

# The New York City Council

## Council Agenda

### Stated Meeting

October 05, 2011

1:30 PM

**Emigrant Savings Bank - 49-51 Chambers  
Street**

**1. Roll Call**

**2. Invocation**

*Delivered by Reverend Que English, Bronx Christian  
Fellowship, 1015 East Gun Hill Road, Bronx, N.Y. 10469.*

*Motion to spread the invocation in full upon the record by  
Council Member Seabrook.*

**3. Adoption of Minutes**

*Motion that the Minutes of the Stated Meeting of September 8,  
2011 be adopted as printed by Council Member Gonzalez.*

**4. Messages & Papers from the Mayor**

**M 0654-2011**      **Paula Berry, Waterfront Management Advisory Board**  
Communication from the Mayor - Withdrawing the

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nomination of Paula Berry (M 633) from the City Council for its advice and consent regarding her appointment to the Waterfront Management Advisory Board.

*Received, Ordered, Printed and Filed*

## **5. Communications from City, County & Borough Offices**

**M 0655-2011 Submitting Third Party Transfer Program Manhattan, In Rem Action No. 48 & 49, Community Districts Nos. 3, 9, 10, 11 Council Districts No. 2, 7, 8, 9.**

Communication from the Department of Finance - Submitting Third Party Transfer Program Manhattan, In Rem Action No. 48 & 49, Community Districts Nos. 3, 9, 10, 11 Council Districts No. 2, 7, 8, 9.

*Housing and Buildings*

**M 0656-2011 Submitting Third Party Transfer Program Manhattan, In Rem Action No. 48, Community District No. 9 Council District No. 7.**

Communication from the Department of Finance - Submitting Third Party Transfer Program Manhattan, In Rem Action No. 48, Community District No. 9 Council District No. 7.

*Housing and Buildings*

**M 0657-2011 Base Station License, 4th Avenue Express Car & Limousine Corp.**

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a new base station license 4th Avenue Express Car & Limousine Corp., Council District 38, pursuant to Section 19-511(i), of the administrative code of the city of New York.

*Transportation*

**M 0658-2011 Base Station License, Call Threes L.L.C.**

Communication from the Taxi & Limousine Commission –

Submitting its approval of an application for a new base station license Call Threes L.L.C., Council District 39, pursuant to Section 19-511(i), of the administrative code of the city of New York.

***Transportation***

**M 0659-2011 Base Station License, DAT Radio Dispatch Inc.**

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal base station license DAT Radio Dispatch Inc., Council District 18, pursuant to Section 19-511(i), of the administrative code of the city of New York.

***Transportation***

**M 0660-2011 Base Station License, Gaon Car & Limousine Service, Inc.**

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal base station license Gaon Car & Limousine Service, Inc., Council District 44, pursuant to Section 19-511(i), of the administrative code of the city of New York.

***Transportation***

**M 0661-2011 Base Station License, Red Carpet Car Service**

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal base station license Red Carpet Car Service, Council District 27, pursuant to Section 19-511(i), of the administrative code of the city of New York.

***Transportation***

**M 0662-2011 Base Station License, Rocopulco Car Service**

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal base station license Rocopulco Car Service, Council District 32, pursuant to Section 19-511(i), of the administrative code of the city of New York.

***Transportation***

- M 0663-2011**      **Base Station License, Rosedale Base Car Service Corp. D/b/a Danny's Car Service**
- Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal base station license Rosedale Base Car Service Corp. D/b/a Danny's Car Service, Council District 31, pursuant to Section 19-511(i), of the administrative code of the city of New York.
- Transportation***
- M 0664-2011**      **Base Station License, Rose 'n Dale Car Service**
- Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal base station license Rose 'n Dale Car Service, Council District 31, pursuant to Section 19-511(i), of the administrative code of the city of New York.
- Transportation***
- M 0665-2011**      **Base Station License, The Excellent Car Service Inc.**
- Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal base station license The Excellent Car Service Inc., Council District 14, pursuant to Section 19-511(i), of the administrative code of the city of New York.
- Transportation***
- M 0666-2011**      **Base Station License, Town Car Transportation Inc. D/b/a New Topacio Car Service**
- Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal base station license Town Car Transportation Inc. D/b/a New Topacio Car Service, Council District 34, pursuant to Section 19-511(i), of the administrative code of the city of New York.
- Transportation***

- M 0667-2011**      **Base Station License, Xpress Transportation & Multi-Service Inc.**
- Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal base station license Xpress Transportation & Multi-Service Inc., Council District 7, pursuant to Section 19-511(i), of the administrative code of the city of New York.
- Transportation*
- M 0668-2011**      **Base Station License, ABC International Services, Inc. D/b/a ABC Car Service**
- Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal and ownership change base station license ABC International Services, Inc. D/b/a ABC Car Service, Council District 28, pursuant to Section 19-511(i), of the administrative code of the city of New York.
- Transportation*
- M 0669-2011**      **Base Station License, Cityline Car Service Inc.**
- Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal and ownership change base station license Cityline Car Service Inc., Council District 32, pursuant to Section 19-511(i), of the administrative code of the city of New York.
- Transportation*
- M 0670-2011**      **Base Station License, Erushalaim Corp.**
- Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal and ownership change base station license Erushalaim Corp., Council District 33, pursuant to Section 19-511(i), of the administrative code of the city of New York.
- Transportation*
- M 0671-2011**      **Base Station License, Brunwish Enterprises D/b/a Eastland Car**

**Service**

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal, relocation and ownership change base station license Brunwish Enterprises D/b/a Eastland Car Service, Council District 45, 48, pursuant to Section 19-511(i), of the administrative code of the city of New York.

***Transportation*****M 0672-2011****Base Station License, Lincoln Limo Service Inc.**

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal, relocation and ownership change base station license Lincoln Limo. Service Inc., Council District 1, pursuant to Section 19-511(i), of the administrative code of the city of New York.

***Transportation*****M 0673-2011****Base Station License, A Door to Door Transportation Inc.**

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a relocation change base station license A Door to Door Transportation Inc., Council District BX17,QN26, pursuant to Section 19-511(i), of the administrative code of the city of New York.

***Transportation*****M 0674-2011****Base Station License, Belle Management Corp. D/b/a Glen Belle Car Service**

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a relocation change base station license Belle Management Corp. D/b/a Glen Belle Car Service, Council District 23, 19, pursuant to Section 19-511(i), of the administrative code of the city of New York.

***Transportation*****M 0675-2011****Base Station License, Colonial II Car & Limo Service**

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a relocation, ownership and name change base station license Colonial II Car & Limo. Service., Council District 43 & 24, pursuant to Section 19-511(i), of the administrative code of the city of New York.

*Transportation*

**M 0676-2011**

**Base Station License, Bensonhurst Ride Inc.**

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a relocation, and name change base station license Bensonhurst Ride Inc. (from Bensonhurst Car Service Corp.), Council District 47, pursuant to Section 19-511(i), of the administrative code of the city of New York.

*Transportation*

## **6. Petitions and Communications**

*None*

## **7. Land Use Call-Ups**

**M 0677-2011**

**Sidewalk café, 442 Graham Ave, Brooklyn (20115847 TCK)**

By Council Member Reyna:

Pursuant to Rule 11.20(b) of the Council and Sections 20-226 or 20-225(g) of the New York City Administrative Code, the Council resolves that the action of the Department of Consumer Affairs approving an unenclosed sidewalk café located at 442 Graham Ave., Council District no. 34 Application no. 20115847 TCK, shall be subject to review by the Council.

*Coupled on Call – Up Vote*

**M 0678-2011**

**Sidewalk café, 82 South 4th Street, Brooklyn (20115771 TCK)**

By Council Member Reyna:  
Pursuant to Rule 11.20(b) of the Council and Sections 20-226 or 20-225(g) of the New York City Administrative Code, the Council resolves that the action of the Department of Consumer Affairs approving an unenclosed sidewalk café located at 82 South 4th Street, Council District no. 34 Application no. 20115771 TCK, shall be subject to review by the Council.

*Coupled on Call – Up Vote*

## **8. Communication from the Speaker**

## **9. Discussion of General Orders**

## **10. Reports of Special Committees**

*None*

## **11. Reports of Standing Committees**

### **Report of the Committee on Finance**

**Res 0959-2011-A**                      **Establishment of the Westchester Square BID.**

Resolution concerning the establishment of the Westchester Square Business Improvement District in the Borough of the Bronx and setting the date, time and place for the public hearing to hear all persons interested in the establishment of such district.

*Amended and Coupled on GO*

**Res 1068-2011**                      **Approving the new designation and changes in the designation of certain organizations to receive funding in the Expense Budget.**



Resolution approving the new designation and changes in the designation of certain organizations to receive funding in the Expense Budget.

*Preconsidered - Coupled on GO*

**Res 1070-2011**

**LU 494 - 243 Kingston Avenue, Block 1251, Lot 1, Brooklyn, Council District No. 36**

Resolution approving an exemption from real property taxes for property located at 243 Kingston Avenue, Brooklyn, pursuant to Section 577 of the Private Housing Finance Law (Preconsidered L.U. No. 494).

*Preconsidered - Coupled on GO*

## **Report of the Committee on Land Use**

**Res 1071-2011**

**LU 468 - Sidewalk café, 183 West 10th Street, Manhattan (20115790 TCM)**

Application no. 20115790 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of 183 Condechi Associates LLC. d.b.a. Café Condessa, to establish, maintain and operate an unenclosed sidewalk café located at 183 West 10th Street, Borough of Manhattan, Council District no.3. This application is subject to review and action by the Land Use Committee only if called-up by vote of the Council pursuant to Rule 11.20b of the Council and §20-226(g) of the New York City Administrative Code.

*Coupled on GO*

**Res 1072-2011**

**LU 484 - Sidewalk café, 19 East 26th St, Manhattan (20115826 TCM)**

Application no. 20115826 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of SDNY 19 Mad Park, LLC d.b.a. SD 26, to establish, maintain and operate an unenclosed sidewalk café

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located at 19 East 26th Street, Borough of Manhattan, Council District no.3. This application is subject to review and action by the Land Use Committee only if called-up by vote of the Council pursuant to Rule 11.20b of the Council and §20-226(g) of the New York City Administrative Code.

*Coupled on GO*

**Res 1073-2011**

**LU 485 - Zoning, Industco Holdings, LLC (C 100310 ZMX)**

Application no. C 100310 ZMX submitted by Industco Holdings, LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 3d, Council District no. 15, 17.

*Coupled on GO*

**Res 1074-2011**

**LU 486 - Zoning, Industco Holdings, LLC (N 100311 ZRX)**

Application no. N 100311 ZRX submitted by Industco Holdings, LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Resolution of City of New York concerning Appendix F (Inclusionary Housing designated areas) and related Sections pertaining to the establishment of Inclusionary Housing designated areas in community Districts 3 and 6 and the modification of Section 74-743 within the boundaries of Community District 3.

*Coupled on GO*

**Res 1075-2011**

**LU 487 - Zoning, Industco Holdings, LLC (C 100312 ZSX)**

Application no. C 100312 ZSX submitted by Industco Holdings, LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-743 of the Zoning Resolution in connection with two proposed mixed use developments (Zoning Lot A, Block 3013, Lots 12, 29, 31, 35, 37 & 46 and Zoning Lot B, Block 3014, lots 9, 15 & 45) within a Large-Scale General Development bounded by Bone Avenue, East 173rd Street, West Farms Road, and a line approximately

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331 feet southwesterly of East 172nd Street, Borough of the Bronx, Community District 3. This application is subject to review and action by the Land Use Committee only if appealed to the Council pursuant to §197-d (b)(2) of the Charter or called up by vote of the Council pursuant to §197-d (b)(3) of the Charter.

*Coupled on GO*

**Res 1076-2011**

**LU 488 - Zoning, Industco Holdings, LLC (C 100313 ZSX)**

Application no. C 100313 ZSX submitted by Industco Holdings, LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-745 of the Zoning Resolution to allow the distribution of required or permitted accessory off-street parking spaces without regard for zoning lot lines, in connection with two proposed mixed use developments (Zoning Lot A, Block 3013, Lots 12, 29, 31, 35, 37 & 46 and Zoning Lot B, Block 3014, lots 9, 15 & 45) within a Large-Scale General Development, bounded by Bone Avenue, East 173rd Street, West Farms Road, and a line approximately 331 feet southwesterly of East 172nd Street Borough of the Bronx, Community District 3. This application is subject to review and action by the Land Use Committee only if appealed to the Council pursuant to §197-d (b)(2) of the Charter or called up by vote of the Council pursuant to §197-d (b)(3) of the Charter.

*Coupled on GO*

**Res 1077-2011**

**LU 489 - Zoning, Industco Holdings, LLC (C 110297 ZSX)**

Application no. C 110297 ZSX submitted by Industco Holdings, LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-744 of the Zoning Resolution to allow residential and non residential uses to be arranged within a building without regard for the use regulation set forth in Section 32-42 (Location within buildings), in connection with

two proposed mixed use developments (Zoning Lot A, Block 3013, Lots 12, 29, 31, 35, 37 & 46 and Zoning Lot B, Block 3014, lots 9, 15 & 45) within a Large-Scale General Development bounded by Bone Avenue, East 173rd Street, West Farms Road, and a line approximately 331 feet southwesterly of East 172nd Street (Block 6491, Lots 207 292 and 8900), Borough of the Bronx, Community District 3 This application is subject to review and action by the Land Use Committee only if appealed to the Council pursuant to §197-d (b)(2) of the Charter or called up by vote of the Council pursuant to §197-d (b)(3) of the Charter.

*Coupled on GO*

**Res 1078-2011**

**LU 490 - Zoning, Industco Holdings, LLC (C 110234 HAX)**

Application no. C 110234 HAX submitted by Industco Holdings, LLC, an Urban Development Action Area Designation and Project, located at 1525 West Farms Road and the disposition of this property, Borough of the Bronx, Council District, 15, 17. This matter is subject to Council Review and action pursuant to Sections 197-c and 197-d of the New York City Charter and Article 16 of the General Municipal Law.

*Coupled on GO*

**Res 1079-2011**

**LU 491 - Zoning, Amendment to Zoning Map (C 110384 ZMX)**

Application no. C 110384 ZMX submitted by the Department of City Planning pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section Nos. 1d, 2a and 2b, Borough of the Bronx, Council District no. 12.

*Coupled on GO*

**Res 1080-2011**

**LU 493 - ULURP, 629 Courtlandt Ave, Bronx (C110260PQX)**

Application no. C 110260 PQX submitted by the Administration of Children's Services and the Department of Citywide Administrative Services pursuant to Section 197-c of

the New York City Charter for acquisition of property located at 629 Courtlandt Avenue (Block 2411, Lot 41) for continued use as a child care center, Community District 1, Borough of the Bronx. This application is subject to review and action by the Land Use Committee only if appealed to the Council pursuant to §197-d (b)(2) of the Charter or called up by vote of the Council pursuant to §197-d (b)(3) of the Charter.

*Coupled on GO*

## 12. General Orders Calendar

**Int 0624-2011-A** Procedure governing agency service contracts.

A Local Law to amend the New York city charter, in relation to the procedure governing agency service contracts.

*Coupled on GO*

**T2010-0002** Commissioner of Deeds

*Coupled on GO*

### Coupled on General Order Calendar

## Finance

**Res** Establishment of the Westchester Square BID.

**0959-2011-A**

*A and GO*

**Res 1068-2011** Approving the new designation and changes in the designation of certain organizations to receive funding in the Expense Budget.

*Preconsidered - GO*

**Res 1070-2011** LU 494 - 243 Kingston Avenue, Block 1251, Lot 1, Brooklyn, Council District No. 36

*Preconsidered - GO*

## Land Use

- Res 1071-2011**      **LU 468 - Sidewalk café, 183 West 10th Street, Manhattan  
(20115790 TCM)  
GO**
- Res 1072-2011**      **LU 484 - Sidewalk café, 19 East 26th St, Manhattan (20115826  
TCM)  
GO**
- Res 1073-2011**      **LU 485 - Zoning, Industco Holdings, LLC (C 100310 ZMX)  
GO**
- Res 1074-2011**      **LU 486 - Zoning, Industco Holdings, LLC (N 100311 ZRX)  
GO**
- Res 1075-2011**      **LU 487 - Zoning, Industco Holdings, LLC (C 100312 ZSX)  
GO**
- Res 1076-2011**      **LU 488 - Zoning, Industco Holdings, LLC (C 100313 ZSX)  
GO**
- Res 1077-2011**      **LU 489 - Zoning, Industco Holdings, LLC (C 110297 ZSX)  
GO**
- Res 1078-2011**      **LU 490 - Zoning, Industco Holdings, LLC (C 110234 HAX)  
GO**
- Res 1079-2011**      **LU 491 - Zoning, Amendment to Zoning Map (C 110384 ZMX)  
GO**
- Res 1080-2011**      **LU 493 - ULURP, 629 Courtlandt Ave, Bronx (C110260PQX)  
GO**

## General Order Calendar

**Int 0624-2011-A**      **Procedure governing agency service contracts.**  
*GO*

**T2010-0002**          **Commissioner of Deeds**  
*GO*

**13.      Introduction & Reading of Bills**  
**See Attached**

**14.      Discussion of Resolutions**

**15.      Resolutions**  
*None*

**16.      General Discussion**

**17.      Extension of Remarks**

**INTRODUCTION AND READING OF BILLS**

**Int 0684-2011**          *By Council Member Brewer*

A Local Law to amend the administrative code of the city of New York, in relation to prohibiting vending against or within taxi stands.

*Transportation*

**Int 0685-2011**          *By Council Member Brewer*

A Local Law to amend the administrative code of the city of New York, in relation to requiring the appropriate city agency to make available on the city's official website biographical information pertaining to all street name changes.

*Parks and Recreation*

- Int 0686-2011**      *By Council Member Cabrera*
- A Local Law to amend the administrative code of the city of New York, in relation to issuing certificates of occupancy for school buildings.
- Housing and Buildings***
- Int 0687-2011**      *By Council Member Cabrera*
- A Local Law to amend the administrative code of the city of New York, in relation to requiring the mayor's office of operations to report crime statistics by New York City Police Department precinct sector.
- Public Safety***
- Res 1064-2011**      *By Council Members Dromm and Ferreras*
- Resolution calling upon the United States Congress to reauthorize the Violence Against Women Act (VAWA).
- Women's Issues***
- Res 1065-2011**      *By Council Member Dromm*
- Resolution urging the U.S. Citizenship and Immigration Services to make visas, or other appropriate benefits, available to victims of immigration schemes who assist government officials in investigating or prosecuting the fraudulent activity.
- Immigration***
- Res 1066-2011**      *By Council Member Fidler*
- Resolution calling upon the Mayor of the City of New York to convene an interagency commission to study obstacles faced by children of incarcerated parents, from arrest to reunification, and to consider the adoption of a bill of rights for children of incarcerated parents.
- General Welfare***
- Res 1067-2011**      *By Council Members Gonzalez and Crowley*



Resolution supporting New York State Chief Judge Jonathan Lippman's call on the New York State Legislature to pass and the Governor to sign legislation raising the age of criminal responsibility for nonviolent offenses to 18 and permit the cases of 16 and 17 year-olds charged with such offenses to be adjudicated in the Family Court rather than the adult criminal justice system.

*Juvenile Justice*

**Int 0688-2011**

*By Council Member Ignizio*

A Local Law to amend the administrative code of the city of New York, in relation to verification of data for certain exemptions administered by the Department of Finance.

*Finance*

**Int 0689-2011**

*By Council Member Koppell*

A Local Law to amend the administrative code of the city of New York, in relation to the replacement of trees unlawfully removed from a Special Natural Area District.

*Parks and Recreation*

**Int 0690-2011**

*By Council Members Koslowitz, Gennaro, Comrie Jr. and Koppell*

A Local Law to amend the administrative code of the city of New York, in relation to amusement arcades.

*Consumer Affairs*

**Res 1068-2011**

*By Council Member Recchia Jr.*

Resolution approving the new designation and changes in the designation of certain organizations to receive funding in the Expense Budget.

*Preconsidered - Finance*

**Res 1069-2011**

*By Council Member Rose*

Resolution calling upon the Metropolitan Transportation Authority to allow seniors and disabled persons to also receive fare discounts on express buses during rush hours, between the

hours of 6 am to 10 am and between 3 pm and 7 pm on Monday through Friday.

***Transportation***

**LU 0494-2011**      *By Council Member Recchia Jr.*

243 Kingston Avenue, Block 1251, Lot 1, Brooklyn, Council District No. 36.

***Preconsidered - Finance***

**LU 0495-2011**      *By Council Member Comrie Jr.*

Application no. 20115771 TCK, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of En Casa, LLC, to establish, maintain and operate an unenclosed sidewalk café located at 82 South 4th Street, Borough of Brooklyn, Council District no.34. This application is subject to review and action by the Land Use Committee only if called-up by vote of the Council pursuant to Rule 11.20b of the Council and §20-226(g) of the New York City Administrative Code.

***Zoning and Franchises***

**LU 0496-2011**      *By Council Member Comrie Jr.*

Application no. 20115847 TCK, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of Graham Central Café LTD d.b.a. La Piazzetta, to establish, maintain and operate an unenclosed sidewalk café located at 442 Graham Avenue, Borough of Brooklyn, Council District no.34. This application is subject to review and action by the Land Use Committee only if called-up by vote of the Council pursuant to Rule 11.20b of the Council and §20-226(g) of the New York City Administrative Code.

***Zoning and Franchises***