIL MEMBER BARRON: Here.

MICHAEL MCSWEENEY: Brewer?

COUNCIL MEMBER BREWER: Here.

MICHAEL MCSWEENEY: Comrie?

COUNCIL MEMBER COMRIE: Here.

MICHAEL MCSWEENEY: Crowley?

COUNCIL MEMBER CROWLEY: Here.

MICHAEL MCSWEENEY: De Blasio?

COUNCIL MEMBER DEBLASIO: Here.

MICHAEL MCSWEENEY: Dickens?

COUNCIL MEMBER DICKENS: Here.

MICHAEL MCSWEENEY: Dilan?

COUNCIL MEMBER DILAN: Here.

MICHAEL MCSWEENEY: Eugene?

COUNCIL MEMBER EUGENE: Here.

MICHAEL MCSWEENEY: Felder?

COUNCIL MEMBER FELDER: [no

response]

2

MICHAEL MCSWEENEY: Ferreras?

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COUNCIL MEMBER FERRERAS: Here.

4

MICHAEL MCSWEENEY: Fidler?

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COUNCIL MEMBER FIDLER: Here.

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MICHAEL MCSWEENEY: Foster?

7

COUNCIL MEMBER FOSTER: [no

8

response].

9

MICHAEL MCSWEENEY: Garodnick?

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COUNCIL MEMBER GARODNICK: [no

11

response].

12

MICHAEL MCSWEENEY: Gennaro?

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COUNCIL MEMBER GENNARO: [no

14

response].

15

MICHAEL MCSWEENEY: Gentile?

16

COUNCIL MEMBER GENTILE: Here.

17

MICHAEL MCSWEENEY: Gerson?

18

COUNCIL MEMBER GERSON: [no

19

response].

20

MICHAEL MCSWEENEY: Gioia?

21

COUNCIL MEMBER GIOIA: [no

22

response].

23

MICHAEL MCSWEENEY: Gonzalez?

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COUNCIL MEMBER GONZALEZ: Here.

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MICHAEL MCSWEENEY: Ignizio?

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2

COUNCIL MEMBER IGNIZIO: Here.

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MICHAEL MCSWEENEY: Jackson?

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COUNCIL MEMBER JACKSON: Here.

5

MICHAEL MCSWEENEY: James?

6

COUNCIL MEMBER JAMES: Here.

7

MICHAEL MCSWEENEY: Katz?

8

COUNCIL MEMBER KATZ: [no

9

response].

10

MICHAEL MCSWEENEY: Koppell?

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COUNCIL MEMBER KOPPELL: Here.

12

MICHAEL MCSWEENEY: Lappin?

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COUNCIL MEMBER LAPPIN: [no

14

response].

15

MICHAEL MCSWEENEY: Liu?

16

COUNCIL MEMBER LIU: Here.

17

MICHAEL MCSWEENEY: Mark-Viverito?

18

COUNCIL MEMBER MARK-VIVERITO: [no

19

response].

20

MICHAEL MCSWEENEY: Martinez?

21

COUNCIL MEMBER MARTINEZ: [no

22

response].

23

MICHAEL MCSWEENEY: Mealy?

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COUNCIL MEMBER MEALY: [no

25

response].

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2

MICHAEL MCSWEENEY: Mendez?

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COUNCIL MEMBER MENDEZ: Here.

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MICHAEL MCSWEENEY: Mitchell?

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COUNCIL MEMBER MITCHELL: [no

6

response].

7

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: [no

11

response].

12

MICHAEL MCSWEENEY: Recchia?

13

COUNCIL MEMBER RECCHIA: Here.

14

MICHAEL MCSWEENEY: Reyna?

15

COUNCIL MEMBER REYNA: Here.

16

MICHAEL MCSWEENEY: Sanders?

17

COUNCIL MEMBER SANDERS: [no

18

response].

19

MICHAEL MCSWEENEY: Seabrook?

20

COUNCIL MEMBER SEABROOK: Here.

21

MICHAEL MCSWEENEY: Sears?

22

COUNCIL MEMBER SEARS: Here.

23

MICHAEL MCSWEENEY: Stewart?

24

COUNCIL MEMBER STEWART: Here.

25

MICHAEL MCSWEENEY: Ulrich?

1

COUNCIL MEMBER ULRICH: Here.

2

3

MICHAEL MCSWEENEY: Vacca?

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COUNCIL MEMBER VACCA: [no

5

response].

6

MICHAEL MCSWEENEY: Vallone?

7

COUNCIL MEMBER VALLONE: Here.

8

MICHAEL MCSWEENEY: Vann?

9

COUNCIL MEMBER VANN: [no

10

response].

11

MICHAEL MCSWEENEY: Weprin?

12

COUNCIL MEMBER WEPRIN: Here.

13

MICHAEL MCSWEENEY: White?

14

COUNCIL MEMBER WHITE: [no

15

response].

16

MICHAEL MCSWEENEY: Yassky?

17

COUNCIL MEMBER YASSKY: [no

18

response].

19

MICHAEL MCSWEENEY: Mealy?

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COUNCIL MEMBER MEALY: Present.

21

MICHAEL MCSWEENEY: Mitchell?

22

COUNCIL MEMBER MITCHELL: Here.

23

MICHAEL MCSWEENEY: Oddo?

24

COUNCIL MEMBER ODDO: Here.

25

MICHAEL MCSWEENEY: Rivera?

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COUNCIL MEMBER RIVERA: Here.

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3

MICHAEL MCSWEENEY: Speaker Quinn?

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SPEAKER QUINN: Here.

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BETSY GOTBAUM: We have a quorum.

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Messages and papers from the mayor.

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MICHAEL MCSWEENEY: Preconsidered

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M1461, sales taxes.

9

BETSY GOTBAUM: Quiet please.

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SPEAKER QUINN: State and federal

11

legislation.

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BETSY GOTBAUM: Communication from

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city, county and borough offices?

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MICHAEL MCSWEENEY: None.

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BETSY GOTBAUM: Petitions and

16

communications?

17

MICHAEL MCSWEENEY: None.

18

BETSY GOTBAUM: Land Use call-ups?

19

MICHAEL MCSWEENEY: None.

20

BETSY GOTBAUM: Communication from

21

the Speaker.

22

SPEAKER QUINN: Thank you.

23

BETSY GOTBAUM: Quiet please.

24

SPEAKER QUINN: We are meeting

25

today to pass about a dozen home rules to send

1
2 them up to our State Assembly. It's important to
3 note at some point we will need to reconvene to
4 pass companion home rules on some of these matters
5 to the State Senate. Some of these home rules
6 today only have Assembly bill numbers, so it's
7 important to note that we will need to hopefully
8 reconvene sooner rather than later to send ones up
9 to the Senate as well. Before I comment on some
10 of the home rules, I want to thank the staff to
11 the State and Federal Legislation Committee who
12 worked very quickly on these bills, also the
13 Finance staff who worked on these home rules, in
14 particular Tanisha Edwards, the counsel to our
15 Finance Division, Casinia Cobain [phonetic] who is
16 part of our Finance Division and Scott Crowley for
17 their work on the home rules. As I said, there
18 are about a dozen home rules we'll be taking
19 action on today. Let me mention a couple of them.
20 There are a number of home rules that deal with
21 the \$900 million revenue package that we have
22 requested authority from Albany to implement.
23 This tax package includes a number of things and
24 does not include a number of other things. It's
25 important to note that this package is about \$100-

1
2 \$150 million smaller than the original revenue
3 package sent over by Mayor Bloomberg. It's also
4 important to note that this consensus revenue
5 package does not include \$100 million that would
6 have been generated from a nickel per plastic bag
7 tax in the City of New York. That is something we
8 will not be foisting on New Yorkers through our
9 actions today. It's also very important to note
10 that we will not be eliminating the sales tax
11 exemption on clothes under \$110 in the City of New
12 York. That is \$300 million that New Yorkers will
13 not be paying, \$300 million worth of purchase that
14 low, moderate and middle income New Yorkers will
15 not be taxed on. We also believe that had we
16 eliminated that exemption, in addition to hitting
17 New Yorkers when they're buying new school clothes
18 for their children in September or holiday outfits
19 in December, we also believe that that action
20 might have cost the city as much as 1,200 to 1,500
21 retail jobs. So we're very happy to be able to
22 protect those today as well. We are taking action
23 today though to generate money for the city's
24 budget to help make sure we can prevent
25 unnecessary layoffs and preserve core services.

1
2 So we are asking the State Assembly to allow us to
3 raise the city sales tax. We're also putting in
4 place a set of business conformity taxes that we
5 believe will make taxes fairer for businesses but
6 also bring in needed revenue for the city and
7 taking an important step forward and changing how
8 we tax businesses. Presently in the City of New
9 York, if you're a business that does business here
10 and somewhere else, we have to tax how many
11 profits you make in New York. We determine how to
12 tax your profits based on your sales, the number
13 of jobs you have here and how much capital
14 investment headquarters you have here. Taxing all
15 three is a great reason not to have jobs and not
16 to have your headquarters in the City of New York.
17 By moving to what's called the single sales
18 factor, we will only tax business profits on
19 sales. That sends a message to businesses come
20 here, bring your jobs here, bring your
21 headquarters here. Combining that with conformity
22 in the out years after 2013 or 2015, we will see a
23 decrease in revenue, but right now we will see an
24 increase in revenue but also be sending a message
25 to businesses that New York is business friendly

1
2 and we want you to move your headquarters here.
3 We believe this will bring us revenue and help us
4 get out of the recession more quickly. We're
5 passing two other home rules today, one that will
6 allow us to create a biotech tax credit in the
7 City of New York. This tax credit, when you
8 couple it with the actions we're taking by
9 creating the East River Science Park, by last week
10 making the East River Science Park part of an
11 Empire Zone, this biotech tax credit will help
12 fill jobs and put them in that East River Science
13 Park, put more jobs at the Brooklyn Army Terminal
14 and we believe put thousands of New Yorkers to
15 work in an industry where we should be the
16 national leader and not lagging behind Boston and
17 San Diego. We're also taking steps through these
18 home rules to bring some justice as it relates to
19 tax fairness for freelancers and sole proprietors.
20 Those individuals now get taxed individually and
21 get taxed under the unincorporated business tax.
22 That's for some sole proprietors or freelancers
23 anywhere from \$5,000 to \$10,000 a year they're
24 paying as freelancers. We're going to be creating
25 a change to the unincorporated business tax that

1
2 will exempt freelancers and sole proprietors from
3 that tax. Think about it, at a time when people
4 are getting laid off and they need to be
5 freelancing, they need to be starting up their own
6 enterprises, we're going to lighten the tax load
7 on them just a little bit. So all of these
8 actions together I believe will get us desperately
9 needed revenues we need to keep the rest of our
10 budget in order, but we're doing it in a way that
11 is fair and balanced and gives help to those who
12 need it to freelances, but also sends a long-term
13 message that we're open for business, particularly
14 for the biotech industry but also for any company
15 that wants to open its headquarters here. So I
16 would urge all of my colleagues to please vote in
17 support of these home rules. At the end of this
18 meeting we will stand in recess and then following
19 the meeting we're going to have a quick leadership
20 meeting and then a budget negotiating team meeting
21 and then go into delegations in a timely fashion.
22 Thank you all very much.

23 Betsy Gotbaum: Discussion of
24 General Orders? Do I see any hands for discussion
25 of General Orders? Report of special committees?

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MICHAEL MCSWEENEY: None.

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BETSY GOTBAUM: Report of standing committees?

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MICHAEL MCSWEENEY: Report of the Committee on State and Federal Legislation, SLRs 8 and 9 in rem tax foreclosure.

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SPEAKER QUINN: Coupled on General Orders.

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MICHAEL MCSWEENEY: SLR 10, biotechnology credit.

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SPEAKER QUINN: Coupled on General Orders.

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MICHAEL MCSWEENEY: Preconsidered SLR 11, New York City bonds and notes.

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SPEAKER QUINN: Coupled on General Orders.

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MICHAEL MCSWEENEY: Preconsidered SLR 12, New York City transitional finance authority.

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SPEAKER QUINN: Coupled on General Orders.

22

23

MICHAEL MCSWEENEY: Preconsidered SLR 13, unincorporated business tax.

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SPEAKER QUINN: Coupled on General

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2 Orders.

3

MICHAEL MCSWEENEY: Preconsidered

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SLR 14, bond anticipation notes.

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SPEAKER QUINN: Coupled on General

6

Orders.

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MICHAEL MCSWEENEY: Preconsidered

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SLR 15, energy cost savings program.

9

SPEAKER QUINN: Coupled on General

10

Orders.

11

MICHAEL MCSWEENEY: Preconsidered

12

SLR 16, commercial rent or occupancy tax.

13

SPEAKER QUINN: Coupled on General

14

Orders.

15

MICHAEL MCSWEENEY: Preconsidered

16

SLR 17, adjusted base proportions.

17

SPEAKER QUINN: Coupled on General

18

Orders.

19

MICHAEL MCSWEENEY: Preconsidered

20

SLR18, business conformity taxes.

21

SPEAKER QUINN: Coupled on General

22

Orders.

23

MICHAEL MCSWEENEY: Preconsidered

24

M1461, sales taxes.

25

SPEAKER QUINN: Coupled on General

1
2 Orders. If I could just add, I was remiss when I
3 was thanking staff in not thanking Ray Majewski
4 and Nadine Felton who last October in a speech
5 that I gave before the Citizens Budget Commission
6 worked with Preston Niblack and the rest of the
7 Finance staff in putting together our proposal for
8 business conformity or single sales factor. It's
9 not small accomplishment to see something that the
10 Council spoke out about last fall in a major pro-
11 business way coming to fruition today in a
12 creative way that also brings extra revenues over
13 the next couple of years. So those nights until
14 3:00 in the morning here paid off. So thank you
15 Ray and Nadine very much. At this point I'd like
16 to ask for a roll call on all the items that have
17 been coupled on the General Order Calendar, Madame
18 Public Advocate.

19 MICHAEL MCSWEENEY: Arroyo?

20 COUNCIL MEMBER ARROYO: [no
21 response.

22 MICHAEL MCSWEENEY: Lappin?

23 COUNCIL MEMBER LAPPIN: Aye on all.

24 MICHAEL MCSWEENEY: Avella?

25 COUNCIL MEMBER AVELLA: Aye on all,

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except I vote no on Preconsidered M1461.

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MICHAEL MCSWEENEY: Baez?

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COUNCIL MEMBER BAEZ: Aye.

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MICHAEL MCSWEENEY: Barron?

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COUNCIL MEMBER BARRON: Madame

7

Chair may I be excused to explain my vote?

8

BETSY GOTBAUM: So ordered.

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COUNCIL MEMBER BARRON: You know,

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the sales tax is a regressive tax and I'm very

11

concerned about it. I understand the predicament

12

we're in. Albany is in a mess and so they may be

13

saying no a personal income tax for those who are

14

making about \$500,000. Albany stopped at \$250,000

15

for individuals, \$300,000 for couples and it went

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up to \$500,000, but what about those making \$5

17

million and \$10 million? When it comes to us we

18

get stuck because then we say well that's dead on

19

arrival. That's going to happen. Well what about

20

a stock transfer tax? That's not going to happen.

21

Well what about a commuter tax? That's not going

22

to happen. Any taxes that tax those who can

23

afford to pay it we're just told it's not going to

24

happen. So if you don't pass the sales tax then

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were going to come back in November with a

1
2 deficit, a shortfall and have to cut programs. So
3 we get stuck in a bad situation. So I just wanted
4 to say that at some point Albany is so messed up
5 anything could happen. I don't know whose running
6 what up in Albany so we should take a chance
7 sometime and say let's push for a more progressive
8 taxation as opposed to the regressive taxation on
9 the people of the city and the state. We already
10 probably will face sub transit hikes, tolls on
11 bridges, CUNY and SUNY taxes and now a sales tax.
12 So I think at some point we have to put more
13 pressure on Albany, especially since it's 31 to
14 31. So if we get one person anywhere, we could
15 probably have a simple majority. I'm going to
16 vote no on Preconsidered Reso M1461. The people
17 are in enough pain. This economic crisis has
18 caused layoffs and more taxes on the people. It's
19 just not a direction we should go in. So I vote
20 aye on all and no on Preconsidered home rule
21 M1461.

22 MICHAEL MCSWEENEY: Brewer?

23 COUNCIL MEMBER BREWER: I vote aye.

24 I want to thank certainly Ray and Nadine and the
25 Finance staff. I also want to congratulate their

1
2 thought process on redoing the unincorporated
3 business tax which is a huge burden on many small
4 businesses and people working for themselves. I
5 also want to congratulate them on thinking of ways
6 to align some of the state and city laws that also
7 give us revenue. I do hope that in that
8 transition the businesses who will be impacted,
9 for instance, by some of the utility change of
10 doing business will not pass it on to the rate
11 payers but think of ways to continue to be
12 environmentally sensitive and to incorporate this
13 perhaps increase in their business plan and not
14 pass it on. Thank you very much.

15 MICHAEL MCSWEENEY: Mendez?

16 COUNCIL MEMBER MENDEZ: I'd like to
17 vote aye on all the matters that are before the
18 agenda today and permission to vote on the items
19 for June 10th. I'd like to vote no on Land Use
20 item 1073, 1074, and 1075 from June 10th.

21 BETSY GOTBAUM: So ordered.

22 COUNCIL MEMBER MENDEZ: Thank you.
23 And aye on the rest.

24 MICHAEL MCSWEENEY: Comrie?

25 COUNCIL MEMBER COMRIE: Aye on all.

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MICHAEL MCSWEENEY: Crowley?

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COUNCIL MEMBER CROWLEY: Aye on all
except Preconsidered M1461.

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5

MICHAEL MCSWEENEY: De Blasio?

6

COUNCIL MEMBER DEBLASIO: Aye on
all.

7

8

MICHAEL MCSWEENEY: Dickens?

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COUNCIL MEMBER DICKENS: Aye.

10

MICHAEL MCSWEENEY: Dilan?

11

COUNCIL MEMBER DILAN: Aye on all.

12

MICHAEL MCSWEENEY: Eugene?

13

COUNCIL MEMBER EUGENE: Aye.

14

MICHAEL MCSWEENEY: Felder?

15

COUNCIL MEMBER FELDER: Yes.

16

MICHAEL MCSWEENEY: Ferreras?

17

COUNCIL MEMBER FERRERAS: Aye on
all.

18

19

MICHAEL MCSWEENEY: Fidler?

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COUNCIL MEMBER FIDLER: Can I be
excused to explain my vote?

21

22

BETSY GOTBAUM: So ordered.

23

COUNCIL MEMBER FIDLER: Every now
and then you have twilight zone moments. The
State Senate has certainly had a number of theirs

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25

1
2 in the last couple of days and I thought I was
3 about to have one because up until his conclusion,
4 Charles Barron and I were in complete agreement.
5 I come from the same place and I find a lot of
6 this frustrating. I know that I would prefer a
7 high end PIT and I know the Speaker addressed that
8 point in her State of the City address as well.
9 In fact, I did a budget survey in my district that
10 overwhelmingly favored that alternative to the
11 sales tax. It becomes a very hard vote to cast.
12 But the fact of the matter is because of the
13 number of twilight zone moments in Albany the
14 choice really has to be reflected in concrete
15 reality. If we don't authorize the sales tax, as
16 distasteful as it is, there will be layoffs and
17 that's going to put real people out of real jobs
18 in real important functions in the City of New
19 York. Whether that be cops, firefighters,
20 teachers, sanitation workers, day care workers,
21 whatever, there are going to be layoffs in big
22 numbers if we do not find this half billion
23 dollars worth of revenue. I'd prefer we find it
24 someplace else, but that is not the choice that we
25 have before us today. We've improved the choice

1
2 by exempting clothing under \$110. And we've
3 improved the choice by not taxing folks a nickel
4 for every bag of groceries they bring home.
5 Facing that reality I'm going to swallow it and
6 I'm going to vote aye on all and I would urge my
7 colleagues to do the same thing.

8 MICHAEL MCSWEENEY: Arroyo?

9 COUNCIL MEMBER ARROYO: Aye.

10 MICHAEL MCSWEENEY: Foster?

11 COUNCIL MEMBER FOSTER: Aye.

12 MICHAEL MCSWEENEY: Garodnick?

13 COUNCIL MEMBER GARODNICK: Aye.

14 MICHAEL MCSWEENEY: Gennaro?

15 COUNCIL MEMBER GENNARO: Yes.

16 MICHAEL MCSWEENEY: Gentile?

17 COUNCIL MEMBER GENTILE: Aye.

18 MICHAEL MCSWEENEY: Gerson?

19 COUNCIL MEMBER GERSON: Permission
20 to explain.

21 BETSY GOTBAUM: So ordered.

22 COUNCIL MEMBER GERSON: Thank you
23 Madame Public Advocate. The continuation of the
24 sales tax avoidance or elimination for clothing
25 under \$150 combined with the business conformity

1
2 tax package presented to us today makes this tax
3 package on which we are voting an overall
4 significant improvement to our city's tax system
5 as well as improvements which are more conducive
6 to business activity and growth within the city.
7 But we need to view these improvements as first
8 steps towards the goal of overall reform,
9 simplicity and improvement. Today the city will
10 need to needlessly engage in budget cutbacks, or
11 not today but this season because of loopholes
12 which need to be closed in our property tax
13 system. We need to move forward with overall
14 reform, equity and simplicity. I'm voting aye
15 today because these are significant steps towards
16 those goals which will also bring in needed
17 revenue at this important time but with a
18 commitment to continuing the overall tax system,
19 especially property tax system reform effort. I
20 vote aye.

21 MICHAEL MCSWEENEY: Gioia?

22 COUNCIL MEMBER GIOIA: [no
23 response].

24 MICHAEL MCSWEENEY: Gonzalez?

25 COUNCIL MEMBER GONZALEZ: Aye on

1

2 all.

3

MICHAEL MCSWEENEY: Ignizio?

4

5 briefly excused to explain my vote? I just wanted
6 to point out more the positives than that which I
7 don't agree with. Obviously I'll be voting no on
8 the sales tax and I disagree. I think we've made
9 Mayor McCormick of Woodbridge, New Jersey very
10 happy today, particularly for the people in my
11 district. But I want to focus today on
12 Preconsidered SLR 18. This Council, in particular
13 this Speaker has brought forward this tax proposal
14 which will ultimately open up the doors and say
15 welcome new businesses, welcome businesses to
16 expand and that is the policy that this Council
17 brought forward despite what we read elsewhere. I
18 think this Council ought to be proud of what it's
19 doing today because with the passage of SLR 18, we
20 are saying that New York is open for business and
21 we are going to welcome more people coming in
22 here, setting up shop and calling New York home
23 and I just wish we sent consistent message with
24 regards to sales tax and tax on clothing. But
25 nonetheless, there is a victory here today for the

1
2 business community and I applaud the Speaker and
3 this Council for taking the lead on this important
4 issue. I vote no on M1461 and aye on all others.
5 Thank you.

6 MICHAEL MCSWEENEY: Jackson?

7 COUNCIL MEMBER JACKSON: Madame
8 Public Advocate, may I be excused to explain my
9 vote?

10 BETSY GOTBAUM: So ordered.

11 COUNCIL MEMBER JACKSON: Thank you.
12 My colleagues, when we look at the economic
13 situation of our great city and the financial
14 trouble that we're in, and knowing that we fund so
15 many programs that impact our people from
16 affordable housing to people with HIV/AIDS to
17 legal services to child care services and even
18 supporting small businesses and trying to help
19 them survive, when you put that all together our
20 city is in trouble financially and we all know
21 that. And if you look at the financial packages
22 that have been put together by our staff,
23 including some of the proposals by Mayor Bloomberg
24 to increase the sales tax of one-half of one
25 percent that sales tax increase will bring in

1
2 approximately \$450 million. I ask you my
3 colleagues to think about voting yes on this
4 particular matter and do not consider about
5 thinking no. If you think about considering no,
6 think about all of the workers that will be
7 negatively impacted and laid off in fact this City
8 Council votes no. And those workers live in all
9 five boroughs, including Staten Island, Manhattan,
10 Bronx, Brooklyn, and Queens. Understand that
11 these are workers that are employed by the City of
12 New York and in fact they lose their jobs, as you
13 know, foreclosures will occur and people will be
14 falling on the city services in order to survive.
15 I ask you to consider that if you're thinking
16 about voting no on 1461. This was put forward not
17 by us but by the mayor in order to balance our
18 budget. I vote yes on all items and I ask you to
19 consider that before you vote no. Thank you.

20 MICHAEL MCSWEENEY: James?

21 COUNCIL MEMBER JAMES: I vote aye.
22 Yes.

23 MICHAEL MCSWEENEY: Katz?

24 COUNCIL MEMBER KATZ: I vote no on
25 M1461, aye on all the rest.

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MICHAEL MCSWEENEY: Koppell?

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COUNCIL MEMBER KOPPELL: Request permission to explain my vote.

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BETSY GOTBAUM: So ordered.

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COUNCIL MEMBER KOPPELL: I would prefer a PIT increase, although I would propose a PIT surcharge across all taxpayers. But not having the option to vote for that I'm reluctantly willing to vote for the sales tax increase although I don't like sales taxes. However, I do feel constrained to comment very briefly on my colleague, Councilman Barron's remarks, and that is to say that we have here in New York City and want to preserve, even though we've seen great declines in Wall Street and financial business activity, we still are the financial capitol of the country and perhaps to some extent the world. Putting all of the burden on people who are admittedly very successful, it sounds good but I would caution you, Charles and everyone that we don't want to kill for a nice meal the goose that laid the golden egg. We want to keep those geese laying those eggs. They're not going to keep laying those eggs in New York if we expect them to

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2 bear the entire burden. And we also should
3 recognize that Albany in opposition quite frankly
4 to the comments of the governor and the mayor
5 substantially increased the taxes to those earning
6 more than \$300,000 a year. So, Charles, one can
7 go too far as I said, and we get one nice meal but
8 then there won't be anything left for tomorrow. I
9 withdraw my request and vote in the affirmative on
10 all.

11 MICHAEL MCSWEENEY: Gioia?

12 COUNCIL MEMBER GIOIA: Thank you.

13 I vote yes on all with the exception of M1461 that
14 I vote no on. Madame Public Advocate, I could
15 explain my vote very briefly. I commend my
16 colleagues for holding firm and keeping the sales
17 tax free on clothing items under \$110 but I think
18 we need to do more. This city is getting too
19 expensive to live in. The middle class and those
20 working to get into the middle class are being
21 pushed out of New York City. Raising taxes on
22 those who can least afford to live in New York is
23 not the right thing to do. I think all too often
24 this debate is couched in vital services versus
25 raising taxes. And I think there's another place

1
2 to look. And I think in this body as well as
3 across government we continue to see a tremendous
4 amount of waste, corruption and inefficiency and
5 until we can look taxpayers in the eye and tell
6 them that their dollars are being spent honestly,
7 I don't think that we can raise their taxes.

8 Thank you.

9 MICHAEL MCSWEENEY: Liu?

10 COUNCIL MEMBER LIU: I vote yes.

11 MICHAEL MCSWEENEY: Mark-Viverito?

12 COUNCIL MEMBER MARK-VIVERITO: Aye

13 on all.

14 MICHAEL MCSWEENEY: Martinez?

15 COUNCIL MEMBER MARTINEZ: [no

16 response].

17 MICHAEL MCSWEENEY: Mealy?

18 COUNCIL MEMBER MEALY: Aye on all.

19 MICHAEL MCSWEENEY: Mitchell?

20 COUNCIL MEMBER MITCHELL: Aye on

21 all except for M1461.

22 MICHAEL MCSWEENEY: Nelson?

23 COUNCIL MEMBER NELSON: May I be

24 excused to explain my vote?

25 BETSY GOTBAUM: So ordered.

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COUNCIL MEMBER NELSON: All right.

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I also was debating this within myself and other

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people for a long time. But to save cuts of

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millions of dollars that go to people with

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families eventually will get to them physically,

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mentally disabled and all the people in need and

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of course that we're focusing on the layoffs of

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thousands of municipal works. Parks will

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deteriorate even greater than they have

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deteriorated through the years. Library hours no

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doubt will be greatly curtailed. There will be a

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loss of even perhaps police and fire, and

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sanitation.

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BETSY GOTBAUM: Quiet please.

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COUNCIL MEMBER NELSON: Police and

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fire post-9/11 just does not sit well with me

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whatsoever. It never did, but especially after

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9/11. Thus I believe that leadership demands this

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action. It's unpopular but something must be

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done. So the slight increase is necessary I

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believe and imperative and I vote aye on all.

23

MICHAEL MCSWEENEY: Palma?

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COUNCIL MEMBER PALMA: Aye on all.

25

MICHAEL MCSWEENEY: Recchia?

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COUNCIL MEMBER RECCHIA: Aye on

3

all.

4

MICHAEL MCSWEENEY: Reyna?

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COUNCIL MEMBER REYNA: Aye on all.

6

MICHAEL MCSWEENEY: Sanders?

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COUNCIL MEMBER SANDERS: [no

8

response].

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MICHAEL MCSWEENEY: Seabrook?

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COUNCIL MEMBER SEABROOK: Aye on

11

all.

12

MICHAEL MCSWEENEY: Sears?

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COUNCIL MEMBER SEARS: Aye.

14

MICHAEL MCSWEENEY: Stewart?

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COUNCIL MEMBER STEWART: Aye.

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MICHAEL MCSWEENEY: Ulrich?

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COUNCIL MEMBER ULRICH: No on

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Preconsidered M1461 and aye on all others.

19

MICHAEL MCSWEENEY: Vacca?

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COUNCIL MEMBER VACCA: No on 1461,

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aye on all others.

22

MICHAEL MCSWEENEY: Vallone?

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COUNCIL MEMBER VALLONE: Aye on all

24

except 1461 in which I abstain.

25

MICHAEL MCSWEENEY: Vann?

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2 COUNCIL MEMBER VANN: I vote aye on
3 all and I request permission to vote on the agenda
4 and resolutions from the June 10th meeting. I
5 vote aye on all.

6 MICHAEL MCSWEENEY: Weprin?

7 COUNCIL MEMBER WEPRIN: Aye on all.

8 MICHAEL MCSWEENEY: White?

9 COUNCIL MEMBER WHITE: [no
10 response].

11 MICHAEL MCSWEENEY: Yassky?

12 COUNCIL MEMBER YASSKY: Aye on all
13 items.

14 MICHAEL MCSWEENEY: Oddo?

15 COUNCIL MEMBER ODDO: May I be
16 temporarily excused to explain my vote?

17 BETSY GOTBAUM: So ordered.

18 COUNCIL MEMBER ODDO: I am voting
19 yes on all with the exception of Preconsidered
20 M1461. I'd just like to take a moment to echo the
21 comments of Council Member Ignizio in commending
22 the Speaker and her staff for Preconsidered SLR
23 18, the single sales factor. It took the Speaker
24 a day and a half at least to keep explaining it to
25 me until I finally got it. But I have to say

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2 something, despite the 16 or 17 commercials I saw
3 watching the Met game over the weekend, it strikes
4 me as the single best piece of ingenuity in this
5 budget has emanated from this side of City Hall
6 and from the Speaker's office and from the
7 Speaker. And the beauty of this initiative is
8 that as best I understand it, it serves as a
9 bridge almost. It gives us additional resources
10 for a couple of years, hopefully to the point
11 where our economy has rebounded and then actually
12 serves to foster business. I think we all
13 acknowledge that Wall Street is going to have a
14 hard time coming back to what it once was and we
15 have to diversify this economy for this city if we
16 are going to move to really long term structural
17 balance. So again, I just want to commend the
18 Speaker and her staff for the creativity. It's,
19 again, the single best piece of creativity I've
20 heard come out of this building in this budget
21 process so far. I think it's a great step long
22 term for our fiscal situation. So I vote yes on
23 all with the exception of Preconsidered M1461 I
24 vote no.

25 MICHAEL MCSWEENEY: Rivera?

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2 COUNCIL MEMBER RIVERA: I vote aye
3 on all.

4 MICHAEL MCSWEENEY: Speaker Quinn?

5 SPEAKER QUINN: Aye.

6 BETSY GOTBAUM: All items on
7 today's General Order Calendar were adopted by a
8 vote of 48 in the affirmative, zero in the
9 negative and zero abstentions with the exceptions
10 of Preconsidered M1461 which is adopted by a vote
11 of 37 in the affirmative, 10 negative, 1
12 abstention. General Order Calendar.

13 SPEAKER QUINN: Supplemental
14 introduction and reading of bills. And all else
15 referred to committees as indicated.

16 BETSY GOTBAUM: Thank you, sorry.

17 SPEAKER QUINN: No problem.

18 BETSY GOTBAUM: Discussion of
19 resolutions, no resolutions. General discussion.
20 Council Member Jackson.

21 COUNCIL MEMBER JACKSON: Thank you,
22 Madame Public Advocate. Under general discussion
23 my colleagues, the Education Committee is meeting
24 on the 18th on the issue of the new high school
25 graduation rates. So I ask you if you're

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2 interested in knowing about that, please reach out
3 to myself or the Education Committee staff. But
4 also we'll be voting on the resolution concerning
5 the Muslim holidays being incorporated into the
6 school calendar. That resolution will be voted on
7 in the beginning of our Education Committee
8 hearing. I'll look forward to seeing you on the
9 18th at 10 a.m. here in the chambers. Thank you.

10 Betsy Gotbaum: Anybody else.

11 Speaker Quinn: We are going to
12 stand in recess.

13 Betsy Gotbaum: We're going to
14 stand in recess, yes.

15 Speaker Quinn: Thank you.

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 September 17, 2009