

# The New York City Council

*City Hall  
New York, NY 10007*



## Meeting Minutes

**Wednesday, February 16, 2005**

**1:30 PM**

**Council Chambers - City Hall**

### City Council

*A. Gifford Miller, Speaker*

*Members: Joseph P. Addabbo, Jr., Tony Avella, Maria Baez, Charles Barron, Tracy L. Boyland, Gale A. Brewer, Yvette D. Clarke, Leroy G. Comrie, Jr., Bill de Blasio, Erik Martin Dilan, Simcha Felder, Lewis A. Fidler, Helen D. Foster, Dennis P. Gallagher, James F. Gennaro, Vincent J. Gentile, Alan J. Gerson, Eric N. Gioia, Sara M. Gonzalez, Robert Jackson, Letitia James, Allan W. Jennings, Jr., Melinda R. Katz, G. Oliver Koppell, Andrew J. Lanza, John C. Liu, Margarita Lopez, Miguel Martinez, Michael E. McMahon, Hiram Monserrate, Eva S. Moskowitz, Michael C. Nelson, James Oddo, Annabel Palma, William Perkins, Madeline Provenzano, Christine C. Quinn, Domenic M. Recchia, Jr., Philip Reed, Diana Reyna, Joel Rivera, James Sanders, Jr., Larry B. Seabrook, Helen Sears, Kendall B. Stewart, Peter F. Vallone, Jr., Albert Vann, David I. Weprin and David Yassky*

*The Public Advocate (Ms. Gotbaum)*

1. Roll Call

**Present,**

Speaker Miller, Addabbo Jr., Avella, Baez, Barron, Boyland, Brewer, Clarke, Comrie Jr., Dilan, de Blasio, Felder, Fidler, Gallagher, Gennaro, Gentile, Gerson, Gioia, Gonzalez, Jackson, James, Jennings Jr., Katz, Koppell, Lanza, Liu, Lopez, Martinez, McMahon, Moskowitz, Nelson, Oddo, Palma, Perkins, Provenzano, Quinn, Recchia Jr., Reyna, Rivera, Sanders Jr., Seabrook, Sears, Stewart, Vallone Jr., Vann, Weprin and Yassky

**Excused,**

Foster, Monserrate and Reed

*The presence of a quorum was announced by The Public Advocate (Ms. Gotbaum).*

2. Invocation

3. Adoption of Minutes

*None.*

4. Messages & Papers from the Mayor

**M 0439-2005**

**Communication for the Mayor - Mayor's veto and disapproval message of Introductory Number 522-A, in relation to creating disclosure requirements for child care facilities.**

**Attachments:** Hearing Transcript - Stated Meeting 2/16/05, Hearing Transcript 3/9/05,  
Hearing Transcript - Stated Meeting 3/9/05

**This Mayor's Message was Referred to Comm by Council to the Committee on General Welfare**

5. Communications from City, County & Borough Offices

**M 0440-2005**

**Communication from the office of the City Clerk - Submitting the Certificate of the swearing in of Maria del Carmen Arroyo, as the new Council Member of the 17th Council District, Bronx County.**

**THE CITY CLERK AND CLERK OF THE COUNCIL PERFORMS THE FORMAL CEREMONY OF THE ELECTED COUNCIL MEMBER MARIA DEL CARMEN ARROYO TAKING HER OATH OF OFFICE.**

**Attachments:** Hearing Transcript - Stated Meeting 2/16/05

**This Communication was Rcvd, Ord, Prnt, Fld by Council**

6. Petitions and Communications

*None.*

7. Land Use Call-Ups

M 0441-2005

**By Council Member Quinn:**  
**Pursuant to Rule 11.20(b) of the Council and Section 20-225(g) of the New York City Administrative Code, the Council resolves that the action of the Department of Consumer Affairs approving an enclosed sidewalk café located at 69-71 Seventh Avenue, Borough of Manhattan, Council District no. 3, shall be subject to review by the Council. (Application no. 20055170 TCM)**

Attachments: Hearing Transcript - Stated Meeting 2/16/05

**A motion was made that this Land Use Call-Up be Approved, by Council approved by Roll Call.**

**Affirmative,** 47 -

Speaker Miller, Addabbo Jr., Avella, Baez, Barron, Boyland, Brewer, Clarke, Comrie Jr., Dilan, de Blasio, Felder, Fidler, Gallagher, Gennaro, Gentile, Gerson, Gioia, Gonzalez, Jackson, James, Jennings Jr., Katz, Koppell, Lanza, Liu, Lopez, Martinez, McMahon, Moskowitz, Nelson, Oddo, Palma, Perkins, Provenzano, Quinn, Recchia Jr., Reyna, Rivera, Sanders Jr., Seabrook, Sears, Stewart, Vallone Jr., Vann, Weprin and Yassky

**Excused,** 3 -

Foster, Monserrate and Reed

*The Public Advocate (Ms. Gotbaum) put the question whether the Council would agree with and adopt such motion which was decided in the affirmative by the following 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 Aging

Int 0215-2004

**A Local Law to amend the administrative code of the city of New York, in relation to the rent payable by a tenant enrolled in the senior citizen rent increase exemption program when a rent reduction order has been issued.**

Attachments: Committee Report 2/14/05, Committee Report 2/16/05, Local Law, Hearing Transcript 2/16/05, Hearing Transcript 2/14/05, Hearing Transcript - Stated Meeting 2/16/05

**A motion was made that this Introduction be Approved by Council approved by consent Roll Call.**

**Enactment No:** 2005/021

Report of the Committee on Governmental Operations

**Int 0346-2004      A Local Law to amend the administrative code of the city of New York, in relation to creating civil penalties and a private right of action for false or fraudulent claims.**

**Attachments:** Committee Report 6/23, Hearing Transcript 6/23, Committee Report 11/9, Hearing Transcript 11/9, Committee Report 2/15/05, Committee Report 2/16/05, Mayor's Veto Message, Mayor's Veto Message - Cover, Hearing Transcript 2/15/05, Hearing Transcript - Stated Meeting 2/16/05

**A motion was made that this Introduction be Approved by Council approved by consent Roll Call.**

Report of the Committee on Health

**Int 0172-2004      A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of health and mental hygiene to develop a prescription drug discount card program.**

**Attachments:** Committee Report 1/26/05, Hearing Transcript 1/26/05, Committee Report 2/16/05, Local Law, Hearing Transcript 2/16/05, Hearing Transcript - Stated Meeting 2/16/05

**A motion was made that this Introduction be Approved by Council approved by consent Roll Call.**

**Enactment No:** 2005/019

**Int 0211-2004      A Local Law to amend the administrative code of the city of New York, in relation to requiring the placement of automated external defibrillators at certain public places.**

**Attachments:** Committee Report 5/4/04, Hearing Transcript 5/4/04, Committee Report 2/16/05, Local Law, Hearing Transcript 2/16/05, Hearing Transcript - Stated Meeting 2/16/05

**A motion was made that this Introduction be Approved by Council approved by consent Roll Call.**

**Enactment No:** 2005/020

Report of the Committee on Housing and Buildings

**Int 0530-2005      A Local Law to amend the administrative code of the city of New York, in relation to area eligibility limitations on benefits pursuant to section four hundred twenty-one-a of the real property tax law.**

**Attachments:** Committee Report 1/31/05, Committee Report 2/15/05, Local Law, Hearing Transcript 2/15/05, Hearing Transcript 1/31/05, Hearing Transcript - Stated Meeting 2/16/05

**A motion was made that this Introduction be Approved by Council approved by Roll Call.**

**Affirmative, 46 -**

Speaker Miller, Addabbo Jr., Avella, Baez, Boyland, Brewer, Clarke, Comrie Jr., Dilan, de Blasio, Felder, Fidler, Gallagher, Gennaro, Gentile, Gerson, Gioia, Gonzalez, Jackson, James, Jennings Jr., Katz, Koppell, Lanza, Liu, Lopez, Martinez, McMahon, Moskowitz, Nelson, Oddo, Palma, Perkins, Provenzano, Quinn, Recchia Jr., Reyna, Rivera, Sanders Jr., Seabrook, Sears, Stewart, Vallone Jr., Vann, Weprin and Yassky

**Negative, 1 -**

Barron

**Excused, 3 -**

Foster, Monserrate and Reed

**Enactment No:** 2005/022

Report of the Committee on Land Use

**LU 0308-2004      Application no. 20055087 HAM, an Urban Development Action Area Project located at 118 West 123rd Street, Council District no. 9, Borough of Manhattan. This matter is subject to Council review and action pursuant to Article 16 of the New York General Municipal Law, at the request of the New York City Department of Housing Preservation and Development, and pursuant to Section 577 of the Private Housing Finance Law for an exemption from real property taxes.**

**Attachments:** Hearing Transcript - Planning - 11/30/04, Hearing Transcript - Planning - 11/16/04, Hearing Transcript - Land Use - 2/10/05, Hearing Transcript - Planning - 2/8/05, Hearing Transcript - Planning - 1/25/05

**A motion was made that this Land Use Application be Approved, by Council approved by consent Roll Call.**

**Res 0842-2005**      **Resolution approving an Urban Development Action Area Project located at 118 West 123rd Street (Block 1907/Lot 45), Manhattan, and waiving the urban development action area designation requirement and the Uniform Land Use Review Procedure, pursuant to Sections 693 and 694 of the General Municipal Law (L.U. No. 308; 20055087 HAM).**

**Attachments:**    Committee Report, Hearing Transcript - Stated Meeting 2/16/05

A motion was made that this Resolution be Approved, by Council approved by consent Roll Call.

**LU 0351-2004**      **Application no. 20055109 HAK, an Urban Development Action Area Project, located at 2087 Dean Street, Council District no. 41, Borough of Brooklyn. This matter is subject to Council review and action pursuant to Article 16 of the New York General Municipal Law, at the request of the New York City Department of Housing Preservation and Development and pursuant to Section 696 of the General Municipal Law for an exemption from real property taxes.**

**Attachments:**    Hearing Transcript - Planning - 11/30/04, Hearing Transcript - Land Use - 2/10/05, Hearing Transcript - Planning - 2/8/05, Hearing Transcript - Planning - 1/25/05

A motion was made that this Land Use Application be Approved, by Council approved by consent Roll Call.

**Res 0843-2005**      **Resolution approving an Urban Development Action Area Project located at 2087 Dean Street (Block 1439/Lot 69), Brooklyn, and waiving the urban development action area designation requirement and the Uniform Land Use Review Procedure, pursuant to Sections 693 and 694 of the General Municipal Law (L.U. No. 351; 20055109 HAK).**

**Attachments:**    Committee Report, Hearing Transcript - Stated Meeting 2/16/05

A motion was made that this Resolution be Approved, by Council approved by consent Roll Call.

**LU 0352-2004**      **Application no. 20055110 HAM, an Urban Development Action Area Project, located at 220 West 123rd Street, 215 West 131st Street, 262 West 132nd Street and 45 West 130th Street, Council District no. 9, Borough of Manhattan. This matter is subject to Council review and action pursuant to Article 16 of the New York General Municipal Law, at the request of the New York City Department of Housing Preservation and Development and pursuant to Section 696 of the General Municipal Law for an exemption from real property taxes.**

**Attachments:**    Hearing Transcript - Planning - 11/30/04, Hearing Transcript - Land Use - 2/10/05, Hearing Transcript - Planning - 2/8/05, Hearing Transcript - Planning - 1/25/05

**A motion was made that this Land Use Application be Approved, by Council approved by consent Roll Call.**

**Res 0844-2005**      **Resolution approving an Urban Development Action Area Project located at 220 West 123rd Street (Block 1928/Lot 43), 215 West 131st Street (Block 1937/Lot 23), 262 West 132nd Street (Block 1937/Lot 55), and 45 West 130th Street (Block 1728/Lot 16), Manhattan, and waiving the urban development action area designation requirement and the Uniform Land Use Review Procedure, pursuant to Sections 693 and 694 of the General Municipal Law (L.U. No. 352; 20055110 HAM).**

**Attachments:**    Committee Report, Hearing Transcript - Stated Meeting 2/16/05

**A motion was made that this Resolution be Approved, by Council approved by consent Roll Call.**

**LU 0377-2005**      **Uniform Land Use Review Procedure application no. 000189 ZMX, pursuant to §197-c and §197-d of the New York City Charter, concerning changes to the zoning map, Borough of Bronx, Council District no. 10.**

**Attachments:**    Hearing Transcript - Zoning - 1/26/05, Hearing Transcript - Land Use - 2/10/05, Hearing Transcript - Zoning - 2/10/05

*Motion to Disapprove. Subsequent to the Committee's action, applicant on February 16, 2005 withdrew, as of right, this application pursuant to ULURP Rules. Therefore, this item will be filed pursuant to letter of withdrawal.*

**A motion was made that this Land Use Application be Filed by Council approved by consent Roll Call.**

**Res 0845-2005      Resolution disapproving the decision of the City Planning Commission on ULURP No. C 000189 ZMX, a Zoning Map change (L.U. No. 377).**

**Attachments:**    Committee Report, Hearing Transcript - Stated Meeting 2/16/05

*Motion to Disapprove. Subsequent to the Committee's action, applicant on February 16, 2005 withdrew, as of right, this application pursuant to ULURP Rules. Therefore, this item will be filed pursuant to letter of withdrawal.*

**A motion was made that this Resolution be Filed by Council approved by consent Roll Call.**

**LU 0378-2005      Uniform land use review procedure application no. 040123 ZSX, pursuant to §197-c and §197-d of the Charter of the City of New York concerning a special permit under the Zoning Resolution in the Borough of Bronx, Council District no. 10 to allow a large retail establishment with no limitation of floor area (UG 6 and UG 10). 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.**

**Attachments:**    Hearing Transcript - Zoning - 1/26/05, Hearing Transcript - Land Use - 2/10/05, Hearing Transcript - Zoning - 2/10/05

*Motion to Disapprove. Subsequent to the Committee's action, applicant on February 16, 2005 withdrew, as of right, this application pursuant to ULURP Rules. Therefore, this item will be filed pursuant to letter of withdrawal.*

**A motion was made that this Land Use Application be Filed by Council approved by consent Roll Call.**

**Res 0846-2005      Resolution disapproving the decision of the City Planning Commission on ULURP No. C 040123 ZSX (L.U. No. 378), grant of a special permit pursuant to Section 74-922 of the Zoning Resolution to allow a large retail establishment with no limitation on floor area in an M1-1 District.**

**Attachments:**    Committee Report, Hearing Transcript - Stated Meeting 2/16/05

*Motion to Disapprove. Subsequent to the Committee's action, applicant on February 16, 2005 withdrew, as of right, this application pursuant to ULURP Rules. Therefore, this item will be filed pursuant to letter of withdrawal.*

**A motion was made that this Resolution be Filed by Council approved by consent Roll Call.**



**LU 0380-2005**      **Uniform land use review procedure application no. C 050160 HAK, an Urban Development Action Area Designation and Project, located within Site 22 of the Marcus Garvey Urban Renewal Area, and the disposition of such property, Borough of Brooklyn, Council District no. 42. This matter is subject to Council Review and action pursuant to §197-c and §197-d of the New York City Charter and Article 16 of the General Municipal Law.**

**Attachments:**    Hearing Transcript - Land Use - 2/10/05, Hearing Transcript - Planning - 2/8/05

A motion was made that this Land Use Application be Approved, by Council approved by consent Roll Call.

**Res 0847-2005**      **Resolution approving the decision of the City Planning Commission on an application submitted by the Department of Housing Preservation and Development, ULURP No. C 050160 HAK, approving the designation of 758, 762, 764 and 768 Rockaway Avenue; 195, 197, 201 and 203 Riverdale Avenue; and 435 Chester Street, Site 22 within the Marcus Garvey Urban Renewal Area (Block 3589/Lots 1, 6-10, and 48-50), Brooklyn, as an Urban Development Action Area, approving the project for the area as an Urban Development Action Area Project, and approving the disposition of such property to a developer selected by the Department of Housing Preservation and Development (L.U. No. 380; C 050160 HAK).**

**Attachments:**    Committee Report, Hearing Transcript - Stated Meeting 2/16/05

A motion was made that this Resolution be Approved, by Council approved by consent Roll Call.

**LU 0386-2005**      **Application no. 20055157 HAK, an Urban Development Action Area Project located at 79 Decatur Street, Council District no. 36, Borough of Brooklyn. This matter is subject to Council review and action pursuant to Article 16 of the New York General Municipal Law, at the request of the New York City Department of Housing Preservation and Development and pursuant to Section 577 of the Private Housing Finance Law for an exemption from real property taxes.**

**Attachments:**    Hearing Transcript - Land Use - 2/10/05, Hearing Transcript - Planning - 2/8/05, Hearing Transcript - Planning - 1/25/05

A motion was made that this Land Use Application be Approved, by Council approved by consent Roll Call.

**Res 0848-2005**      **Resolution approving an Urban Development Action Area Project located at 79 Decatur Street (Block 1856/Lot 74), Brooklyn, and waiving the urban development action area designation requirement and the Uniform Land Use Review Procedure, pursuant to Sections 693 and 694 of the General Municipal Law (L.U. No. 386; 20055157 HAK).**

**Attachments:**      Committee Report, Hearing Transcript - Stated Meeting 2/16/05

A motion was made that this Resolution be Approved, by Council approved by consent Roll Call.

**LU 0387-2005**      **Application no. 20055158 HAK, an Urban Development Action Area Project located at 838 Park Place, Council District no. 36, Borough of Brooklyn. This matter is subject to Council review and action pursuant to Article 16 of the New York General Municipal Law, at the request of the New York City Department of Housing Preservation and Development and pursuant to Section 577 of the Private Housing Finance Law for an exemption from real property taxes.**

**Attachments:**      Hearing Transcript - Land Use - 2/10/05, Hearing Transcript - Planning - 2/8/05, Hearing Transcript - Planning - 1/25/05

A motion was made that this Land Use Application be Approved, by Council approved by consent Roll Call.

**Res 0849-2005**      **Resolution approving an Urban Development Action Area Project located at 838 Park Place (Block 1241/Lot 5), Brooklyn, and waiving the urban development action area designation requirement and the Uniform Land Use Review Procedure, pursuant to Sections 693 and 694 of the General Municipal Law (L.U. No. 387; 20055158 HAK).**

**Attachments:**      Committee Report, Hearing Transcript - Stated Meeting 2/16/05

A motion was made that this Resolution be Approved, by Council approved by consent Roll Call.

**LU 0388-2005**      **Application no. 20055159 HAK, an Urban Development Action Area Project located at 842 Park Place, Council District no. 36, Borough of Brooklyn. This matter is subject to Council review and action pursuant to Article 16 of the New York General Municipal Law, at the request of the New York City Department of Housing Preservation and Development and pursuant to Section 577 of the Private Housing Finance Law for an exemption from real property taxes.**

**Attachments:**    Hearing Transcript - Land Use - 2/10/05, Hearing Transcript - Planning - 2/8/05, Hearing Transcript - Planning - 1/25/05

**A motion was made that this Land Use Application be Approved, by Council approved by consent Roll Call.**

**Res 0850-2005**      **Resolution approving an Urban Development Action Area Project located at 842 Park Place (Block 1241/Lot 7), Brooklyn, and waiving the urban development action area designation requirement and the Uniform Land Use Review Procedure, pursuant to Sections 693 and 694 of the General Municipal Law (L.U. No. 388; 20055159 HAK).**

**Attachments:**    Committee Report, Hearing Transcript - Stated Meeting 2/16/05

**A motion was made that this Resolution be Approved, by Council approved by consent Roll Call.**

**LU 0389-2005**      **Application no. 20055160 HAK, an Urban Development Action Area Project located at 848 Park Place, Council District no. 36, Borough of Brooklyn. This matter is subject to Council review and action pursuant to Article 16 of the New York General Municipal Law, at the request of the New York City Department of Housing Preservation and Development and pursuant to Section 577 of the Private Housing Finance Law for an exemption from real property taxes.**

**Attachments:**    Hearing Transcript - Land Use - 2/10/05, Hearing Transcript - Planning - 2/8/05, Hearing Transcript - Planning - 1/25/05

**A motion was made that this Land Use Application be Approved, by Council approved by consent Roll Call.**

**Res 0851-2005**      **Resolution approving an Urban Development Action Area Project located at 848 Park Place (Block 1241/Lot 9), Brooklyn, and waiving the urban development action area designation requirement and the Uniform Land Use Review Procedure, pursuant to Sections 693 and 694 of the General Municipal Law (L.U. No. 389; 20055160 HAK).**

**Attachments:**      Committee Report, Hearing Transcript - Stated Meeting 2/16/05

A motion was made that this Resolution be Approved, by Council approved by consent Roll Call.

**LU 0390-2005**      **Application no. 20055161 HAK, an Urban Development Action Area Project located at 1312 Pacific Street, Council District no. 36, Borough of Brooklyn. This matter is subject to Council review and action pursuant to Article 16 of the New York General Municipal Law, at the request of the New York City Department of Housing Preservation and Development and pursuant to Section 577 of the Private Housing Finance Law for an exemption from real property taxes.**

**Attachments:**      Hearing Transcript - Land Use - 2/10/05, Hearing Transcript - Planning - 2/8/05, Hearing Transcript - Planning - 1/25/05

A motion was made that this Land Use Application be Approved, by Council approved by consent Roll Call.

**Res 0852-2005**      **Resolution approving an Urban Development Action Area Project located at 1312 Pacific Street (Block 1207/Lot 32), Brooklyn, and waiving the urban development action area designation requirement and the Uniform Land Use Review Procedure, pursuant to Sections 693 and 694 of the General Municipal Law (L.U. No. 390; 20055161 HAK).**

**Attachments:**      Committee Report, Hearing Transcript - Stated Meeting 2/16/05

A motion was made that this Resolution be Approved, by Council approved by consent Roll Call.

**LU 0391-2005**      **Application no. 20055163 HAK, an Urban Development Action Area Project located at 1387 Dean Street, Council District no. 36, Borough of Brooklyn. This matter is subject to Council review and action pursuant to Article 16 of the New York General Municipal Law, at the request of the New York City Department of Housing Preservation and Development and pursuant to Section 577 of the Private Housing Finance Law for an exemption from real property taxes.**

**Attachments:**    Hearing Transcript - Land Use - 2/10/05, Hearing Transcript - Planning - 2/8/05, Hearing Transcript - Planning - 1/25/05

**A motion was made that this Land Use Application be Approved, by Council approved by consent Roll Call.**

**Res 0853-2005**      **Resolution approving an Urban Development Action Area Project located at 1387 Dean Street (Block 1209/Lot 59), Brooklyn, and waiving the urban development action area designation requirement and the Uniform Land Use Review Procedure, pursuant to Sections 693 and 694 of the General Municipal Law (L.U. No. 391; 20055163 HAK).**

**Attachments:**    Committee Report, Hearing Transcript - Stated Meeting 2/16/05

**A motion was made that this Resolution be Approved, by Council approved by consent Roll Call.**

**LU 0392-2005**      **Application no. 20055164 HAK, an Urban Development Action Area Project located at 2116 Bay Avenue, Council District no. 48, Borough of Brooklyn. This matter is subject to Council review and action pursuant to Article 16 of the New York General Municipal Law, at the request of the New York City Department of Housing.**

**Attachments:**    Hearing Transcript - Land Use - 2/10/05, Hearing Transcript - Planning - 2/8/05, Hearing Transcript - Planning - 1/25/05

**A motion was made that this Land Use Application be Approved, by Council approved by consent Roll Call.**

**Res 0854-2005**      **Resolution approving an Urban Development Action Area Project located at 2116 Bay Avenue (Block 7675/Lot 85), Brooklyn, and waiving the urban development action area designation requirement and the Uniform Land Use Review Procedure, pursuant to Sections 693 and 694 of the General Municipal Law (L.U. No. 392; 20055164 HAK).**

**Attachments:**    Committee Report, Hearing Transcript - Stated Meeting 2/16/05

**A motion was made that this Resolution be Approved, by Council approved by consent Roll Call.**

## Report of the Committee on Rules, Privileges, and Elections

- M 0435-2005      Communication from the Democratic Party of Brooklyn –  
Recommending the name of Jeannette Gadson to the Council  
regarding her appointment to the New York City Board of Elections,  
pursuant to the provisions of Section 3-204 of the New York State  
Election Law.**

**Attachments:** Resolution, Committee Report, Hearing Transcript, Hearing Transcript -  
Stated Meeting 2/2/05

**A motion was made that this Communication be Approved, by Council approved  
by consent Roll Call.**

- Res 0855-2005      Resolution approving the appointment by the Council of Jeannette  
Gadson as the Kings County Democratic Commissioner of  
Elections.**

**Attachments:** Resolution and Report, Committee Report, Hearing Transcript - Stated  
Meeting 2/16/05

**A motion was made that this Resolution be Approved, by Council approved by  
consent Roll Call.**

## 12. General Orders Calendar

- Int 0127-2004      A Local Law to amend the administrative code of the city of New  
York, in relation to requiring the department of health and mental  
hygiene to track and report deaths of homeless persons in the city  
of New York.**

**Attachments:** Committee Report 2/12/04, Hearing Transcript 2/12/04, Committee Report  
6/9/05, Committee Report 6/24/04, Hearing Transcript - Stated Meeting  
8/12/04, Hearing Transcript - Stated Meeting 9/9/04, Hearing Transcript -  
Stated Meeting 9/28/04, Hearing Transcript - Stated Meeting 10/13/04,  
Hearing Transcript - Stated Meeting 10/27/04, Hearing Transcript - Stated  
Meeting 11/10/04, Hearing Transcript - Stated Meeting 11/23/04, Hearing  
Transcript - Charter Meeting, Hearing Transcript - Stated Meeting - 12/7/04,  
Hearing Transcript - Stated Meeting - 1/19/05, Hearing Transcript - Stated  
Meeting 2/2/05, Hearing Transcript - Stated Meeting 2/16/05, Hearing  
Transcript - Stated Meeting 3/9/05

**This Introduction was Laid Over by Council**

**Enactment No: 2005/063**

T2004-0073

**Commissioner of Deeds**

**Attachments:** Hearing Transcript - Charter Meeting 1/7/04, Hearing Transcript - Stated Meeting 1/2/04, Hearing Transcript - Stated Meeting 2/4/04, Hearing Transcript - Stated Meeting 2/26/04, Hearing Transcript - Stated Meeting 3/10/04, Hearing Transcript - Stated Meeting 3/24/04, Hearing Transcript - Stated Meeting 4/1/04, Hearing Transcript - Stated Meeting 4/21/04, Hearing Transcript - Stated Meeting 5/5/04, Hearing Transcript - Stated Meeting 5/19/04, Hearing Transcript - Stated Meeting 6/7/04, Hearing Transcript - Stated Meeting 6/21/04, Hearing Transcript - Stated Meeting 6/22/04, Hearing Transcript - Stated Meeting 6/24/04, Hearing Transcript - Stated Meeting 6/28/04, Hearing Transcript - Stated Meeting 7/21/04, Hearing Transcript - Stated Meeting 8/12/04, Hearing Transcript - Stated Meeting 9/9/04, Hearing Transcript - Stated Meeting 9/28/04, Hearing Transcript - Stated Meeting 10/13/04, Hearing Transcript - Stated Meeting 10/27/04, Hearing Transcript - Stated Meeting 11/10/04, Hearing Transcript - Stated Meeting 11/23/04, Hearing Transcript - Stated Meeting 12/7/04, Hearing Transcript - Stated Meeting 12/15/04, Hearing Transcript - Charter Meeting, Hearing Transcript - Stated Meeting 1/19/05, Hearing Transcript - Stated Meeting 2/2/05, Hearing Transcript - Stated Meeting 2/16/05, Hearing Transcript - Stated Meeting 3/9/05, Hearing Transcript - Stated Meeting 4/20/05, Hearing Transcript - Stated Meeting 6/8/05, Hearing Transcript - Stated Meeting 10/11/05

**A motion was made that this Commissioner of Deeds be Approved, by Council approved by Roll Call.**

**Affirmative,** 47 -

Speaker Miller, Addabbo Jr., Avella, Baez, Barron, Boyland, Brewer, Clarke, Comrie Jr., Dilan, de Blasio, Felder, Fidler, Gallagher, Gennaro, Gentile, Gerson, Gioia, Gonzalez, Jackson, James, Jennings Jr., Katz, Koppell, Lanza, Liu, Lopez, Martinez, McMahon, Moskowitz, Nelson, Oddo, Palma, Perkins, Provenzano, Quinn, Recchia Jr., Reyna, Rivera, Sanders Jr., Seabrook, Sears, Stewart, Vallone Jr., Vann, Weprin and Yassky

**Excused,** 3 -

Foster, Monserrate and Reed

Coupled on General Order Calendar

Aging

Int 0215-2004

**A Local Law to amend the administrative code of the city of New York, in relation to the rent payable by a tenant enrolled in the senior citizen rent increase exemption program when a rent reduction order has been issued.**

**Attachments:** Committee Report 2/14/05, Committee Report 2/16/05, Local Law, Hearing Transcript 2/16/05, Hearing Transcript 2/14/05, Hearing Transcript - Stated Meeting 2/16/05

**Enactment No:** 2005/021

## Governmental Operations

**Int 0346-2004      A Local Law to amend the administrative code of the city of New York, in relation to creating civil penalties and a private right of action for false or fraudulent claims.**

**Attachments:** Committee Report 6/23, Hearing Transcript 6/23, Committee Report 11/9, Hearing Transcript 11/9, Committee Report 2/15/05, Committee Report 2/16/05, Mayor's Veto Message, Mayor's Veto Message - Cover, Hearing Transcript 2/15/05, Hearing Transcript - Stated Meeting 2/16/05

## Health

**Int 0172-2004      A Local Law to amend the administrative code of the city of New York, in relation to requiring the department of health and mental hygiene to develop a prescription drug discount card program.**

**Attachments:** Committee Report 1/26/05, Hearing Transcript 1/26/05, Committee Report 2/16/05, Local Law, Hearing Transcript 2/16/05, Hearing Transcript - Stated Meeting 2/16/05

**Enactment No:** 2005/019

**Int 0211-2004      A Local Law to amend the administrative code of the city of New York, in relation to requiring the placement of automated external defibrillators at certain public places.**

**Attachments:** Committee Report 5/4/04, Hearing Transcript 5/4/04, Committee Report 2/16/05, Local Law, Hearing Transcript 2/16/05, Hearing Transcript - Stated Meeting 2/16/05

**Enactment No:** 2005/020

## Housing and Buildings

**Int 0530-2005      A Local Law to amend the administrative code of the city of New York, in relation to area eligibility limitations on benefits pursuant to section four hundred twenty-one-a of the real property tax law.**

**Attachments:** Committee Report 1/31/05, Committee Report 2/15/05, Local Law, Hearing Transcript 2/15/05, Hearing Transcript 1/31/05, Hearing Transcript - Stated Meeting 2/16/05

**Enactment No:** 2005/022

## Land Use



**Res 0842-2005** Resolution approving an Urban Development Action Area Project located at 118 West 123rd Street (Block 1907/Lot 45), Manhattan, and waiving the urban development action area designation requirement and the Uniform Land Use Review Procedure, pursuant to Sections 693 and 694 of the General Municipal Law (L.U. No. 308; 20055087 HAM).

**Attachments:** Committee Report, Hearing Transcript - Stated Meeting 2/16/05

**Res 0843-2005** Resolution approving an Urban Development Action Area Project located at 2087 Dean Street (Block 1439/Lot 69), Brooklyn, and waiving the urban development action area designation requirement and the Uniform Land Use Review Procedure, pursuant to Sections 693 and 694 of the General Municipal Law (L.U. No. 351; 20055109 HAK).

**Attachments:** Committee Report, Hearing Transcript - Stated Meeting 2/16/05

**Res 0844-2005** Resolution approving an Urban Development Action Area Project located at 220 West 123rd Street (Block 1928/Lot 43), 215 West 131st Street (Block 1937/Lot 23), 262 West 132nd Street (Block 1937/Lot 55), and 45 West 130th Street (Block 1728/Lot 16), Manhattan, and waiving the urban development action area designation requirement and the Uniform Land Use Review Procedure, pursuant to Sections 693 and 694 of the General Municipal Law (L.U. No. 352; 20055110 HAM).

**Attachments:** Committee Report, Hearing Transcript - Stated Meeting 2/16/05

**Res 0845-2005** Resolution disapproving the decision of the City Planning Commission on ULURP No. C 000189 ZMX, a Zoning Map change (L.U. No. 377).

**Attachments:** Committee Report, Hearing Transcript - Stated Meeting 2/16/05

**Res 0846-2005** Resolution disapproving the decision of the City Planning Commission on ULURP No. C 040123 ZSX (L.U. No. 378), grant of a special permit pursuant to Section 74-922 of the Zoning Resolution to allow a large retail establishment with no limitation on floor area in an M1-1 District.

**Attachments:** Committee Report, Hearing Transcript - Stated Meeting 2/16/05

**Res 0847-2005** Resolution approving the decision of the City Planning Commission on an application submitted by the Department of Housing Preservation and Development, ULURP No. C 050160 HAK, approving the designation of 758, 762, 764 and 768 Rockaway Avenue; 195, 197, 201 and 203 Riverdale Avenue; and 435 Chester Street, Site 22 within the Marcus Garvey Urban Renewal Area (Block 3589/Lots 1, 6-10, and 48-50), Brooklyn, as an Urban Development Action Area, approving the project for the area as an Urban Development Action Area Project, and approving the disposition of such property to a developer selected by the Department of Housing Preservation and Development (L.U. No. 380; C 050160 HAK).

**Attachments:** Committee Report, Hearing Transcript - Stated Meeting 2/16/05

**Res 0848-2005** Resolution approving an Urban Development Action Area Project located at 79 Decatur Street (Block 1856/Lot 74), Brooklyn, and waiving the urban development action area designation requirement and the Uniform Land Use Review Procedure, pursuant to Sections 693 and 694 of the General Municipal Law (L.U. No. 386; 20055157 HAK).

**Attachments:** Committee Report, Hearing Transcript - Stated Meeting 2/16/05

**Res 0849-2005** Resolution approving an Urban Development Action Area Project located at 838 Park Place (Block 1241/Lot 5), Brooklyn, and waiving the urban development action area designation requirement and the Uniform Land Use Review Procedure, pursuant to Sections 693 and 694 of the General Municipal Law (L.U. No. 387; 20055158 HAK).

**Attachments:** Committee Report, Hearing Transcript - Stated Meeting 2/16/05

**Res 0850-2005** Resolution approving an Urban Development Action Area Project located at 842 Park Place (Block 1241/Lot 7), Brooklyn, and waiving the urban development action area designation requirement and the Uniform Land Use Review Procedure, pursuant to Sections 693 and 694 of the General Municipal Law (L.U. No. 388; 20055159 HAK).

**Attachments:** Committee Report, Hearing Transcript - Stated Meeting 2/16/05

**Res 0851-2005**      **Resolution approving an Urban Development Action Area Project located at 848 Park Place (Block 1241/Lot 9), Brooklyn, and waiving the urban development action area designation requirement and the Uniform Land Use Review Procedure, pursuant to Sections 693 and 694 of the General Municipal Law (L.U. No. 389; 20055160 HAK).**

**Attachments:**    Committee Report, Hearing Transcript - Stated Meeting 2/16/05

**Res 0852-2005**      **Resolution approving an Urban Development Action Area Project located at 1312 Pacific Street (Block 1207/Lot 32), Brooklyn, and waiving the urban development action area designation requirement and the Uniform Land Use Review Procedure, pursuant to Sections 693 and 694 of the General Municipal Law (L.U. No. 390; 20055161 HAK).**

**Attachments:**    Committee Report, Hearing Transcript - Stated Meeting 2/16/05

**Res 0853-2005**      **Resolution approving an Urban Development Action Area Project located at 1387 Dean Street (Block 1209/Lot 59), Brooklyn, and waiving the urban development action area designation requirement and the Uniform Land Use Review Procedure, pursuant to Sections 693 and 694 of the General Municipal Law (L.U. No. 391; 20055163 HAK).**

**Attachments:**    Committee Report, Hearing Transcript - Stated Meeting 2/16/05

**Res 0854-2005**      **Resolution approving an Urban Development Action Area Project located at 2116 Bay Avenue (Block 7675/Lot 85), Brooklyn, and waiving the urban development action area designation requirement and the Uniform Land Use Review Procedure, pursuant to Sections 693 and 694 of the General Municipal Law (L.U. No. 392; 20055164 HAK).**

**Attachments:**    Committee Report, Hearing Transcript - Stated Meeting 2/16/05

Rules, Privileges, and Elections

**Res 0855-2005**      **Resolution approving the appointment by the Council of Jeannette Gadson as the Kings County Democratic Commissioner of Elections.**

**Attachments:**    Resolution and Report, Committee Report, Hearing Transcript - Stated Meeting 2/16/05

General Order Calendar

**T2004-0073      Commissioner of Deeds**

**Attachments:** Hearing Transcript - Charter Meeting 1/7/04, Hearing Transcript - Stated Meeting 1/2/04, Hearing Transcript - Stated Meeting 2/4/04, Hearing Transcript - Stated Meeting 2/26/04, Hearing Transcript - Stated Meeting 3/10/04, Hearing Transcript - Stated Meeting 3/24/04, Hearing Transcript - Stated Meeting 4/1/04, Hearing Transcript - Stated Meeting 4/21/04, Hearing Transcript - Stated Meeting 5/5/04, Hearing Transcript - Stated Meeting 5/19/04, Hearing Transcript - Stated Meeting 6/7/04, Hearing Transcript - Stated Meeting 6/21/04, Hearing Transcript - Stated Meeting 6/22/04, Hearing Transcript - Stated Meeting 6/24/04, Hearing Transcript - Stated Meeting 6/28/04, Hearing Transcript - Stated Meeting 7/21/04, Hearing Transcript - Stated Meeting 8/12/04, Hearing Transcript - Stated Meeting 9/9/04, Hearing Transcript - Stated Meeting 9/28/04, Hearing Transcript - Stated Meeting 10/13/04, Hearing Transcript - Stated Meeting 10/27/04, Hearing Transcript - Stated Meeting 11/10/04, Hearing Transcript - Stated Meeting 11/23/04, Hearing Transcript - Stated Meeting 12/7/04, Hearing Transcript - Stated Meeting 12/15/04, Hearing Transcript - Charter Meeting, Hearing Transcript - Stated Meeting 1/19/05, Hearing Transcript - Stated Meeting 2/2/05, Hearing Transcript - Stated Meeting 2/16/05, Hearing Transcript - Stated Meeting 3/9/05, Hearing Transcript - Stated Meeting 4/20/05, Hearing Transcript - Stated Meeting 6/8/05, Hearing Transcript - Stated Meeting 10/11/05

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

**A motion was made that these files be approved by consent vote.**

**Affirmative, 47 -**

Speaker Miller, Addabbo Jr., Avella, Baez, Barron, Boyland, Brewer, Clarke, Comrie Jr., Dilan, de Blasio, Felder, Fidler, Gallagher, Gennaro, Gentile, Gerson, Gioia, Gonzalez, Jackson, James, Jennings Jr., Katz, Koppell, Lanza, Liu, Lopez, Martinez, McMahon, Moskowitz, Nelson, Oddo, Palma, Perkins, Provenzano, Quinn, Recchia Jr., Reyna, Rivera, Sanders Jr., Seabrook, Sears, Stewart, Vallone Jr., Vann, Weprin and Yassky

**Excused, 3 -**

Foster, Monserrate and Reed

*The following files were removed from the General Order Calendar and voted separately:*

*See files for individual votes. Int No. 530.*

13. Introduction & Reading of Bills  
See Attached
14. Discussion of Resolutions
15. Resolutons

**Res 0338-2004      Resolution calling on the State Legislature to adopt more stringent legislation for punishing dangerous and deadly drivers, particularly in relation to drivers who cause death or serious injury due to intoxication or criminal negligence.**

**Attachments:** Committee Report 1/10/05, Committee Report 2/3/05, Hearing Transcript 1/10/05, Hearing Transcript 2/3/05, Hearing Transcript - Stated Meeting 2/16/05

*Pursuant to Rule 8.50 of the Council, the Public Advocate (Ms. Gotbaum) called for a voice vote. Hearing no objections, the Public Advocate (Ms. Gotbaum) declared the Resolution to be adopted.*

*Adopted unanimously by the Council by voice-vote.*

**A motion was made that this Resolution be Approved, by Council approved by Voice Vote.**

**Res 0674-2004      Resolution urging the New York State Assembly to pass A.2242, which would amend the Real Property Tax Law to provide that the definition of income be offset by any unreimbursed medical and prescription drug expenses paid by a senior citizen for purposes of determining eligibility for Senior Citizen Rent Increase Exemption (SCRIE) benefits, and further urging the New York State Senate to introduce and pass a companion bill.**

**Attachments:** Committee Report 2/14/05, Committee Report 2/16/05, Hearing Transcript 2/16/05, Hearing Transcript 2/14/05, Hearing Transcript - Stated Meeting 2/16/05

*Pursuant to Rule 8.50 of the Council, the Public Advocate (Ms. Gotbaum) called for a voice vote. Hearing no objections, the Public Advocate (Ms. Gotbaum) declared the Resolution to be adopted.*

*Adopted unanimously by the Council by voice-vote.*

**A motion was made that this Resolution be Approved, by Council approved by Voice Vote.**

**Res 0798-2005      Resolution commemorating the 60th anniversary of the liberation of the Auschwitz Concentration Camp in Poland on January 27, 1945.**

**Attachments:** Committee Report, Hearing Transcript, Hearing Transcript - Stated Meeting 2/16/05

*Pursuant to Rule 8.50 of the Council, the Public Advocate (Ms. Gotbaum) called for a voice vote. Hearing no objections, the Public Advocate (Ms. Gotbaum) declared the Resolution to be adopted.*

*Adopted unanimously by the Council by voice-vote.*

**A motion was made that this Resolution be Approved, by Council approved by Voice Vote.**

**Res 0804-2005**      **Resolution in support of a posthumous presidential pardon of former boxing great John Arthur “Jack” Johnson for his racially-motivated conviction in 1913 and calling upon President George W. Bush to exercise his constitutional authority to grant a pardon in this case.**

**Attachments:**    Committee Report, Hearing Transcript, Hearing Transcript - Stated Meeting 2/16/05

*Pursuant to Rule 8.50 of the Council, the Public Advocate (Ms. Gotbaum) called for a voice vote. Hearing those in favor, the Public Advocate (Ms. Gotbaum) declared the Resolution to be adopted.*

*The following Council Members formally abstained to vote on this item: Council Member Gallagher.*

*Adopted by the Council by voice-vote.*

**This Resolution was Approved, by Council**

16.      General Discussion

17.      Extension of Remarks

#### INTRODUCTION AND READING OF BILLS

**Int 0559-2005**      **A Local Law to amend the administrative code of the city of New York, in relation to the construction and maintenance of private sewers.**

**Sponsors:**      By The Speaker (Speaker Miller) and Council Members Oddo, McMahon, Comrie Jr., Fidler, Gonzalez, Liu, Nelson, Palma, Perkins, Recchia Jr., Seabrook, Sears, Stewart and Weprin

**This Introduction was Referred to Comm by Council to the Committee on Environmental Protection**

**Res 0827-2005**      **Resolution in support of the Domestic Defense Fund Act of 2005, sponsored by Senator Hillary Clinton, which aims to increase the flow of Homeland Security funds directly to local communities.**

**Sponsors:**      By The Speaker (Speaker Miller) and Council Members Vallone Jr., Addabbo Jr., Avella, Brewer, Clarke, Comrie Jr., Fidler, Gennaro, Gerson, James, Jennings Jr., Liu, Martinez, McMahon, Nelson, Palma, Perkins, The Speaker (Speaker Quinn), Rivera, Sanders Jr., Seabrook, Sears, Stewart, Weprin and Reed

**This Resolution was Referred to Comm by Council to the Committee on Public Safety**

- Int 0560-2005**      **A Local Law to amend the administrative code of the city of New York, in relation to the board of elections notifying city residents who voted by affidavit or paper ballot as to whether or not their vote was tallied, and if not, provide a reason.**
- Sponsors:**      By Council Members Addabbo Jr., Barron, Brewer, Clarke, Fidler, Gentile, Gonzalez, James, Jennings Jr., Liu, Martinez, Nelson, Palma, The Speaker (Speaker Quinn), Rivera, Sanders Jr., Seabrook, Weprin and Reed
- Attachments:**      Committee Report
- This Introduction was Referred to Comm by Council to the Committee on Governmental Operations**
- Int 0561-2005**      **A Local Law to amend the administrative code of the city of New York, in relation to the composition of the fire department pension fund medical board.**
- Sponsors:**      By Council Members Addabbo Jr., Jennings Jr., Martinez, Seabrook, Stewart and Weprin (by request of the Mayor)
- Attachments:**      Committee Report, Hearing Transcript
- This Introduction was Referred to Comm by Council to the Committee on Civil Service and Labor**
- Int 0562-2005**      **A Local Law to amend the New York city administrative code, in relation to the sale of toy or imitation identification badges and/or shields.**
- Sponsors:**      By Council Members Baez, Brewer, Comrie Jr., Gennaro, Gerson, Gonzalez, James, Koppell, Liu, Lopez, Martinez, Nelson, Palma, Recchia Jr., Rivera, Seabrook, Stewart and Weprin
- This Introduction was Referred to Comm by Council to the Committee on Public Safety**
- Res 0828-2005**      **Resolution supporting the concept of the Underground Railroad Curriculum, a culturally relevant and inspiring educational tool that educates students about the contributions, accomplishments and struggles of African Americans.**
- Sponsors:**      By Council Members Barron, Clarke, Gerson, Gonzalez, James, Jennings Jr., Liu, Lopez, Palma, Perkins, Sanders Jr., Seabrook, Foster and Reed
- This Resolution was Referred to Comm by Council to the Committee on Education**

**Int 0563-2005      A Local Law to amend the administrative code of the city of New York, in relation to disclosure in advertising with respect to theatre show times.**

**Sponsors:**      By Council Members Brewer, Gerson, James, Koppell, Liu, Nelson, Palma, Perkins, Seabrook, Weprin and Reed

**Attachments:**    Cover Sheet, Committee Report

**This Introduction was Referred to Comm by Council to the Committee on Consumer Affairs**

**Res 0829-2005      Resolution honoring the life and achievements of actor and activist Ossie Davis.**

**Sponsors:**      By Council Members Clarke, Foster, Avella, Barron, Brewer, Comrie Jr., Fidler, Gennaro, Gentile, Gerson, Gonzalez, James, Jennings Jr., Katz, Koppell, Liu, Lopez, Martinez, McMahon, Nelson, Palma, Perkins, The Speaker (Speaker Quinn), Sanders Jr., Seabrook, Sears, Stewart, Weprin and Reed

**Attachments:**    Committee Report

**This Resolution was Referred to Comm by Council to the Committee on Cultural Affairs, Libraries and International Intergroup Relations**

**Int 0564-2005      A Local Law to amend the administrative code of the city of New York, in relation to the definition of campaign contribution under the Campaign Finance Law.**

**Sponsors:**      By Council Members de Blasio, Comrie Jr., Palma, Perkins, Avella, Brewer, Clarke, Fidler, Gennaro, Gentile, James, Jennings Jr., Koppell, Martinez, McMahon, Nelson, Recchia Jr., Rivera, Seabrook, Sears, Stewart, Weprin, Foster, Katz, The Speaker (Speaker Quinn), Addabbo Jr., Gerson, Barron, Jackson, Reyna, Lopez and Baez

**Attachments:**    Committee Report 4/18/05, Hearing Transcript 4/18/05, Hearing Transcript 11/16/05

**This Introduction was Referred to Comm by Council to the Committee on Governmental Operations**

**Enactment No: 2005/105**



**Int 0565-2005      A Local Law to amend the administrative code of the city of New York, in relation to developing a watershed protection plan for the watershed/sewershed of Jamaica Bay.**

**Sponsors:** By Council Members Gennaro, Avella, Barron, Brewer, Clarke, Comrie Jr., Fidler, Gonzalez, Jennings Jr., Koppell, Liu, Nelson, Palma, The Speaker (Speaker Quinn), Recchia Jr., Sanders Jr., Vallone Jr. and Weprin

**Attachments:** Committee Report 3/31/05, Hearing Transcript 3/31/05, Committee Report 6/21/05, Hearing Transcript 6/21/05, Local Law

**This Introduction was Referred to Comm by Council to the Committee on Environmental Protection**

**Enactment No:** 2005/071

**Int 0566-2005      A Local Law to create a temporary task force to study the feasibility of transferring city-owned wetlands to the jurisdiction of the department of parks and recreation.**

**Sponsors:** By Council Members Gennaro, Addabbo Jr., Avella, Comrie Jr., Fidler, Gerson, Gonzalez, Jennings Jr., Koppell, Lopez, Martinez, McMahon, Palma, The Speaker (Speaker Quinn), Recchia Jr., Sanders Jr., Weprin, Reyna, Monserrate, Lanza, Vallone Jr., Brewer, Yassky and Liu

**Attachments:** Committee Report 3/31/05, Hearing Transcript 3/31/05, Committee Report 6/21/05, Committee Report 8/17/05, Hearing Transcript 8/17/05, Fiscal Impact Statement-A, Hearing Transcript - Stated Meeting 7/27/05, Local Law

**This Introduction was Referred to Comm by Council to the Committee on Environmental Protection**

**Attachments:** Committee Report 3/31/05, Hearing Transcript 3/31/05, Committee Report 6/21/05, Committee Report 8/17/05, Hearing Transcript 8/17/05, Fiscal Impact Statement-A, Hearing Transcript - Stated Meeting 7/27/05, Local Law

**This Introduction was Referred to Comm by Council to the Committee on Parks and Recreation**

**Enactment No:** 2005/083

**Int 0567-2005      A Local Law to amend the administrative code of the city of New York, in relation to developing a comprehensive program for the remediation and reuse of brownfields.**

**Sponsors:** By Council Members Gennaro, Yassky, Brewer, Clarke, Comrie Jr., Fidler, Gentile, Gerson, Gonzalez, James, Jennings Jr., Koppell, Liu, Lopez, McMahon, Nelson, Palma, Perkins, The Speaker (Speaker Quinn), Recchia Jr., Sanders Jr., Sears, Vallone Jr., Weprin, Foster, Reyna, Monserrate, Avella and Gioia

**Attachments:** Committee Report, Hearing Transcript

**This Introduction was Referred to Comm by Council to the Committee on Environmental Protection**

**Res 0830-2005**      **Resolution strongly urging the New York State Department of Environmental Conservation to immediately develop and implement a total maximum daily load for nitrogen pollution into Jamaica Bay in order to preserve and protect this New York City jewel possessing exceptional ecological diversity.**

**Sponsors:**      By Council Members Gennaro, Addabbo Jr., Barron, Brewer, Clarke, Comrie Jr., Fidler, Gentile, Jennings Jr., Koppell, Liu, Lopez, Nelson, Palma, The Speaker (Speaker Quinn), Recchia Jr., Sanders Jr. and Weprin

**Attachments:**      Committee Report, Hearing Transcript

**This Resolution was Referred to Comm by Council to the Committee on Environmental Protection**

**Res 0831-2005**      **Resolution calling upon the Legislature of the State of New York to expand the state Hate Crimes Law (Penal Law Article 485) to include bias motivated crime that is not directed at a particular person or location.**

**Sponsors:**      By Council Members Gennaro, Weprin, Brewer, Clarke, Comrie Jr., Gerson, James, Jennings Jr., Koppell, Liu, Palma, The Speaker (Speaker Quinn), Sanders Jr., Foster and Moskowitz

**This Resolution was Referred to Comm by Council to the Committee on Public Safety**

**Int 0568-2005**      **A Local Law to amend the administrative code of the city of New York, in relation to the use of ultra low sulfur diesel fuel and the best available technology for reducing the emission of pollutants by diesel fuel-powered ferries owned by, operated by or on behalf of, or leased by the city.**

**Sponsors:**      By Council Members Gerson, Yassky, Barron, Brewer, Clarke, Fidler, Gonzalez, James, Koppell, Lopez, Martinez, McMahon, Nelson, Perkins, The Speaker (Speaker Quinn), Recchia Jr., Sanders Jr., Seabrook, Weprin, Reed, Reyna, Monserrate, Avella, Sears, Vallone Jr., Gioia and Gentile

**This Introduction was Referred to Comm by Council to the Committee on Environmental Protection**

**This Introduction was Referred to Comm by Council to the Committee on Transportation**

**Int 0569-2005**      **A Local Law to amend the administrative code of the city of New York, in relation to the use of ultra low sulfur diesel fuel and the best available technology for reducing the emission of pollutants by diesel fuel-powered private ferries.**

**Sponsors:**      By Council Members Gerson, Yassky, Barron, Brewer, Clarke, Fidler, Gonzalez, James, Koppell, Lopez, Martinez, McMahon, Nelson, Perkins, The Speaker (Speaker Quinn), Recchia Jr., Sanders Jr., Stewart, Weprin, Reed, Reyna, Monserrate, Avella, Sears, Vallone Jr., Gioia and Gentile

**This Introduction was Referred to Comm by Council to the Committee on Environmental Protection**

**This Introduction was Referred to Comm by Council to the Committee on Transportation**

**Res 0832-2005**      **Resolution calling upon the Bush Administration to abandon its efforts to dismantle the current social security system.**

**Sponsors:**      By Council Members James, Avella, Brewer, Clarke, Comrie Jr., Fidler, Gerson, Koppell, Lopez, Perkins, The Speaker (Speaker Quinn), Sanders Jr., Seabrook, Stewart, Weprin, Foster, Dilan, Baez and Liu

**Attachments:**      Change of Committee Assignment Memo, Committee Report

**This Resolution was Referred to Comm by Council to the Committee on State and Federal Legislation**

**Int 0570-2005**      **A Local Law to amend the charter of the city of New York, in relation to requiring the Mayor's Management Report to report on the allocation of funds and provision of services for each agency, where applicable, geographically by census tract, zip code, community district, council district and borough.**

**Sponsors:**      By Council Members Martinez, Barron, Clarke, Comrie Jr., Fidler, Gentile, Jennings Jr., Nelson, Perkins, The Speaker (Speaker Quinn), Seabrook, Foster and The Public Advocate (Public Advocate Gotbaum)

**This Introduction was Referred to Comm by Council to the Committee on Governmental Operations**

**Res 0833-2005**      **Resolution calling upon the New York City Transit Authority to set a maximum safe speed for trains entering stations.**

**Sponsors:**      By Council Members Nelson, Comrie Jr., Fidler, Gerson, Gonzalez, Koppell, Sanders Jr. and Weprin

**This Resolution was Referred to Comm by Council to the Committee on Transportation**

**Res 0834-2005**      **Resolution supporting S.11, the “Standing With Our Troops Act of 2005,” and calling upon the United States Senate to pass said bill and for the House of Representatives to introduce and pass similar legislation.**

**Sponsors:**      By Council Members Nelson, Sears, James, Oddo, Vallone Jr., Stewart, Comrie Jr., Gennaro, Yassky, Avella, Katz, Lopez, Addabbo Jr., Fidler, Gentile, Gerson, Jennings Jr., Liu, The Speaker (Speaker Quinn), Sanders Jr. and Weprin

**This Resolution was Referred to Comm by Council to the Committee on State and Federal Legislation**

**Res 0835-2005**      **Resolution calling upon the United States House of Representatives and the United States Senate to enact legislation increasing the amount of the “military death gratuity” from approximately \$12,000 to \$100,000, and urging the President of the United States to sign such legislation into law.**

**Sponsors:**      By Council Members Oddo, Gallagher, Lanza, Brewer, Clarke, Comrie Jr., Felder, Gennaro, Gentile, Gerson, James, Jennings Jr., Katz, McMahon, Nelson, Recchia Jr., Sanders Jr., Sears, Stewart, Moskowitz and Dilan

**This Resolution was Referred to Comm by Council to the Committee on State and Federal Legislation**

**Int 0571-2005**      **A Local Law to amend the charter of the city of New York, in relation to ensuring that eligible pre-trial detainees are allowed to register to vote and vote by absentee ballot.**

**Sponsors:**      By Council Members Perkins, Barron, Clarke, Comrie Jr., James, Lopez, Sanders Jr., Seabrook and Foster

**This Introduction was Referred to Comm by Council to the Committee on Fire and Criminal Justice Services**

**Res 0836-2005**      **Resolution urging Mayor Michael Bloomberg to instruct the City Law Department to withdraw the appeal of Judge Doris Ling-Cohan’s decision in the case of Hernandez v. Robles, and instruct the Clerk of the City of New York to comply with the sum and substance of that decision by issuing a civil marriage license to any and every same-sex couple that is otherwise qualified to receive such license.**

**Sponsors:**      By Council Members Perkins, The Speaker (Speaker Miller), Lopez, The Speaker (Speaker Quinn), Reed, Jackson, Brewer, Comrie Jr., Gerson, James, Koppell, Moskowitz and Seabrook

**This Resolution was Referred to Comm by Council to the Committee on General Welfare**

**Res 0837-2005**      **Resolution calling upon the appropriate committee of the City Council to hold a hearing on the impact of the Department of Education Superintendent Suspension Sites on schools that house such sites, including concerns regarding increased criminal incidents within the schools and surrounding neighborhoods, the academic placement of suspended students, and the adequacy of education for suspended students.**

**Sponsors:**      By Council Members Perkins and Foster

**This Resolution was Referred to Comm by Council to the Committee on Education**

**Int 0572-2005**      **A Local Law to amend the administrative code of the city of New York, in relation to increasing the penalties for the unlawful use of police uniforms, badges or emblems.**

**Sponsors:**      By The Public Advocate (Public Advocate Gotbaum) and Council Members Vallone Jr., Avella, Clarke, Comrie Jr., Fidler, Gennaro, Gentile, Gerson, Gonzalez, Koppell, Liu, Lopez, McMahon, Nelson, The Speaker (Speaker Quinn), Recchia Jr., Sanders Jr., Stewart and Weprin

**This Introduction was Referred to Comm by Council to the Committee on Public Safety**

**SLR 0001-2005**      **State Legislation Resolution requesting the New York State Legislature to pass a bill introduced by Assembly Member Millman A.1861, "AN ACT to amend the administrative code of the city of New York, in relation to the repair, construction and maintenance of athletic fields in the city of New York"**

**Sponsors:**      By Council Members Rivera and Gentile

**This SLR was Referred to Comm by Council to the Committee on State and Federal Legislation**

**SLR 0002-2005**      **State Legislation Resolution requesting the New York State Legislature to pass a bill introduced by Assembly Member Wright A.764, "An Act to amend the parks, recreation and historic law, in relation to vacating a trust.**

**Sponsors:**      By Council Member Rivera

**This SLR was Referred to Comm by Council to the Committee on State and Federal Legislation**

**SLR 0003-2005**     **State Legislation Resolution requesting the New York State Legislature to pass a bill introduced by Senator Sabini S. 1246 and Assembly Member Lafayette A.2063, “An Act in relation to the control and stabilization of rents and rental agreements in certain retail commercial space in cities having a population of more than one million.”**

**Sponsors:**     By Council Members Rivera, Jennings Jr. and Liu

This SLR was Referred to Comm by Council to the Committee on State and Federal Legislation

**SLR 0004-2005**     **State Legislation Resolution requesting the New York State Legislature to pass a bill introduced by Senator Dilan S.1081 and Assembly Member Robinson A.2014, “AN ACT authorizing the city of New York to reconvey its interest in certain real property acquired by in rem tax foreclosure in the borough of Brooklyn to former owner George Black, or if he is deceased, to the person or persons who would have inherited said property from him or to their successor in interest, notwithstanding expiration of the two year period within which application may be made to the city to release its interest in property thus acquired; Block No. 1762, Lot No. 62 on tax map for the borough of Brooklyn.”**

**Sponsors:**     By Council Members Rivera and Vann

**Attachments:**     Committee Report, Agenda

This SLR was Referred to Comm by Council to the Committee on State and Federal Legislation

**Int 0573-2005**     **A Local Law to amend the administrative code of the city of New York, in relation to the annual disclosure of financial interests by certain officers and employees of the city of New York.**

**Sponsors:**     By Council Member Sears (by request of the Mayor)

This Introduction was Referred to Comm by Council to the Committee on Standards and Ethics

**Int 0574-2005**     **A Local Law to amend the administrative code of the city of New York, in relation to increasing the penalties for the unlawful use of Fire Department uniforms, badges or emblems.**

**Sponsors:**     By Council Members Vallone Jr., Clarke, The Public Advocate (Public Advocate Gotbaum), Avella, Fidler, Gennaro, Gentile, Gerson, Koppell, Liu, Lopez, McMahon, Nelson, The Speaker (Speaker Quinn), Weprin and Oddo

This Introduction was Referred to Comm by Council to the Committee on Fire and Criminal Justice Services

**Int 0575-2005      A Local Law to amend the administrative code of the city of New York, in relation to increasing the penalties for the unlawful use or possession of official police cards.**

**Sponsors:**      By Council Members Vallone Jr., The Public Advocate (Public Advocate Gotbaum), Clarke, Fidler, Gennaro, Gentile, Koppell, Liu, Lopez, Nelson, The Speaker (Speaker Quinn), Weprin and Oddo

**This Introduction was Referred to Comm by Council to the Committee on Public Safety**

**Res 0838-2005      Resolution urging the State Legislature to ban the use of grille-guards/bull bars on the front of all motor vehicles that operate in the city of New York.**

**Sponsors:**      By Council Members Vallone Jr., McMahon, Nelson and Gennaro

**This Resolution was Referred to Comm by Council to the Committee on Transportation**

**Res 0839-2005      Resolution urging the federal government to provide homeland security funding in order to ensure safety and security in all New York City schools.**

**Sponsors:**      By Council Members Vallone Jr., Addabbo Jr., Avella, Fidler, Gennaro, Liu, Lopez, Nelson, The Speaker (Speaker Quinn), Sears, Stewart, Weprin and Lanza

**This Resolution was Referred to Comm by Council to the Committee on Education**

**This Resolution was Referred to Comm by Council to the Committee on Public Safety**

**Res 0840-2005      Resolution calling upon the Legislature of the State of New York to increase the penalty for those who impersonate police officers and for those who illegally sell police uniforms.**

**Sponsors:**      By Council Members Vallone Jr., The Public Advocate (Public Advocate Gotbaum), Avella, Clarke, Fidler, Gennaro, Gerson, Liu, Nelson, The Speaker (Speaker Quinn), Stewart, Weprin, Lanza and Oddo

**This Resolution was Referred to Comm by Council to the Committee on Public Safety**

**Int 0576-2005**      **A Local Law to amend the New York charter in relation to the Office of Emergency Management, the New York City Police Department and other related agencies to organize a backlash mitigation plan to be implemented immediately following an event that may initiate backlash, bias, violence or hate crimes against protected groups as defined in the administrative code of the city of New York § 8-102 (22).**

**Sponsors:**      By Council Members Weprin, Yassky, Gennaro, James, Comrie Jr., Palma, Liu, Brewer, Perkins, Lopez, Gentile, Gerson, Jennings Jr., The Speaker (Speaker Quinn), Sanders Jr., Stewart, Foster, Moskowitz, Gonzalez, Reed, Koppell, Fidler, Katz, Jackson and Monserrate

**Attachments:**      Cover Sheet

**This Introduction was Referred to Comm by Council to the Committee on Public Safety**

**Int 0577-2005**      **A Local Law to amend the administrative of the city of New York, in relation to precluding all uniformed city agencies from mandating that their employees comply with a uniform code that would require such person to violate or forego a practice of his or her creed or religion.**

**Sponsors:**      By Council Members Weprin, Yassky, Gennaro, James, Comrie Jr., Palma, Liu, Brewer, Perkins, Barron, Lopez, Clarke, Fidler, Gerson, Jennings Jr., Katz, The Speaker (Speaker Quinn), Foster, Moskowitz, Gonzalez, Reed, Koppell, Seabrook, Jackson and Monserrate

**Attachments:**      Cover Sheet, Committee Report

**This Introduction was Referred to Comm by Council to the Committee on Civil Service and Labor**

**Int 0578-2005**      **A Local Law to amend the administrative code of the city of New York, in relation to authorizing an increase in the amount to be expended in one business improvement district and one special assessment district.**

**Sponsors:**      By Council Members Weprin and Comrie Jr. (by request of the Mayor)

**Attachments:**      Committee Report, Hearing Transcript

**This Introduction was Referred to Comm by Council to the Committee on Finance**

**Enactment No: 2005/030**



**Res 0841-2005**      **Resolution concerning the increase in the annual expenditure for the 82nd Street Business Improvement District and the Jamaica Center Mall Special Assessment District and the setting of the time and place for the hearing of the local law increasing the annual expenditure for such districts.**

**Sponsors:**      By Council Members Weprin, Sears and Gennaro (by request of the Mayor)

**Attachments:**      Committee Report, Hearing Transcript, Hearing Transcript - Stated Meeting 3/9/05

**This Resolution was Referred to Comm by Council to the Committee on Finance**

**Int 0579-2005**      **A Local Law to amend the administrative code of the city of New York, in relation to creating civil penalties for those who violate the Hate Crimes Act of 2000.**

**Sponsors:**      By Council Members Yassky, Brewer, Clarke, Fidler, Gennaro, Gentile, Gerson, James, Jennings Jr., Liu, Nelson, The Speaker (Speaker Quinn), Sanders Jr., Stewart, Weprin, Foster, Moskowitz and Reed

**This Introduction was Referred to Comm by Council to the Committee on Public Safety**

**Int 0580-2005**      **A Local Law to amend the administrative code of the city of New York, in relation to reporting requirements for housing tax benefit programs.**

**Sponsors:**      By Council Members Yassky, Brewer, Clarke, Gerson, James, Lopez, Nelson, The Speaker (Speaker Quinn) and Stewart

**This Introduction was Referred to Comm by Council to the Committee on Housing and Buildings**

**Int 0581-2005**      **A Local Law to amend the administrative code of the city of New York, in relation to creating a plan to combat illegal dumping into the waterways of New York City.**

**Sponsors:**      By Council Members Yassky, Brewer, Nelson, Addabbo Jr., Clarke, Fidler, Gentile, Gerson, James, Jennings Jr., Liu, Lopez, The Speaker (Speaker Quinn), Stewart, Weprin, Foster, Palma, Koppell, McMahon, Reyna, Monserrate, Avella, Lanza, Vallone Jr., Perkins, Moskowitz, Gonzalez, Gioia, Katz, Gennaro, Recchia Jr., Reed, Barron, de Blasio and Sanders Jr.

**Attachments:**      Committee Report, Hearing Transcript

**This Introduction was Referred to Comm by Council to the Committee on Environmental Protection**

**Attachments:**      Committee Report, Hearing Transcript

**This Introduction was Referred to Comm by Council to the Committee on Waterfronts**

**Attachments:** Committee Report, Hearing Transcript

**This Introduction was Referred to Comm by Council to the Committee on Small Business**

**Int 0582-2005**

**A Local Law to amend the administrative code of the city of New York, in relation to tax lien foreclosure by action in rem for properties where the redevelopment or reuse of which may be complicated by the presence or potential presence of contamination.**

**Sponsors:** By Council Members Yassky, Gennaro, Clarke, Gerson, James, The Speaker (Speaker Quinn), Recchia Jr., Weprin and Palma

**Attachments:** Committee Report, Hearing Transcript

**This Introduction was Referred to Comm by Council to the Committee on Public Safety**

**Attachments:** Committee Report, Hearing Transcript

**This Introduction was Referred to Comm by Council to the Committee on Finance**

**LU 0401-2005**

**Uniform Land Use Review Procedure application no. 040389 ZMK, pursuant to §197-c and §197-d of the New York City Charter, concerning changes to the zoning map, Borough of Brooklyn, Council District no. 37.**

**Sponsors:** By Council Member Katz

**This Land Use Application was Referred to Comm by Council to the Committee on Land Use**

**This Land Use Application was Referred to Comm by Council to the Subcommittee on Zoning and Franchises**

**LU 0402-2005**

**Uniform Land Use Review Procedure application no. 050195 ZMQ, pursuant to §197-c and §197-d of the New York City Charter, concerning changes to the zoning map, Borough of Queens, Council District no. 20.**

**Sponsors:** By Council Member Katz

**This Land Use Application was Referred to Comm by Council to the Committee on Land Use**

**This Land Use Application was Referred to Comm by Council to the Subcommittee on Zoning and Franchises**

**LU 0403-2005**      **Application no. 20055239 HAM, an Urban Development Action Area Project located at 518 West 135th Street, Council District no. 7, Borough of Manhattan. This matter is subject to Council review and action pursuant to Article 16 of the New York General Municipal Law, at the request of the New York City Department of Housing Preservation and Development and pursuant to Section 577 of the Private Housing Finance Law for an exemption from real property taxes.**

**Sponsors:**      By Council Member Katz

**Attachments:**      Hearing Transcript - Planning - 2/28/05, Hearing Transcript - Planning - 3/15/05

**This Land Use Application was Referred to Comm by Council to the Committee on Land Use**

**Attachments:**      Hearing Transcript - Planning - 2/28/05, Hearing Transcript - Planning - 3/15/05

**This Land Use Application was Referred to Comm by Council to the Subcommittee on Planning, Dispositions and Concessions**

**LU 0404-2005**      **Application no. 20055240 HAM, an Urban Development Action Area Project located at 246 West 116th Street, Council District no. 9, Borough of Manhattan. This matter is subject to Council review and action pursuant to Article 16 of the New York General Municipal Law, at the request of the New York City Department of Housing Preservation and Development.**

**Sponsors:**      By Council Member Katz

**Attachments:**      Hearing Transcript - Planning - 2/28/05, Hearing Transcript - Planning - 3/15/05

**This Land Use Application was Referred to Comm by Council to the Committee on Land Use**

**Attachments:**      Hearing Transcript - Planning - 2/28/05, Hearing Transcript - Planning - 3/15/05

**This Land Use Application was Referred to Comm by Council to the Subcommittee on Planning, Dispositions and Concessions**

**LU 0405-2005**      **Uniform land use review procedure application no. C 050228 HAX, an Urban Development Action Area Designation and Project, located at 15 East Clarke Place, and the disposition of such property, Borough of the Bronx, Council District no. 14. This matter is subject to Council Review and action pursuant to §197-c and §197-d of the New York City Charter and Article 16 of the General Municipal Law.**

**Sponsors:**      By Council Member Katz

**This Land Use Application was Referred to Comm by Council to the Committee on Land Use**

**This Land Use Application was Referred to Comm by Council to the Subcommittee on Planning, Dispositions and Concessions**

**LU 0406-2005**      **Uniform land use review procedure application no. C 050232 HAM, an Urban Development Action Area Designation and Project, located at 239, 247 and 249 West 115th Street, and the disposition of such property, Borough of Manhattan, Council District no. 9. This matter is subject to Council Review and action pursuant to §197-c and §197-d of the New York City Charter and Article 16 of the General Municipal Law**

**Sponsors:**      By Council Member Katz

**Attachments:**      Hearing Transcript - Land Use 6/16/05

**This Land Use Application was Referred to Comm by Council to the Committee on Land Use**

**Attachments:**      Hearing Transcript - Land Use 6/16/05

**This Land Use Application was Referred to Comm by Council to the Subcommittee on Planning, Dispositions and Concessions**

**LU 0407-2005**      **Application no. 20055170 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of Gadberry Pizza, Inc., d/b/a Bleeker Street Pizza, to establish, maintain and operate an unenclosed sidewalk café located at 69-71 Seventh Ave. South, 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.**

**Sponsors:**      By Council Member Katz

**Attachments:**      Hearing Transcript - Zoning - 2/28/05, Hearing Transcript - Zoning - 3/15/05

**This Land Use Application was Referred to Comm by Council to the Subcommittee on Zoning and Franchises**

**Attachments:** Hearing Transcript - Zoning - 2/28/05, Hearing Transcript - Zoning - 3/15/05

**This Land Use Application was Referred to Comm by Council to the Committee on Land Use**

*At this point the Speaker (Council Member Miller) made the following announcements:*

*Whereupon on motion of the Speaker (Council Member Miller), the Clerk of the Council adjourned to meet again on Wednesday, March 9, 2005.*

*VICTOR L. ROBLES, City Clerk  
Clerk of the Council*