

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

COMMITTEE ON LAND USE, ZONING AND FRANCHISES

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May 20, 2009
Start: 10:16 am
Recess: 10:20 am

HELD AT: Council Chambers
City Hall

B E F O R E:
TONY AVELLA
JOEL RIVERA
Chairperson

COUNCIL MEMBERS:
Joel Rivera
Simcha Felder
Robert Jackson
Larry B. Seabrook
Helen Sears
Albert Vann
Maria Baez
Charles Barron
Leroy G. Comrie, Jr.
John C. Liu
Miguel Martinez

A P P E A R A N C E S

COUNCIL MEMBERS:

Sara M. Gonzalez
Annabel Palma
Maria del Carmen Arroyo
Inez E. Dickens
Daniel R. Garodnick
Jessica S. Lappin
Elizabeth Crowley
Vincent Ignizio

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

Christian Hylton
Counsel to the Committee

2 CHAIRPERSON AVELLA: Good morning
3 everyone, I'd like to call this meeting the
4 Subcommittee on Zoning and Franchises to order.

5 As my committee members will
6 remember, we had one item at a previous meeting,
7 an application by 151 Mulberry Street Corporation
8 to continue to maintain and operate an unclosed
9 sidewalk café located at 151 Mulberry Street. At
10 the request of Council Member Gerson, the item was
11 laid over because there are a number of issues
12 with the application. I now have been given a
13 letter from the representative, Michael Kelly, of
14 the Café that they are withdrawing their sidewalk
15 café application. So I will entertain a motion to
16 file pursuant to withdrawal of petition and I will
17 ask Council to call the vote. Chair recommends
18 approval of the motion to file.

19 MR. CHRISTIAN HYLTON: Christian
20 Hylton, Counsel to the Committee. Chair Avella.

21 CHAIRPERSON AVELLA: Aye.

22 MR. HYLTON: Council Member Rivera.

23 COUNCIL MEMBER RIVERA: I vote aye.

24 MR. HYLTON: Council Member Felder.

25 COUNCIL MEMBER FELDER: I pass.

2 MR. HYLTON: Council Member Sears.

3 [Off mic]

4 MR. HYLTON: I'm sorry.

5 COUNCIL MEMBER SEARS: Aye.

6 MR. HYLTON: Council Member
7 Jackson.

8 COUNCIL MEMBER JACKSON: I vote
9 aye.

10 MR. HYLTON: Council Member Felder.

11 COUNCIL MEMBER FELDER: [Off mic] I
12 vote yes.

13 MR. HYLTON: By five in the
14 affirmative, none in the negative, no abstentions,
15 LU 1086 motion to file pursuant to withdrawal is
16 approved and referred to the full Land Use
17 Committee.

18 CHAIRPERSON AVELLA: We will keep
19 the vote open for a few minutes, up until right
20 before Land Use begins, which should start as soon
21 as we have a quorum for Land Use.

22 [Pause]

23 [Off mic]

24 MALE VOICE: Okay.

25 [Off mic]

2 MR. HYLTON: Ready?

3 MALE VOICE: You ready?

4 [Off mic]

5 MR. HYLTON: Council Member Vann.

6 COUNCIL MEMBER VANN: I object,
7 Your Honor--no, aye on all.

8 MR. HYLTON: By a vote of six in
9 the affirmative, none in the negative, no
10 abstentions, item is referred to full Land Use
11 Committee.

12 [Off mic]

13 FEMALE VOICE: Six days a week--

14 MR. HYLTON: Yeah, I'm ready.

15 FEMALE VOICE: --they are--

16 [Crosstalk]

17 MR. HYLTON: Council Member
18 Seabrook.

19 COUNCIL MEMBER SEABROOK: I vote
20 aye. Aye on all.

21 MR. HYLTON: Vote now stands seven
22 in the affirmative, none in the negative, no
23 abstentions.

24 [Off mic]

25 [End Tape 1, Side A]

2 CHAIRPERSON AVELLA: I close this
3 meeting of the Subcommittee on Zoning and
4 Franchises.

5 CHAIRPERSON RIVERA: Good morning,
6 ladies and gentlemen, we're now going to start the
7 full Land Use hearing. I am Joel Rivera, the
8 Acting Chair of the Land Use Committee,
9 temporarily just for today.

10 We only have one item on today's
11 agenda, we do have a quorum so the item is a
12 motion to file pursuant to withdrawal of a café in
13 Council Member Gerson's district. At this point
14 in time, we're going to call on the clerk to
15 please call the vote.

16 MR. HYLTON: Council Member Rivera.

17 COUNCIL MEMBER RIVERA: I vote aye.

18 MR. HYLTON: Avella.

19 COUNCIL MEMBER AVELLA: Aye.

20 MR. HYLTON: Jackson.

21 COUNCIL MEMBER JACKSON: I vote
22 aye.

23 MR. HYLTON: Martinez.

24 COUNCIL MEMBER MARTINEZ: Aye.

25 MR. HYLTON: Seabrook.

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

4 MR. HYLTON: Sears.

5 COUNCIL MEMBER SEARS: Aye.

6 MR. HYLTON: Vann.

7 COUNCIL MEMBER VANN: Aye.

8 FEMALE VOICE: Annabel.

9 MR. HYLTON: Gonzalez.

10 COUNCIL MEMBER GONZALEZ: Aye.

11 MR. HYLTON: Palma.

12 COUNCIL MEMBER PALMA: Aye.

13 MR. HYLTON: Dickens.

14 COUNCIL MEMBER DICKENS: Aye.

15 MR. HYLTON: Lappin.

16 COUNCIL MEMBER LAPPIN: Aye.

17 MR. HYLTON: Crowley.

18 COUNCIL MEMBER CROWLEY: Aye.

19 MR. HYLTON: Ignizio.

20 [Pause]

21 COUNCIL MEMBER IGNIZIO: Aye--

22 [Off mic]

23 MR. HYLTON: Barron.

24 COUNCIL MEMBER BARRON: [Off mic]

25 Aye, aye on all.

2 MR. HYLTON: Felder.

3 COUNCIL MEMBER FELDER: Yes.

4 MR. HYLTON: By a vote of 15 in the
5 affirmative, zero in the negative, and no
6 abstentions--

7 [Off mic]

8 MALE VOICE: Annabel Palma?

9 [Off mic]

10 MR. HYLTON: By a vote of 15 in the
11 affirmative, zero in the negative, and no
12 abstentions, item is adopted. Members please
13 committee reports. Thank you.

14 CHAIRPERSON RIVERA: We're going to
15 keep the vote open for another five minutes so
16 other members can come in and vote and sign the
17 committee report. After that, we have another
18 committee, so the meeting will be adjourned.

19 COUNCIL MEMBER DICKENS: Thank you
20 so much.

21 [Off mic]

22 MR. HYLTON: Baez.

23 COUNCIL MEMBER BAEZ: Aye on all.

24 [Crosstalk]

25 MR. HYLTON: Comrie.

1 COMMITTEE ON LAND USE, ZONING AND FRANCHISES 10

2 COUNCIL MEMBER COMRIE: Aye on all.

3 [Crosstalk]

4 MR. HYLTON: Garodnick.

5 COUNCIL MEMBER GARODNICK: Thank
6 you, I vote aye.

7 [Crosstalk]

8 MR. HYLTON: Vote is currently at
9 18 in the affirmative.

10 [Pause]

11 FEMALE VOICE: Because we had--at
12 the time because he wants to keep government and
13 campaign separate and he's right and I said to him
14 unfortunately--

15 MR. HYLTON: Arroyo.

16 COUNCIL MEMBER ARROYO: Aye.

17 FEMALE VOICE: --I don't have that
18 PR today, so he and Stewart were talking and I
19 think that you should get Dario and, and I have to
20 iron this stuff out with Ed O'Malley right now
21 because I don't even know where we are with the
22 budget and if they can't go back, then I got crap
23 in the budget, okay?

24 [Pause]

25 Joe Rubins is there, what do you

2 mean you need to get this stuff? Like what?

3 [Off mic]

4 [Pause]

5 MR. HYLTON: Council Member Liu.

6 COUNCIL MEMBER LIU: Yes.

7 MR. HYLTON: Final vote on the
8 Committee on Land Use is now 20 in the
9 affirmative, zero in the negative, and no
10 abstentions, thank you.

11 CHAIRPERSON RIVERA: And this
12 meeting is adjourned.

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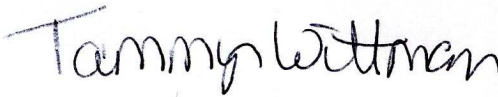
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C E R T I F I C A T E

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



Signature_____

Date June 12, 2009