

# The New York City Council

*City Hall  
New York, NY 10007*



## Meeting Minutes

Thursday, June 5, 2003

1:30 PM

Recessed Meeting of May 28, 2003

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, James E. Davis, Bill de Blasio, Erik Martin Dilan, Pedro Espada, Jr., 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, Allan W. Jennings, 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, William Perkins, Madeline Provenzano, Christine C. Quinn, Philip Reed, Domenic M. Recchia, Jr., Diana Reyna, Joel Rivera, James Sanders, Larry B. Seabrook, Helen Sears, Jose M. Serrano, Kendall B. Stewart, Peter F. Vallone, Jr., Albert Vann, David I. Weprin, David Yassky.*

1. The Public Advocate (Ms. Gotbaum) called the meeting to order.
2. Roll Call
3. The Clerk (Mr. Victor L. Robles) will announce the presense of a quorum.
4. The Public Advocate (Ms. Gotbaum) will adjourn the recessed meeting.

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 Stated Meeting - June 5, 2003

1. Roll Call

**Present:**

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

**Excused:**

Espada Jr.

2. Invocation

*The Invocation was delivered by Reverend Dr. Timothy P. Mitchell, Ebenezer Missionary Baptist Church, 36-12 Prince Street, Flushing, New York.*

*Council Member Liu moved that the invocation be spread in full upon the Minutes and adopted.*

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

3. Adoption of Minutes

*Council Member Yassky moved that the Minutes of the Stated Meeting of April 30, 2003 adopted as printed.*

4. Messages & Papers from the Mayor

**M 0611-2003**

**Communication from the Mayor - "AN ACT to amend the local finance law, in relation to the sale of bonds and notes of the city of New York, the refunding of bonds and the down payment for projects financed by bonds; and to amend the New York state financial emergency act for the city of New York, in relation to a pledge and agreement of the state". S.5213/A8692**

**Attachments:** Committee Report, Fiscal Impact Statement, Hearing Transcript, Hearing Transcript - Stated Meeting 6/5

*Preconsidered*

**M 0612-2003**      **Communication from the Mayor - "AN ACT to amend the administrative code of the city of New York, in relation to ensuring that the New York City Employees' Retirement System, the New York City Police Pension Fund, subchapter 2, the New York City Fire Department Pension Fund, subchapter 2, the New York City Teachers' Retirement System and the New York City Board of Education Retirement System are in compliance with sections 401(a) (2) and 401 (a) (9) of the Internal Revenue Code". S.5029/A.7165**

**Attachments:**    Committee Report, Fiscal Impact Statement, Hearing Transcript, Hearing Transcript - Stated Meeting 6/5

*Preconsidered*

**M 0613-2003**      **Communication from the Mayor - "AN ACT to amend the administrative code of the city of New York, in relation to the powers, duties and responsibilities of the board of trustees of the New York City Fire Department Pension Fund, subchapter two and in relation to authorizing such board of trustees to draw upon the assets of such pension fund to pay expenses. S.5030A/A.7164A**

**Attachments:**    Committee Report, Fiscal Impact Statement, Hearing Transcript, Hearing Transcript - Stated Meeting 6/5

*Preconsidered*

5.      Communications from City, County & Borough Offices

**M 0614-2003**      **Communication from the New York City Banking Commission - Transmitting recommendation that the discount rate to be allowed for prepayment of real estate taxes be continued at two percent (2%) per annum for Fiscal Year 2004, pursuant to Section 1519 of the City Charter.**

**Attachments:**    Committee Report, Hearing Transcript, Hearing Transcript - Stated Meeting 6/24

**M 0615-2003**      **Communication from the New York City Banking Commission - Transmitting recommendation that the interest rate for non-payment of real estate taxes where annual tax is more than \$2,750, or vacant or unimproved land; and non-payment of charges for work performed pursuant to orders of the Board of Health or Department of Health be 18 percent (18%) for Fiscal Year 2004.**

**Attachments:**    Committee Report, Hearing Transcript, Hearing Transcript - Stated Meeting 6/24

**M 0616-2003**      **Communication from the New York City Banking Commission - Transmitting resolution recommending that the interest rate to be charged for Fiscal Year 2004 for non-payment of taxes on real property where the annual tax is not more than \$2,750 or where the real property taxes are held in escrow and paid by a mortgage escrow agent be eighteen percent (18%), and nine percent (9%) in all other such parcels.**

**Attachments:**    Committee Report, Hearing Transcript, Hearing Transcript - Stated Meeting 6/24

**M 0617-2003**      **Communication from the New York City Banking Commission - Transmitting recommendation that the interest rate to be charged for Fiscal Year 2004 for non-payment of water rents and sewer rents be eighteen percent (18%) where the annual tax on parcel is more than \$2,750 or where taxes are held in escrow or where parcel consists of vacant or unimproved land, and nine percent (9%) in all other cases.**

**Attachments:**    Committee Report, Hearing Transcript, Hearing Transcript - Stated Meeting 6/24

6.      Petitions and Communications

7.      Land Use Call-Ups

*None.*

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

**Int 0457-2003**      **A Local Law to amend the administrative code of the city of New York, in relation to increasing the rate of interest imposed on underpayments of the general corporation tax and banking corporation tax.**

**Attachments:**    Committee Report, Fiscal Impact Statement, Local Law, Hearing Transcript, Hearing Transcript - Stated Meeting 6/5

**Enactment No:** 2003/038

**Int 0497-2003      A Local Law to amend the administrative code of the city of New York, in relation to setting interest rates for overpayments of the general corporation tax and banking corporation tax.**

**Attachments:**    Committee Report, Fiscal Impact Statement, Local Law, Hearing Transcript, Hearing Transcript - Stated Meeting 6/5

**Enactment No:** 2003/039

**Int 0507-2003      A Local Law in relation to the date by which if the expense budget has not been adopted, the expense budget adopted as modified for the current fiscal year shall be deemed to have been extended for the new fiscal year until such time as a new expense budget has been adopted, the date by which if a capital budget and a capital program have not been adopted, the unutilized portion of all prior capital appropriations shall be deemed reappropriated, the dates of mayoral disapprovals of Council action and Council overrides thereof, the date of submission by the Mayor of an estimate of the probable amount of receipts, the date by which if the Council has not fixed the tax rates for the ensuing fiscal year, the commissioner of finance shall be authorized to complete the assessment rolls using estimated rates, and related matters, relating to the fiscal year two thousand four.**

**Attachments:**    Fiscal Impact Statement, Committee Report, Local Law, Hearing Transcript, Hearing Transcript - Stated Meeting 6/5

*with Message of Necessity*

**Enactment No:** 2003/040

Report of the Committee on Land Use

**LU 0359-2003      Uniform land use review procedure, application no. C 030243 HUM pursuant to §197-c and §197-d of the Charter of the City of New York and §505 of the General Municipal Law concerning an amendment to the Millbank Frawley Circle-West Urban Renewal Plan, Borough of Manhattan, in Council District no. 9.**

**Attachments:**    Hearing Transcript - Stated Meeting 6/5

**Res 0932-2003      Resolution approving the Second Amendment to the Milbank Frawley Circle-West Urban Renewal Plan, approving the designation of the area and approving the decision of the City Planning Commission on ULURP No. C 030243 HUM (L.U. No. 359).**

**Attachments:**    Committee Report, Hearing Transcript - Stated Meeting 6/5

**LU 0360-2003**      **Uniform land use review procedure application no. C 030244 ZMM, changes to the zoning map, 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.**

**Attachments:**    Hearing Transcript - Stated Meeting 6/5

**Res 0933-2003**      **Resolution approving the decision of the City Planning Commission on ULURP No. C 030244 ZMM, a Zoning Map change (L.U. No. 360).**

**Attachments:**    Committee Report, Hearing Transcript - Stated Meeting 6/5

**LU 0361-2003**      **Uniform land use review procedure application no. C 030245 HAM, an Urban Development Action Area Designation and Project, located on West 115th and West 116th Streets, 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.**

**Attachments:**    Hearing Transcript - Stated Meeting 6/5

*Filed pursuant to a Letter of Withdrawal.*

**Res 0934-2003**      **Resolution approving a motion to file pursuant to withdrawal of an application submitted by the Department of Housing Preservation and Development, ULURP No. C 030245 HAM (L.U. No. 361).**

**Attachments:**    Committee Report, Hearing Transcript - Stated Meeting 6/5

**LU 0442-2003**      **Application no. 20035212 HAK, an Urban Development Action Area Project located at 592 Greene Avenue, 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.**

**Attachments:**    Hearing Transcript - Stated Meeting 6/5

**Res 0935-2003**      **Resolution approving an Urban Development Action Area Project located at 592 Greene Avenue (Block 1799/Lot 37), 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. 442; 20035212 HAK).**

**Attachments:**    Committee Report, Hearing Transcript - Stated Meeting 6/5

**LU 0444-2003**      **Application no. 20035216 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of Leshko Coffee Shop, Inc., to establish, maintain and operate an unenclosed sidewalk café located at 111 Avenue A, Borough of Manhattan, Council District no. 2. 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.**

**Attachments:**    Hearing Transcript - Stated Meeting 6/5

**Res 0936-2003**      **Resolution approving the petition for a revocable consent for an unenclosed sidewalk café located at 111 Avenue A, Manhattan (20035216 TCM; L.U. No. 444).**

**Attachments:**    Committee Report, Hearing Transcript - Stated Meeting 6/5

Report of the Committee on State and Federal Legislation

**SLR 0018-2003**      **State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Maltese, S.1776, and Assembly Member Nolan, A.3934, "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 Queens to Theodore M. Renz, sole heir-at-law and distributee of former owners Rudolph Renz and Johanna Renz".**

**Attachments:**    Committee Report, Hearing Transcript, Hearing Transcript - Stated Meeting 6/5

**SLR 0048-2003**     **State Legislation Resolution requesting the New York State Legislature to pass a bill introduced by Assembly Member Norman, A.6740, "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 Jacquesline Menaged, 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. 1330, Lot No. 32 on the tax map for the borough of Brooklyn".**

**Attachments:**     Committee Report, Hearing Transcript, Hearing Transcript - Stated Meeting 6/5

**SLR 0064-2003**     **State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senators Golden, Maltese, Marchi, Mendez and Velella, S.4184, and Committee on Rules, A.7866, "AN ACT to amend the retirement and social security law and the administrative code of the city of New York, in relation to coverage for additional members of the New York city employees' retirement system".**

**Attachments:**     Hearing Transcript, Hearing Transcript - Stated Meeting 6/5

**SLR 0069-2003**     **State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senators Padavan, Maltese, Marchi and Mendez, S.1475, and Assembly Members Abbate, Colton, Cymbrowitz, Pheffer, Seddio and Weisenberg, et al, A.3156, "AN ACT to amend the retirement and social security law, in relation to the employment of retired New York city police personnel".**

**Attachments:**     Committee Report, Fiscal Impact Statement, Hearing Transcript, Hearing Transcript - Stated Meeting 6/5

**SLR 0070-2003**     **State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senators Golden, Maltese, Marchi, Mendez and Velella, S.3967, and Assembly Member Abbate, A.6797, "AN ACT to amend the general municipal law, in relation to special accidental death benefits payable to the dependents of deceased police and fire members".**

**Attachments:**     Committee Report, Fiscal Impact Statement, Hearing Transcript, Hearing Transcript - Stated Meeting 6/5



**SLR 0071-2003 State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Veleva, S.4124, and Committee on Rules, A.7919, "AN ACT to amend the retirement and social security law, in relation to benefits for certain peace officers in the city of New York who are injured in the performance of their duties".**

**Attachments:** Committee Report, Fiscal Impact Statement, Hearing Transcript, Hearing Transcript - Stated Meeting 6/5

**Affirmative:** 48 -

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

**Negative:** 1 -

Lanza

**Excused:** 1 -

Espada Jr.

**Abstain:** 1 -

Oddo

**SLR 0075-2003 State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Skelos, S.2124-A, and Assembly Members DiNapoli, Hooper, Sidikman and Weisenberg, A.6064, "AN ACT to amend the retirement and social security law, in relation to allowing the transfer of membership from the New York city police pension fund to the metropolitan transportation authority police pension fund".**

**Attachments:** Committee Report, Fiscal Impact Statement, Hearing Transcript, Hearing Transcript - Stated Meeting 6/5

**SLR 0088-2003 State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Robach, S.2980-A, and Assembly Members Abbate and Klein, A.6802-B, "AN ACT to amend the retirement and social security law and the administrative code of the city of New York, in relation to the establishment of twenty-five year retirement programs for members of the New York city employees' retirement system employed as water supply police; and to amend the retirement and social security law and the general municipal law, in relation to benefits for such members who are injured in the performance of their duties".**

**Attachments:** Committee Report, Fiscal Impact Statement, Hearing Transcript, Hearing Transcript - Stated Meeting 6/5

**Affirmative:** 48 -

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

**Negative:** 2 -

Lanza and Oddo

**Excused:** 1 -

Espada Jr.

**SLR 0094-2003 State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senators Golden, Maltese, Marchi, Mendez and Velella, S.4184-A, and Committee on Rules, A.7866-A, "AN ACT to amend the retirement and social security law and the administrative code of the city of New York, in relation to coverage for additional members of the New York city employees' retirement system".**

**Attachments:** Hearing Transcript, Hearing Transcript - Stated Meeting 6/5

**SLR 0098-2003**     **State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Velella, S.4123, and Committee on Rules, A.7920, "AN ACT to amend the administrative code of the city of New York, in relation to including a twenty-five year retirement program for members of the New York city employees' retirement system employed as urban park rangers and associate urban park rangers; and to amend the retirement and social security law, in relation to including in a twenty-five year retirement program for members of the New York city employees' retirement system employed as urban park rangers and associate park rangers who are subject to articles 11 and 15 of such law".**

**Attachments:**     Committee Report, Fiscal Impact Statement, Hearing Transcript, Hearing Transcript - Stated Meeting 6/5

**SLR 0099-2003**     **State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Padavan, S.4258, and Committee on Rules, A.8668, "AN ACT to amend the retirement and social security law, in relation to the employment of retired New York city police and fire department personnel".**

**Attachments:**     Committee Report, Fiscal Impact Statement, Hearing Transcript, Hearing Transcript - Stated Meeting 6/5

**M 0510-2003**     **Communication from the Mayor - "AN ACT to amend the vehicle and traffic law and the administrative code of the city of New York, in relation to the number of intersections at which traffic control signal photo-monitoring devices may be installed and reporting upon the use of a traffic-control signal photo-monitoring system and to amend chapter 746 of the laws of 1988, amending the vehicle and traffic law, the general municipal law and the public officers law, relating to the civil liability of vehicle owners for traffic control signal violations, in relation to the effectiveness thereof; and to amend local law number 46 of the city of New York for the year 1989, amending the administrative code of the city of New York, relating to civil liability of vehicle owners for traffic control signal violations, in relation to the duration of the application of provisions of such code, such chapter and such law".**

**S.2472/A.4806**

**Attachments:**     Committee Report, Fiscal Impact Statement, Hearing Transcript, Hearing Transcript - Stated Meeting 6/5

**M 0611-2003**      **Communication from the Mayor - "AN ACT to amend the local finance law, in relation to the sale of bonds and notes of the city of New York, the refunding of bonds and the down payment for projects financed by bonds; and to amend the New York state financial emergency act for the city of New York, in relation to a pledge and agreement of the state". S.5213/A8692**

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**M 0612-2003**      **Communication from the Mayor - "AN ACT to amend the administrative code of the city of New York, in relation to ensuring that the New York City Employees' Retirement System, the New York City Police Pension Fund, subchapter 2, the New York City Fire Department Pension Fund, subchapter 2, the New York City Teachers' Retirement System and the New York City Board of Education Retirement System are in compliance with sections 401(a) (2) and 401 (a) (9) of the Internal Revenue Code". S.5029/A.7165**

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**M 0613-2003**      **Communication from the Mayor - "AN ACT to amend the administrative code of the city of New York, in relation to the powers, duties and responsibilities of the board of trustees of the New York City Fire Department Pension Fund, subchapter two and in relation to authorizing such board of trustees to draw upon the assets of such pension fund to pay expenses. S.5030A/A.7164A**

**Attachments:**    Committee Report, Fiscal Impact Statement, Hearing Transcript, Hearing Transcript - Stated Meeting 6/5

12.    General Orders Calendar

**T1999-86**      **Commissioner of Deeds**

Coupled on General Order Calendar

Finance

**Int 0457-2003**      **A Local Law to amend the administrative code of the city of New York, in relation to increasing the rate of interest imposed on underpayments of the general corporation tax and banking corporation tax.**

**Attachments:**    Committee Report, Fiscal Impact Statement, Local Law, Hearing Transcript, Hearing Transcript - Stated Meeting 6/5

**Enactment No:** 2003/038

**Int 0497-2003**      **A Local Law to amend the administrative code of the city of New York, in relation to setting interest rates for overpayments of the general corporation tax and banking corporation tax.**

**Attachments:**    Committee Report, Fiscal Impact Statement, Local Law, Hearing Transcript, Hearing Transcript - Stated Meeting 6/5

**Enactment No:** 2003/039

**Int 0507-2003**      **A Local Law in relation to the date by which if the expense budget has not been adopted, the expense budget adopted as modified for the current fiscal year shall be deemed to have been extended for the new fiscal year until such time as a new expense budget has been adopted, the date by which if a capital budget and a capital program have not been adopted, the unutilized portion of all prior capital appropriations shall be deemed reappropriated, the dates of mayoral disapprovals of Council action and Council overrides thereof, the date of submission by the Mayor of an estimate of the probable amount of receipts, the date by which if the Council has not fixed the tax rates for the ensuing fiscal year, the commissioner of finance shall be authorized to complete the assessment rolls using estimated rates, and related matters, relating to the fiscal year two thousand four.**

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*Preconsidered*

**Enactment No:** 2003/040

Land Use

**Res 0932-2003** Resolution approving the Second Amendment to the Milbank Frawley Circle-West Urban Renewal Plan, approving the designation of the area and approving the decision of the City Planning Commission on ULURP No. C 030243 HUM (L.U. No. 359).

**Attachments:** Committee Report, Hearing Transcript - Stated Meeting 6/5

**Res 0933-2003** Resolution approving the decision of the City Planning Commission on ULURP No. C 030244 ZMM, a Zoning Map change (L.U. No. 360).

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**Res 0934-2003** Resolution approving a motion to file pursuant to withdrawal of an application submitted by the Department of Housing Preservation and Development, ULURP No. C 030245 HAM (L.U. No. 361).

**Attachments:** Committee Report, Hearing Transcript - Stated Meeting 6/5

**Res 0935-2003** Resolution approving an Urban Development Action Area Project located at 592 Greene Avenue (Block 1799/Lot 37), 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. 442; 20035212 HAK).

**Attachments:** Committee Report, Hearing Transcript - Stated Meeting 6/5

**Res 0936-2003** Resolution approving the petition for a revocable consent for an unenclosed sidewalk café located at 111 Avenue A, Manhattan (20035216 TCM; L.U. No. 444).

**Attachments:** Committee Report, Hearing Transcript - Stated Meeting 6/5

#### State and Federal Legislation

**SLR 0018-2003** State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Maltese, S.1776, and Assembly Member Nolan, A.3934, "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 Queens to Theodore M. Renz, sole heir-at-law and distributee of former owners Rudolph Renz and Johanna Renz".

**Attachments:** Committee Report, Hearing Transcript, Hearing Transcript - Stated Meeting 6/5

**SLR 0048-2003**     **State Legislation Resolution requesting the New York State Legislature to pass a bill introduced by Assembly Member Norman, A.6740, "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 Jacquesline Menaged, 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. 1330, Lot No. 32 on the tax map for the borough of Brooklyn".**

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**SLR 0064-2003**     **State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senators Golden, Maltese, Marchi, Mendez and Velella, S.4184, and Committee on Rules, A.7866, "AN ACT to amend the retirement and social security law and the administrative code of the city of New York, in relation to coverage for additional members of the New York city employees' retirement system".**

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**SLR 0069-2003**     **State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senators Padavan, Maltese, Marchi and Mendez, S.1475, and Assembly Members Abbate, Colton, Cymbrowitz, Pheffer, Seddio and Weisenberg, et al, A.3156, "AN ACT to amend the retirement and social security law, in relation to the employment of retired New York city police personnel".**

**Attachments:**     Committee Report, Fiscal Impact Statement, Hearing Transcript, Hearing Transcript - Stated Meeting 6/5

**SLR 0070-2003**     **State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senators Golden, Maltese, Marchi, Mendez and Velella, S.3967, and Assembly Member Abbate, A.6797, "AN ACT to amend the general municipal law, in relation to special accidental death benefits payable to the dependents of deceased police and fire members".**

**Attachments:**     Committee Report, Fiscal Impact Statement, Hearing Transcript, Hearing Transcript - Stated Meeting 6/5

**SLR 0071-2003**     **State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Velella, S.4124, and Committee on Rules, A.7919, "AN ACT to amend the retirement and social security law, in relation to benefits for certain peace officers in the city of New York who are injured in the performance of their duties".**

**Attachments:**     Committee Report, Fiscal Impact Statement, Hearing Transcript, Hearing Transcript - Stated Meeting 6/5

**SLR 0075-2003**     **State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Skelos, S.2124-A, and Assembly Members DiNapoli, Hooper, Sidikman and Weisenberg, A.6064, "AN ACT to amend the retirement and social security law, in relation to allowing the transfer of membership from the New York city police pension fund to the metropolitan transportation authority police pension fund".**

**Attachments:**     Committee Report, Fiscal Impact Statement, Hearing Transcript, Hearing Transcript - Stated Meeting 6/5

**SLR 0088-2003**     **State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Robach, S.2980-A, and Assembly Members Abbate and Klein, A.6802-B, "AN ACT to amend the retirement and social security law and the administrative code of the city of New York, in relation to the establishment of twenty-five year retirement programs for members of the New York city employees' retirement system employed as water supply police; and to amend the retirement and social security law and the general municipal law, in relation to benefits for such members who are injured in the performance of their duties".**

**Attachments:**     Committee Report, Fiscal Impact Statement, Hearing Transcript, Hearing Transcript - Stated Meeting 6/5

**SLR 0094-2003**     **State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senators Golden, Maltese, Marchi, Mendez and Velella, S.4184-A, and Committee on Rules, A.7866-A, "AN ACT to amend the retirement and social security law and the administrative code of the city of New York, in relation to coverage for additional members of the New York city employees' retirement system".**

**Attachments:**     Hearing Transcript, Hearing Transcript - Stated Meeting 6/5

*Preconsidered*



**SLR 0098-2003**     **State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Veleva, S.4123, and Committee on Rules, A.7920, "AN ACT to amend the administrative code of the city of New York, in relation to including a twenty-five year retirement program for members of the New York city employees' retirement system employed as urban park rangers and associate urban park rangers; and to amend the retirement and social security law, in relation to including in a twenty-five year retirement program for members of the New York city employees' retirement system employed as urban park rangers and associate park rangers who are subject to articles 11 and 15 of such law".**

**Attachments:**     Committee Report, Fiscal Impact Statement, Hearing Transcript, Hearing Transcript - Stated Meeting 6/5

*Preconsidered*

**SLR 0099-2003**     **State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Padavan, S.4258, and Committee on Rules, A.8668, "AN ACT to amend the retirement and social security law, in relation to the employment of retired New York city police and fire department personnel".**

**Attachments:**     Committee Report, Fiscal Impact Statement, Hearing Transcript, Hearing Transcript - Stated Meeting 6/5

*Preconsidered*

**M 0510-2003**     **Communication from the Mayor - "AN ACT to amend the vehicle and traffic law and the administrative code of the city of New York, in relation to the number of intersections at which traffic control signal photo-monitoring devices may be installed and reporting upon the use of a traffic-control signal photo-monitoring system and to amend chapter 746 of the laws of 1988, amending the vehicle and traffic law, the general municipal law and the public officers law, relating to the civil liability of vehicle owners for traffic control signal violations, in relation to the effectiveness thereof; and to amend local law number 46 of the city of New York for the year 1989, amending the administrative code of the city of New York, relating to civil liability of vehicle owners for traffic control signal violations, in relation to the duration of the application of provisions of such code, such chapter and such law".**

**S.2472/A.4806**

**Attachments:**     Committee Report, Fiscal Impact Statement, Hearing Transcript, Hearing Transcript - Stated Meeting 6/5

- M 0611-2003**      **Communication from the Mayor - "AN ACT to amend the local finance law, in relation to the sale of bonds and notes of the city of New York, the refunding of bonds and the down payment for projects financed by bonds; and to amend the New York state financial emergency act for the city of New York, in relation to a pledge and agreement of the state". S.5213/A8692**

**Attachments:** Committee Report, Fiscal Impact Statement, Hearing Transcript, Hearing Transcript - Stated Meeting 6/5

*Preconsidered*

- M 0612-2003**      **Communication from the Mayor - "AN ACT to amend the administrative code of the city of New York, in relation to ensuring that the New York City Employees' Retirement System, the New York City Police Pension Fund, subchapter 2, the New York City Fire Department Pension Fund, subchapter 2, the New York City Teachers' Retirement System and the New York City Board of Education Retirement System are in compliance with sections 401(a) (2) and 401 (a) (9) of the Internal Revenue Code". S.5029/A.7165**

**Attachments:** Committee Report, Fiscal Impact Statement, Hearing Transcript, Hearing Transcript - Stated Meeting 6/5

*Preconsidered*

- M 0613-2003**      **Communication from the Mayor - "AN ACT to amend the administrative code of the city of New York, in relation to the powers, duties and responsibilities of the board of trustees of the New York City Fire Department Pension Fund, subchapter two and in relation to authorizing such board of trustees to draw upon the assets of such pension fund to pay expenses. S.5030A/A.7164A**

**Attachments:** Committee Report, Fiscal Impact Statement, Hearing Transcript, Hearing Transcript - Stated Meeting 6/5

*Preconsidered*

General Order Calendar

- T1999-86**      **Commissioner of Deeds**

*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:*

**Affirmative:** 50 -

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

**Excused:** 1 -

Espada Jr.

*The following files were removed from the General Order Calendar and voted separately: SLR No. 71 and SLR No. 88. See files for individual votes.*

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 0499-2003**

**A Local Law to amend the administrative code of the city of New York, in relation to expanding the criteria used to determine when to launch an immediate investigation into the whereabouts of a missing person to include a person 25 years-of-age and under, and whether an absence is inconsistent with a person's usual patterns, habits and schedule as known by friends, acquaintances or family.**

**Sponsors:** By Council Members Barron, Baez, Brewer, Clarke, Comrie Jr., Espada Jr., Foster, Gerson, Jackson, Jennings Jr., Lopez, Martinez, McMahon, Monserrate, Nelson, Perkins, The Speaker ( Quinn), Reed, Rivera, Sanders Jr., Stewart, Vann, Weprin and Avella

**Res 0929-2003**

**Resolution calling upon the appropriate committee of the Council to hold a hearing on the "48-hour rule", whereby police officers under investigation as suspects are not required to speak to anyone about the incident for a 48-hour period.**

**Sponsors:** By Council Members Barron, Clarke, Comrie Jr., Espada Jr., Foster, Gerson, Jackson, Jennings Jr., Lopez, Martinez, Perkins, The Speaker ( Quinn), Reed, Sanders Jr., Serrano, Stewart and Vann

**Int 0500-2003**      **A Local Law to amend the charter and administrative code of the city of New York with respect to transferring functions of the department of employment and the administration for children's services to the department of social services, the department of small business services and the department of youth and community development, and to repeal chapter 73 of the charter.**

**Sponsors:**      By Council Members de Blasio, Comrie Jr., Davis, Fidler, Nelson, Provenzano and Stewart (by request of the Mayor)

**Attachments:**      Memo In Support, Committee Report 6/13, Committee Report 6/27, Hearing Transcript 6/27, Local Law, Hearing Transcript 6/13, Hearing Transcript - Stated Meeting 6/27, Fiscal Impact Statement - A

**Enactment No:** 2003/052

**SLR 0093-2003**      **State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Golden, S.2669, and Committee on Rules, A.8588, "AN ACT in relation to authorizing the city of New York to sell real property consisting of vacant land owned by such city known as Bennett's Lane in the borough of Brooklyn designated as Block 6362, Lot 100 on the tax map of the city of New York for the borough of Brooklyn and property consisting of vacant land owned by such city formerly known as Bennett's Lane Brooklyn, Greenwood & Bath Plank Road, designated as Block 6369, Lot 125 on the tax map of the city of New York for the borough of Brooklyn".**

**Sponsors:**      By Council Members Gentile and Comrie Jr.

**Attachments:**      Committee Report, Hearing Transcript, Hearing Transcript - Stated Meeting 6/12

**Int 0501-2003**      **A Local Law to amend the administrative code of the city of New York, in relation to apprenticeship training programs for city construction contractors.**

**Sponsors:**      By Council Members Jackson, The Speaker (Speaker Miller), Avella, Baez, Barron, Brewer, Clarke, Comrie Jr., Espada Jr., Fidler, Foster, Gennaro, Gerson, Jennings Jr., Katz, Lopez, Martinez, McMahon, Monserrate, Nelson, Perkins, Reed, The Speaker (Quinn), Sanders Jr., Sears, Stewart, Vann, Yassky, Addabbo Jr., de Blasio and Gioia ; also Council Member Gentile

**Attachments:**      Committee Report, Hearing Transcript

- Int 0502-2003**      **A Local Law to amend the administrative code of the city of New York, in relation to the regulation of outdoor advertising and repealing sections 5, 6, 7 and 8 of local law 14 for the year 2001 in relation thereto.**
- Sponsors:**      By Council Members Katz, Brewer, Comrie Jr., Jackson, McMahon, Perkins, The Speaker (Quinn) and Sears
- Attachments:**      Memo In Support
- 
- SLR 0094-2003**      **State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senators Golden, Maltese, Marchi, Mendez and Velella, S.4184-A, and Committee on Rules, A.7866-A, "AN ACT to amend the retirement and social security law and the administrative code of the city of New York, in relation to coverage for additional members of the New York city employees' retirement system".**
- Sponsors:**      By Council Members Rivera, Baez, Comrie Jr., McMahon and Sears
- Attachments:**      Hearing Transcript, Hearing Transcript - Stated Meeting 6/5
- 
- SLR 0095-2003**      **State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senators Marchi, Morahan, Padavan and Trunzo, S.2234-A, and Assembly Members Lavelle and Seddio, et al, A.1349-B, "AN ACT to amend the administrative code of the city of New York, in relation to extending the benefits of the variable supplements fund to all New York city police officers, firefighters, housing police and transit police".**
- Sponsors:**      By Council Members Rivera, Baez, Comrie Jr., Fidler, Gentile, Jennings Jr., McMahon, Monserrate and Sears
- 
- SLR 0096-2003**      **State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senators Golden, Mendez and Padavan, S.4183, and Committee on Rules, A.7868, "AN ACT to amend the retirement and social security law, in relation to refunding contributions made to the twenty-five-year and age fifty-five retirement program by New York city transit authority members".**
- Sponsors:**      By Council Members Rivera, Baez, Comrie Jr., Jennings Jr., McMahon and Sears

**SLR 0097-2003**     **State Legislation Resolution requesting the New York State Legislature to pass a bill introduced by Committee on Rules, A.8547, "AN ACT to amend the administrative code of the city of New York, in relation to the registration of property and designation of mailing address".**

**Sponsors:**     By Council Members Rivera, Comrie Jr. and Stewart

**SLR 0098-2003**     **State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Veleva, S.4123, and Committee on Rules, A.7920, "AN ACT to amend the administrative code of the city of New York, in relation to including a twenty-five year retirement program for members of the New York city employees' retirement system employed as urban park rangers and associate urban park rangers; and to amend the retirement and social security law, in relation to including in a twenty-five year retirement program for members of the New York city employees' retirement system employed as urban park rangers and associate park rangers who are subject to articles 11 and 15 of such law".**

**Sponsors:**     By Council Members Rivera, Addabbo Jr., Baez, Comrie Jr., McMahon and Monserrate

**Attachments:**     Committee Report, Fiscal Impact Statement, Hearing Transcript, Hearing Transcript - Stated Meeting 6/5

**SLR 0099-2003**     **State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Padavan, S.4258, and Committee on Rules, A.8668, "AN ACT to amend the retirement and social security law, in relation to the employment of retired New York city police and fire department personnel".**

**Sponsors:**     By Council Members Rivera, Baez, Comrie Jr., Gentile, McMahon, Monserrate and Sears

**Attachments:**     Committee Report, Fiscal Impact Statement, Hearing Transcript, Hearing Transcript - Stated Meeting 6/5

**Int 0503-2003      A Local Law to amend the New York city charter, in relation to requiring the distribution of a public health insurance program options pamphlet to parents and guardians of public school students.**

**Sponsors:** By Council Members Serrano, de Blasio, The Speaker ( Quinn), Addabbo Jr., Avella, Baez, Barron, Brewer, Clarke, Comrie Jr., Espada Jr., Felder, Fidler, Foster, Gennaro, Gerson, Gioia, Jackson, Jennings Jr., Koppell, Lopez, Martinez, McMahon, Monserrate, Nelson, Recchia Jr., Rivera, Sanders Jr., Sears, Stewart, Vann, Weprin, Yassky and Moskowitz

**Attachments:** Cover Sheet

**Sponsors:** By Council Members Serrano, de Blasio, The Speaker ( Quinn), Addabbo Jr., Avella, Baez, Barron, Brewer, Clarke, Comrie Jr., Espada Jr., Felder, Fidler, Foster, Gennaro, Gerson, Gioia, Jackson, Jennings Jr., Koppell, Lopez, Martinez, McMahon, Monserrate, Nelson, Recchia Jr., Rivera, Sanders Jr., Sears, Stewart, Vann, Weprin, Yassky and Moskowitz

**Attachments:** Cover Sheet

**Int 0504-2003      A Local Law to amend the administrative code of the city of New York, in relation to granting voluntary leaves of absence in times of fiscal crisis.**

**Sponsors:** By Council Members Stewart, Fidler, Jennings Jr., Nelson, Vann, Jackson and The Speaker ( Quinn) ; also Council Member Gerson

**Attachments:** Committee Report, Hearing Transcript

**Int 0505-2003      A Local Law to amend the administrative code of the city of New York, in relation to creating the crime of unlawful video surveillance.**

**Sponsors:** By Council Members Vallone Jr., Addabbo Jr., Avella, Clarke, Comrie Jr., Espada Jr., Felder, Fidler, Foster, Gennaro, Gerson, Jackson, Jennings Jr., Katz, Martinez, McMahon, Nelson, Perkins, Recchia Jr., Reed, Sanders Jr., Sears and Weprin

**Res 0930-2003      Resolution in support of the efforts of Governor Pataki and the New York State Legislature to create the crime of unlawful video surveillance and urging them to enact this important legislation before the end of the current legislative session.**

**Sponsors:** By Council Members Vallone Jr., Addabbo Jr., Avella, Clarke, Comrie Jr., Espada Jr., Felder, Gennaro, Jackson, Katz, Martinez, McMahon, Nelson, Perkins, Reed, Sanders Jr., Sears, Stewart, Weprin and The Speaker ( Quinn)

**SLR 0100-2003**     **State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Dilan, S.4973, and Committee on Rules, A.8397, "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 successors 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 Vann and Comrie Jr.

**Int 0506-2003**     **A Local Law to amend the charter of the city of New York, in relation to limiting contributions by individuals, partnerships, political committees, employee organizations, corporations and other entities, which support or oppose proposals submitted for the approval of the electors.**

**Sponsors:**     By Council Members Weprin, Avella, Comrie Jr., Fidler, Gentile, Jackson, Jennings Jr., Reed, Serrano and Stewart

**Int 0507-2003**     **A Local Law in relation to the date by which if the expense budget has not been adopted, the expense budget adopted as modified for the current fiscal year shall be deemed to have been extended for the new fiscal year until such time as a new expense budget has been adopted, the date by which if a capital budget and a capital program have not been adopted, the unutilized portion of all prior capital appropriations shall be deemed reappropriated, the dates of mayoral disapprovals of Council action and Council overrides thereof, the date of submission by the Mayor of an estimate of the probable amount of receipts, the date by which if the Council has not fixed the tax rates for the ensuing fiscal year, the commissioner of finance shall be authorized to complete the assessment rolls using estimated rates, and related matters, relating to the fiscal year two thousand four.**

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

**Attachments:**     Fiscal Impact Statement, Committee Report, Local Law, Hearing Transcript, Hearing Transcript - Stated Meeting 6/5

**Enactment No:** 2003/040



**Res 0931-2003**      **Resolution authorizing the filing of applications for state assistance payments for Municipal Park projects, Local Waterfront Revitalization Projects, and Hudson River Estuary projects within the City of New York and the signing of associated state contracts under the appropriate laws of New York State.**

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

**Attachments:**      Committee Report, Hearing Transcript, Hearing Transcript - Stated Meeting 6/17

**LU 0455-2003**      **Uniform land use review procedure application no. C 030441 HAM, an Urban Development Action Area Designation, Project, and the disposition of such property located within the Milbank Frawley Circle East Urban Renewal Area in Community Board 11, Borough of the Manhattan, Council District no. 8. 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 - Stated Meeting

**Attachments:**      Hearing Transcript - Stated Meeting

**LU 0456-2003**      **Application no. 20035228 HAK, an Urban Development Action Area Project located at 788 Halsey 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.**

**Sponsors:**      By Council Member Katz

**Attachments:**      Hearing Transcript 9/23, Hearing Transcript - Stated Meeting

**Attachments:**      Hearing Transcript 9/23, Hearing Transcript - Stated Meeting

*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 recessed the meeting.*