

# The New York City Council

*City Hall*  
*New York, NY 10007*



## Meeting Minutes

**Thursday, November 6, 2003**

**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, 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 and David Yassky.*

*The Public Advocate (Ms. Gotbaum)*

1. Roll Call

**Present:**

Speaker Miller, Addabbo Jr., Avella, Barron, Boyland, Brewer, Comrie Jr., Dilan, Espada Jr., 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, Sears, Serrano, Vann, Weprin and Yassky

**Excused:**

Baez, Clarke, Lanza, Sanders Jr., Seabrook, Stewart, Vallone Jr. and Oddo

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

2. Invocation

*The Invocation was delivered by Rabbi Chaim Schwartz, Rabbinical Seminary of America, 76-01 147 Street, Flushing, N.Y. 11367.*

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

3. Adoption of Minutes

*None.*

4. Messages & Papers from the Mayor

**M 0769-2003**

**Communication from the Mayor - Mayors veto and disapproval message of Introductory Number 575, in relation to the disapproval of a determination by the department of housing preservation and development to approve the transfer of the property located at 121 West 126 Street, also known as Block 1911, Lot 22, in the borough of Manhattan.**

**Attachments:** Committee Report, Hearing Transcript, Hearing Transcript - Stated Meeting 11/19

**M 0770-2003**

**Communication from the Mayor - Mayors veto and disapproval message of Introductory Number L.U. 508 & Res 1127, disapproving the designation by the Landmarks Preservation Commission of The Cathedral Church of St. John the Divine, located at 1047 Amsterdam Avenue, Manhattan, Designation List No. 347, LP-2127 (L.U. No. 508; 20045002 HKM; N 030551 HKM).**

**Attachments:** Hearing Transcript 11/6, Hearing Transcript - Stated Meeting 11/6

5. Communications from City, County & Borough Offices

*None.*

## 6. Petitions and Communications

*None.*

## 7. Land Use Call-Ups

*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:*

**M 0771-2003**

**By the Chair of the Land Use Committee Council Member Katz: Pursuant to Rule 11.20(c) of the Council and Section 197-d(b)(3) of the New York City Charter, the Council hereby resolves that the action of the City Planning Commission on Uniform Land Use Procedure Application no. C 030433 MMQ, an amendment to the City Map; shall be subject to Council review. This applications are related to applications no. C 030509 HUQ, C030510 ZMQ and C 030511 HAQ that are subject to Council review pursuant to Section 197-d of the New York City Charter.**

**Attachments:** Hearing Transcript - Stated Meeting 11/6

**Affirmative:** 42 -

Speaker Miller, Addabbo Jr., Avella, Barron, Boyland, Brewer, Comrie Jr., Dilan, Espada Jr., 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, Sears, Serrano, Vann, Weprin and Yassky

**Excused:** 8 -

Baez, Clarke, Lanza, Sanders Jr., Seabrook, Stewart, Vallone Jr. and Oddo

*At this point, the Public Advocate (Ms. Gotbaum) declared that the aforementioned item was adopted and referred to the Committee on Land Use and to the appropriate Land Use subcommittee.*

## 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 0599-2003      A Local Law to amend the administrative code of the city of New York, in relation to the certification for the imposition of a real property tax surcharge on certain class one properties.**

**Attachments:** Committee Report, Fiscal Impact Statement, Hearing Transcript, Hearing Transcript - Stated Meeting 11/6

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

**Affirmative:** 40 -

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

**Negative:** 2 -

Gallagher and Provenzano

**Excused:** 8 -

Baez, Clarke, Lanza, Sanders Jr., Seabrook, Stewart, Vallone Jr. and Oddo

Report of the Committee on Land Use

**Int 0596-2003      A Local Law to amend the New York city charter, in relation to authorizing the department of transportation to extend the date of the operating authority of certain private bus services. 20045270 LLY**

**Attachments:** Fiscal Impact Statement, Hearing Transcript 10/30, Local Law, Hearing Transcript 11/6, Hearing Transcript - Stated Meeting 11/6

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

**Enactment No:** 2003/071

**LU 0508-2003      Landmarks Preservation Commission designation no. DL - 347, LP - 2127, pursuant to §3020 of the New York City Charter, concerning the designation of the The Cathedral Church of St. John the Divine, located at 1047 Amsterdam Avenue, Borough of Manhattan, Council District no. 9, as a landmark. (Non-ULURP no. 20045002 HKM).**

**Attachments:** Hearing Transcript - Stated Meeting 10/24, Hearing Transcript 9/23, Hearing Transcript 11/6, Hearing Transcript - Stated Meeting 11/6

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

**Res 1127-2003**      **Resolution disapproving the designation by the Landmarks Preservation Commission of The Cathedral Church of St. John the Divine, located at 1047 Amsterdam Avenue, Manhattan, Designation List No. 347, LP-2127 (L.U. No. 508; 20045002 HKM; N 030551 HKM).**

**Attachments:**    Committee Report, Hearing Transcript 11/6, Hearing Transcript - Stated Meeting 11/6

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

**M 0770-2003**      **Communication from the Mayor - Mayors veto and disapproval message of Introductory Number L.U. 508 & Res 1127, disapproving the designation by the Landmarks Preservation Commission of The Cathedral Church of St. John the Divine, located at 1047 Amsterdam Avenue, Manhattan, Designation List No. 347, LP-2127 (L.U. No. 508; 20045002 HKM; N 030551 HKM).**

**Attachments:**    Hearing Transcript 11/6, Hearing Transcript - Stated Meeting 11/6

A motion was made that this Mayor's Message be Filed by Council approved by consent Roll Call.

**LU 0436-2003**      **Uniform land use review procedure, application no. C 030299 HUK pursuant to §197-c and §197-d of the Charter of the City of New York and §505 of the General Municipal Law concerning the approval of an amendment to the Fulton Park Urban Renewal Plan, Borough of Brooklyn, Council District no. 41.**

**Attachments:**    Hearing Transcript 11/6, Hearing Transcript 11/6, Hearing Transcript - Stated Meeting 11/6

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

**Res 1142-2003**      **Resolution approving the Second Amendment to the Fulton Park Urban Renewal Plan for the Fulton Park Urban Renewal Area, approving the designation of the area, and approving the decision of the City Planning Commission on ULURP No. C 030299 HUK (L.U. No. 436).**

**Attachments:**    Committee Report, Hearing Transcript - Stated Meeting 11/6c

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

- LU 0437-2003**      **Uniform Land Use Review Procedure application no. C 030300 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. 41.**

**Attachments:**    Hearing Transcript 11/6, Hearing Transcript 11/6, Hearing Transcript - Stated Meeting 11/6

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

- Res 1143-2003**      **Resolution approving the decision of the City Planning Commission on ULURP No. C 030300 ZMK, a Zoning Map change (L.U. No. 437).**

**Attachments:**    Committee Report, Hearing Transcript - Stated Meeting 11/6

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

- LU 0438-2003**      **Uniform land use review procedure application no. C 030301 HDK, pursuant to §197-c and §197-d of the New York City Charter concerning the disposition of city-owned properties, within the Fulton Park Urban Renewal Area, Borough of Brooklyn, Council District no. 41. 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 11/6, Hearing Transcript 11/6, Hearing Transcript - Stated Meeting 11/6

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

- Res 1144-2003**      **Resolution approving the decision of the City Planning Commission on ULURP No. C 030301 HDK, for the disposition of city-owned property comprising sites within the Fulton Park Urban Renewal Area, Brooklyn (L.U. No. 438).**

**Attachments:**    Committee Report, Hearing Transcript - Stated Meeting 11/6

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

- LU 0450-2003**      **Uniform Land Use Review Procedure application no. 030436 ZMM, pursuant to §197-c and §197-d of the New York City Charter, concerning changes to the zoning map, Borough of Manhattan, Council District nos. 7 and 9.**
- Attachments:**    Hearing Transcript 10/30, Hearing Transcript 11/6, Hearing Transcript - Stated Meeting 11/6
- A motion was made that this Land Use Application be Approved, by Council approved by consent Roll Call.
- Res 1145-2003**      **Resolution approving the decision of the City Planning Commission on ULURP No. C 030436 ZMM, a Zoning Map change (L.U. No. 450).**
- Attachments:**    Committee Report, Hearing Transcript - Stated Meeting 11/6
- A motion was made that this Resolution be Approved, by Council approved by consent Roll Call.
- LU 0490-2003**      **Uniform land use review procedure application no. C 030491 HAM, an Urban Development Action Area Designation and Project, located on East 110th Street between Madison and Park Avenues, and the disposition of such property, Borough of 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.**
- Attachments:**    Hearing Transcript 11/6, Hearing Transcript 11/6, Hearing Transcript - Stated Meeting 11/6
- A motion was made that this Land Use Application be Approved, by Council approved by consent Roll Call.
- Res 1146-2003**      **Resolution approving the decision of the City Planning Commission on an application submitted by the Department of Housing Preservation and Development, ULURP No. C 030491 HAM, approving the designation of 55, 57-59, 61-63 and 65-69 East 110th Street, Site 25B within the Milbank Frawley Circle East Urban Renewal Area (Block 1616/Lots 24, 25, 26 and 28), Manhattan, 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. 490; C 030491 HAM).**
- Attachments:**    Committee Report, Hearing Transcript - Stated Meeting 11/6
- A motion was made that this Resolution be Approved, by Council approved by consent Roll Call.

**LU 0496-2003**      **Uniform land use review procedure application no. C 030533 HAX, an Urban Development Action Area Designation and Project, located in the Melrose Commons Urban Renewal Area, and the disposition of such property, Borough of the Bronx, Council District no. 17. 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 11/6, Hearing Transcript 11/6, Hearing Transcript - Stated Meeting 11/6

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

**Res 1147-2003**      **Resolution approving the decision of the City Planning Commission on an application submitted by the Department of Housing Preservation and Development, ULURP No. C 030533 HAX, approving the designation of 401 East 156th Street, 750, 752, 758 and 762 Melrose Avenue, 410 East 157th Street, 418-420 East 157th Street, 413 and 409 East 156th Street, part of Site 5, (Block 2378/Lots 1, 3, 4, 7, 9, 12, 13, 40 and 42), the Bronx, 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 to be selected by the Department of Housing Preservation and Development (L.U. No. 496; C 030533 HAX).**

**Attachments:**    Committee Report, Hearing Transcript - Stated Meeting 11/6

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

**LU 0499-2003**      **Application no. 20045058 HAK, an Urban Development Action Area Project located at 690 Rogers Avenue, Council District no. 40, 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 11/6, Hearing Transcript 11/6, Hearing Transcript - Stated Meeting 11/6

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



**Res 1148-2003**      **Resolution approving an Urban Development Action Area Project located at 690 Rogers Avenue (Block 5065/Lot 65), 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. 499; 20045058 HAK).**

**Attachments:**    Committee Report, Hearing Transcript - Stated Meeting 11/6

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

**LU 0517-2003**      **Application no. 20045124 HAK, an Urban Development Action Area Project, located at 1945 67th Street, Council District no. 44, 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 11/6, Hearing Transcript 11/6, Hearing Transcript - Stated Meeting 11/6

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

**Res 1149-2003**      **Resolution approving an Urban Development Action Area Project located at 1945 67th Street (Block 5562/Lot 60), 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. 517; 20045124 HAK).**

**Attachments:**    Committee Report, Hearing Transcript - Stated Meeting 11/6

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

**LU 0519-2003**      **Application no. 20045127 HAM, an Urban Development Action Area Project, located at 316 West 47th Street, Council District no. 3, 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 11/6, Hearing Transcript 11/6, Hearing Transcript - Stated Meeting 11/6

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

**Res 1150-2003**      **Resolution approving an Urban Development Action Area Project located at 316 West 47th Street (Block 1037/Lot 43), 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. 519; 20045127 HAM).**

**Attachments:**    Committee Report, Hearing Transcript - Stated Meeting 11/6

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

**LU 0554-2003**      **Application no. 20045219 HAX, an Urban Development Action Area Project located 1105 College Avenue, Council District no. 16, Borough of the Bronx. 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 11/6, Hearing Transcript 11/6, Hearing Transcript - Stated Meeting 11/6

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

**Res 1151-2003**      **Resolution approving an Urban Development Action Area Project located at 1105 College Avenue (Block 2438/Lot 85), the Bronx, 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. 554; 20045219 HAX).**

**Attachments:**      Committee Report, Hearing Transcript - Stated Meeting 11/6

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

**LU 0555-2003**      **Application no. 20045220 HAX, an Urban Development Action Area Project located at 1185 Fulton Avenue, Council District no. 16, Borough of the Bronx. 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 11/6, Hearing Transcript 11/6, Hearing Transcript - Stated Meeting 11/6

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

**Res 1152-2003**      **Resolution approving an Urban Development Action Area Project located at 1185 Fulton Avenue (Block 2609/Lot 43), the Bronx, 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. 555; 20045220 HAX).**

**Attachments:**      Committee Report, Hearing Transcript - Stated Meeting 11/6

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

**LU 0557-2003**      **Application no. 20045222 HAK, an Urban Development Action Area Project located at 857 Hart Street, Council District no. 34, 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 11/6, Hearing Transcript 11/6, Hearing Transcript - Stated Meeting 11/6

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

**Res 1153-2003**      **Resolution approving an Urban Development Action Area Project located at 857 Hart Street (Block 3220/Lot 44), 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. 557; 20045222 HAK).**

**Attachments:**    Committee Report, Hearing Transcript - Stated Meeting 11/6

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

**LU 0558-2003**      **Application no. 20045223 HAK, an Urban Development Action Area Project, located at 1060 Rogers Avenue, Council District no. 40, 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 11/6, Hearing Transcript 11/6, Hearing Transcript - Stated Meeting 11/6

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

**Res 1154-2003**      **Resolution approving an Urban Development Action Area Project located at 1060 Rogers Avenue (Block 5170/Lot 21), 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. 558; 20045223 HAK).**

**Attachments:**    Committee Report, Hearing Transcript - Stated Meeting 11/6

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

**LU 0559-2003**      **Application no. 20045224 HAK, an Urban Development Action Area Project, located at 1070 Rogers Avenue, Council District no. 40, 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 11/6, Hearing Transcript 11/6, Hearing Transcript - Stated Meeting 11/6

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

**Res 1155-2003**      **Resolution approving an Urban Development Action Area Project located at 1070 Rogers Avenue (Block 5170/Lot 24), 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. 559; 20045224 HAK).**

**Attachments:**    Committee Report, Hearing Transcript - Stated Meeting 11/6

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

**LU 0560-2003**      **Application no. 20045225 HAK, an Urban Development Action Area Project, located at 1408 Nostrand Avenue, Council District no. 140, 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 11/6, Hearing Transcript 11/6, Hearing Transcript - Stated Meeting 11/6

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

**Res 1156-2003**      **Resolution approving an Urban Development Action Area Project located at 1408 Nostrand Avenue (Block 5088/Lot 44), 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. 560; 20045225 HAK).**

**Attachments:**    Committee Report, Hearing Transcript - Stated Meeting 11/6

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

**LU 0561-2003**      **Application no. 20045226 HAK, an Urban Development Action Area Project, located at 274 East 23rd Street, Council District no. 40, 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 11/6, Hearing Transcript 11/6, Hearing Transcript - Stated Meeting 11/6

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

**Res 1157-2003**      **Resolution approving an Urban Development Action Area Project located at 274 East 23rd Street (Block 5166/Lot 46), 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. 561; 20045226 HAK).**

**Attachments:**    Committee Report, Hearing Transcript - Stated Meeting 11/6

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

**LU 0562-2003**      **Application no. 20045227 HAQ, an Urban Development Action Area Project, located at 38 Martense Street, Council District no. 40, 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 11/6, Hearing Transcript 11/6, Hearing Transcript - Stated Meeting 11/6

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

**Res 1158-2003**      **Resolution approving an Urban Development Action Area Project located at 38 Martense Street (Block 5089/Lot 20), 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. 562; 20045227 HAK).**

**Attachments:**    Committee Report, Hearing Transcript - Stated Meeting 11/6

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

Report of the Committee on Mental Health, Mental Retardation, Alcoholism, Drug Abuse & Disability Services

**Int 0261-2002      A Local Law to amend the administrative code of the city of New York, in relation to standards and specifications for accessible water borne commuter services facilities for disabled persons in New York City.**

**Attachments:** Committee Report 1/21, Committee Report 2/24, Addendum to Report 2/24, Hearing Transcript 2/24, Hearing Transcript 1/21, Committee Report 10/1, Hearing Transcript 10/1, Committee Report 10/22, Committee Report 11/6, Fiscal Impact Statement - A, Hearing Transcript 10/22, Hearing Transcript 11/6

Report of the Committee on Transportation

**Int 0261-2002      A Local Law to amend the administrative code of the city of New York, in relation to standards and specifications for accessible water borne commuter services facilities for disabled persons in New York City.**

**Attachments:** Committee Report 1/21, Committee Report 2/24, Addendum to Report 2/24, Hearing Transcript 2/24, Hearing Transcript 1/21, Committee Report 10/1, Hearing Transcript 10/1, Committee Report 10/22, Committee Report 11/6, Fiscal Impact Statement - A, Hearing Transcript 10/22, Hearing Transcript 11/6

Report of the Committee on Women's Issues

**Int 0409-2003      A Local Law to amend the administrative code of the city of New York, in relation to the practices of debt collection agencies that collect child support payments.**

**Attachments:** Committee Report 5/2, Hearing Transcript 5/2, Committee Report 10/31, Fiscal Impact Statement - A, Hearing Transcript 10/31, Local Law, Hearing Transcript - Stated Meeting 11/6

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

**Enactment No: 2003/070**

12. General Orders Calendar

**T1999-86            Commissioner of Deeds**

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

Coupled on General Order Calendar

## Finance

- Int 0599-2003**      **A Local Law to amend the administrative code of the city of New York, in relation to the certification for the imposition of a real property tax surcharge on certain class one properties.**
- Attachments:**    Committee Report, Fiscal Impact Statement, Hearing Transcript, Hearing Transcript - Stated Meeting 11/6

## Land Use

- Int 0596-2003**      **A Local Law to amend the New York city charter, in relation to authorizing the department of transportation to extend the date of the operating authority of certain private bus services. 20045270 LLY**
- Attachments:**    Fiscal Impact Statement, Hearing Transcript 10/30, Local Law, Hearing Transcript 11/6, Hearing Transcript - Stated Meeting 11/6
- Enactment No:** 2003/071

- Res 1127-2003**      **Resolution disapproving the designation by the Landmarks Preservation Commission of The Cathedral Church of St. John the Divine, located at 1047 Amsterdam Avenue, Manhattan, Designation List No. 347, LP-2127 (L.U. No. 508; 20045002 HKM; N 030551 HKM).**
- Attachments:**    Committee Report, Hearing Transcript 11/6, Hearing Transcript - Stated Meeting 11/6

- M 0770-2003**      **Communication from the Mayor - Mayors veto and disapproval message of Introductory Number L.U. 508 & Res 1127, disapproving the designation by the Landmarks Preservation Commission of The Cathedral Church of St. John the Divine, located at 1047 Amsterdam Avenue, Manhattan, Designation List No. 347, LP-2127 (L.U. No. 508; 20045002 HKM; N 030551 HKM).**
- Attachments:**    Hearing Transcript 11/6, Hearing Transcript - Stated Meeting 11/6

- Res 1142-2003**      **Resolution approving the Second Amendment to the Fulton Park Urban Renewal Plan for the Fulton Park Urban Renewal Area, approving the designation of the area, and approving the decision of the City Planning Commission on ULURP No. C 030299 HUK (L.U. No. 436).**
- Attachments:**    Committee Report, Hearing Transcript - Stated Meeting 11/6c



**Res 1143-2003**      **Resolution approving the decision of the City Planning Commission on ULURP No. C 030300 ZMK, a Zoning Map change (L.U. No. 437).**

**Attachments:**    Committee Report, Hearing Transcript - Stated Meeting 11/6

**Res 1144-2003**      **Resolution approving the decision of the City Planning Commission on ULURP No. C 030301 HDK, for the disposition of city-owned property comprising sites within the Fulton Park Urban Renewal Area, Brooklyn (L.U. No. 438).**

**Attachments:**    Committee Report, Hearing Transcript - Stated Meeting 11/6

**Res 1145-2003**      **Resolution approving the decision of the City Planning Commission on ULURP No. C 030436 ZMM, a Zoning Map change (L.U. No. 450).**

**Attachments:**    Committee Report, Hearing Transcript - Stated Meeting 11/6

**Res 1146-2003**      **Resolution approving the decision of the City Planning Commission on an application submitted by the Department of Housing Preservation and Development, ULURP No. C 030491 HAM, approving the designation of 55, 57-59, 61-63 and 65-69 East 110th Street, Site 25B within the Milbank Frawley Circle East Urban Renewal Area (Block 1616/Lots 24, 25, 26 and 28), Manhattan, 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. 490; C 030491 HAM).**

**Attachments:**    Committee Report, Hearing Transcript - Stated Meeting 11/6

**Res 1147-2003**      **Resolution approving the decision of the City Planning Commission on an application submitted by the Department of Housing Preservation and Development, ULURP No. C 030533 HAX, approving the designation of 401 East 156th Street, 750, 752, 758 and 762 Melrose Avenue, 410 East 157th Street, 418-420 East 157th Street, 413 and 409 East 156th Street, part of Site 5, (Block 2378/Lots 1, 3, 4, 7, 9, 12, 13, 40 and 42), the Bronx, 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 to be selected by the Department of Housing Preservation and Development (L.U. No. 496; C 030533 HAX).**

**Attachments:**    Committee Report, Hearing Transcript - Stated Meeting 11/6

**Res 1148-2003**      **Resolution approving an Urban Development Action Area Project located at 690 Rogers Avenue (Block 5065/Lot 65), 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. 499; 20045058 HAK).**

**Attachments:**    Committee Report, Hearing Transcript - Stated Meeting 11/6

**Res 1149-2003**      **Resolution approving an Urban Development Action Area Project located at 1945 67th Street (Block 5562/Lot 60), 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. 517; 20045124 HAK).**

**Attachments:**    Committee Report, Hearing Transcript - Stated Meeting 11/6

**Res 1150-2003**      **Resolution approving an Urban Development Action Area Project located at 316 West 47th Street (Block 1037/Lot 43), 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. 519; 20045127 HAM).**

**Attachments:**    Committee Report, Hearing Transcript - Stated Meeting 11/6

**Res 1151-2003** Resolution approving an Urban Development Action Area Project located at 1105 College Avenue (Block 2438/Lot 85), the Bronx, 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. 554; 20045219 HAX).

**Attachments:** Committee Report, Hearing Transcript - Stated Meeting 11/6

**Res 1152-2003** Resolution approving an Urban Development Action Area Project located at 1185 Fulton Avenue (Block 2609/Lot 43), the Bronx, 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. 555; 20045220 HAX).

**Attachments:** Committee Report, Hearing Transcript - Stated Meeting 11/6

**Res 1153-2003** Resolution approving an Urban Development Action Area Project located at 857 Hart Street (Block 3220/Lot 44), 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. 557; 20045222 HAK).

**Attachments:** Committee Report, Hearing Transcript - Stated Meeting 11/6

**Res 1154-2003** Resolution approving an Urban Development Action Area Project located at 1060 Rogers Avenue (Block 5170/Lot 21), 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. 558; 20045223 HAK).

**Attachments:** Committee Report, Hearing Transcript - Stated Meeting 11/6

**Res 1155-2003** Resolution approving an Urban Development Action Area Project located at 1070 Rogers Avenue (Block 5170/Lot 24), 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. 559; 20045224 HAK).

**Attachments:** Committee Report, Hearing Transcript - Stated Meeting 11/6

**Res 1156-2003**      **Resolution approving an Urban Development Action Area Project located at 1408 Nostrand Avenue (Block 5088/Lot 44), 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. 560; 20045225 HAK).**

**Attachments:**    Committee Report, Hearing Transcript - Stated Meeting 11/6

**Res 1157-2003**      **Resolution approving an Urban Development Action Area Project located at 274 East 23rd Street (Block 5166/Lot 46), 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. 561; 20045226 HAK).**

**Attachments:**    Committee Report, Hearing Transcript - Stated Meeting 11/6

**Res 1158-2003**      **Resolution approving an Urban Development Action Area Project located at 38 Martense Street (Block 5089/Lot 20), 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. 562; 20045227 HAK).**

**Attachments:**    Committee Report, Hearing Transcript - Stated Meeting 11/6

Women's Issues

**Int 0409-2003**      **A Local Law to amend the administrative code of the city of New York , in relation to the practices of debt collection agencies that collect child support payments.**

**Attachments:**    Committee Report 5/2, Hearing Transcript 5/2, Committee Report 10/31, Fiscal Impact Statement - A, Hearing Transcript 10/31, Local Law, Hearing Transcript - Stated Meeting 11/6

**Enactment No:** 2003/070

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:*

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

**Affirmative:** 42 -

Speaker Miller, Addabbo Jr., Avella, Barron, Boyland, Brewer, Comrie Jr., Dilan, Espada Jr., 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, Sears, Serrano, Vann, Weprin and Yassky

**Excused:** 8 -

Baez, Clarke, Lanza, Sanders Jr., Seabrook, Stewart, Vallone Jr. and Oddo

*The following files were removed from the General Order Calendar and voted separately: Int 599-A. See files for individual votes.*

13. Introduction & Reading of Bills  
See Attached

14. Discussion of Resolutions

15. Resolutions

**Res 1065-2003 Resolution calling upon the United States Congress to adopt House of Representatives Bill 303 and Senate Bill 392, which would permit retired members of the Armed Forces, who have a service-connected disability, to receive both retirement pay and disability compensation; and further calling upon the United States Congress to adopt House of Representatives Bill 2569, which, in addition to permitting retired members of the Armed Forces who have a service-connected disability to receive both retirement pay and disability compensation, would also improve other benefits for veterans and members of the Armed Forces.**

**Attachments:** Committee Report, Hearing Transcript, Hearing Transcript - Stated Meeting 11/6

*Adopted unanimously by voice vote.*

**Res 1066-2003 Resolution urging Congress to hold hearings regarding Senate Bill 1186 and House of Representatives Bill 1264, which provide for a reduction in the backlog of claims for benefits pending with the Department of Veterans Affairs, and calling upon Congress to adopt these bills as expeditiously as possible.**

**Attachments:** Committee Report, Hearing Transcript, Hearing Transcript - Stated Meeting 11/6

*Adopted unanimously by voice vote.*

**Res 1135-2003      Resolution praising and congratulating Shirin Ebadi for becoming the first Muslim woman to win the Nobel Peace Prize.**

**Attachments:**    Committee Report, Hearing Transcript, Hearing Transcript - Stated Meeting 11/6

*Adopted unanimously by voice vote.*

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

16.    General Discussion

17.    Extension of Remarks

INTRODUCTION AND READING OF BILLS

**Int 0599-2003      A Local Law to amend the administrative code of the city of New York, in relation to the certification for the imposition of a real property tax surcharge on certain class one properties.**

**Sponsors:**        By The Speaker (Speaker Miller) and Council Members Weprin, Comrie Jr., de Blasio, Yassky, Fidler, Avella and Nelson

**Attachments:**    Committee Report, Fiscal Impact Statement, Hearing Transcript, Hearing Transcript - Stated Meeting 11/6

**Int 0600-2003      A Local Law in relation to delaying the billing for the imposition of a real property tax surcharge on certain class one properties for fiscal 2004.**

**Sponsors:**        By The Speaker (Speaker Miller) and Council Members Weprin, Comrie Jr., de Blasio, Yassky, Addabbo Jr., Fidler, Gennaro, Gentile, Gerson, Martinez, Nelson, Perkins, Recchia Jr., Rivera and Liu

**Res 1131-2003      Resolution calling upon the United States Congress to oppose Section 631 of the Medicare Drug and Modernization Act of 2003, which would allow employers to eliminate or provide reduced health benefits to Medicare-eligible retirees, and further calling upon the Equal Employment Opportunity Commission to reconsider its proposed amendment to the Age Discrimination in Employment Act, which would permit employers to alter, reduce or eliminate health benefits for Medicare-eligible retirees.**

**Sponsors:**        By Council Members Baez, Addabbo Jr., Barron, Brewer, Comrie Jr., Fidler, Gentile, Gerson, Koppell, Lopez, Martinez, Nelson, Perkins, Recchia Jr., Rivera, Yassky and Liu

**Attachments:**    Memo In Support

- Res 1132-2003**      **Resolution strongly opposing President Bush's nomination of California Supreme Court Justice Janice Rogers Brown to the Federal Court of Appeals for the D.C. Circuit.**
- Sponsors:**      By Council Members Barron, Comrie Jr., Lopez and Perkins
- Int 0601-2003**      **A Local Law to amend the administrative code of the city of New York, in relation to the use of air conditioning systems.**
- Sponsors:**      By Council Members Brewer, Gerson, Koppell, Lopez and Nelson
- Res 1133-2003**      **Resolution denouncing former Malaysian Prime Minister Mahathir Mohamad for the anti-Semitic remarks he recently made at The Islamic Summit Conference.**
- Sponsors:**      By Council Members de Blasio, Nelson, Fidler, Gennaro, Sears, Katz, Avella, Brewer, Gerson, Gioia, Koppell, Lopez, Recchia Jr., Rivera, Weprin, Yassky, Liu, Sanders Jr., Vallone Jr. and James
- Attachments:**      Committee Report, Hearing Transcript, Hearing Transcript - Stated Meeting 11/19
- Int 0602-2003**      **A Local Law to amend the administrative code of the city of New York, in relation to restricting the purchase and use of sport utility vehicles by the city of New York**
- .
- Sponsors:**      By Council Members Gerson, de Blasio, Brewer, Comrie Jr. and Sears
- Int 0603-2003**      **A Local Law in relation to naming Veterans Way, Borough of Manhattan.**
- Sponsors:**      By Council Members Lopez, Moskowitz, The Speaker (Speaker Miller), Addabbo Jr., Avella, Boyland, Brewer, Comrie Jr., Gennaro, Gerson, Gioia, Katz, Nelson and Weprin
- Int 0604-2003**      **A Local Law to amend the administrative code of the city of New York, in relation to imposing a fine against the owners of commercial buildings and residential buildings of six or more units who do not remove graffiti from their premises, and in relation to allowing the city to clean graffiti from these buildings without the consent of the owner of the property.**
- Sponsors:**      By Council Members Monserrate, Vallone Jr., Addabbo Jr., Avella, Gentile, Gerson, Koppell, Martinez, Nelson, Rivera, Sears and Liu
- Attachments:**      Committee Report, Hearing Transcript

- Res 1134-2003**      **Resolution urging the New York State Legislature to amend the election law in relation to adding the term "domestic partner" to the list of family members one may accompany outside of the election district and be eligible to receive an absentee ballot.**
- Sponsors:**      By Council Members Moskowitz, Brewer, Fidler, Koppell, Perkins, Recchia Jr., Weprin, Yassky, Reyna, Rivera, Liu, Boyland and Nelson
- Int 0605-2003**      **A Local Law to amend the administrative code of the city of New York, in relation to requiring the New York city police department to trace all firearm in its possession and to share the results of such tracing with law enforcement agencies nationwide.**
- Sponsors:**      By Council Members Moskowitz, Brewer, Comrie Jr., Gentile, Gerson, Koppell, Weprin, Yassky and Boyland
- Res 1135-2003**      **Resolution praising and congratulating Shirin Ebadi for becoming the first Muslim woman to win the Nobel Peace Prize.**
- Sponsors:**      By Council Members Reed, Boyland, Comrie Jr., Lopez, Perkins, Sears and Weprin
- Attachments:**      Committee Report, Hearing Transcript, Hearing Transcript - Stated Meeting 11/6
- Res 1136-2003**      **Resolution calling on the New York State Legislature to grant real property tax exemptions to owners of property for the cost of removing graffiti.**
- Sponsors:**      By Council Members Vallone Jr., Monserrate, Addabbo Jr., Comrie Jr., Felder, Gerson, Katz, McMahon, Nelson, Recchia Jr., Rivera and Liu
- Attachments:**      Committee Report, Hearing Transcript
- Res 1137-2003**      **Resolution calling on the New York State Legislature to increase the penalty for the failure to register or verify an address as required by the Sex Offender Registration Act.**
- Sponsors:**      By Council Members Vallone Jr., Clarke, Boyland, Comrie Jr., Felder, Gennaro, Gentile, Katz, Lopez, Rivera, Sears, Yassky and Liu
- Res 1138-2003**      **Resolution calling upon the New York State Senate to enact S. 5329, also known as "Timothy's Law," which would provide New Yorkers with fair insurance treatment for mental health and chemical dependency services.**
- Sponsors:**      By Council Members Weprin, Lopez, Barron, Boyland, Brewer, Comrie Jr., Felder, Gennaro, Gentile, Gerson, Gioia, Katz, Koppell, McMahon, Nelson, Recchia Jr., Sears and Yassky



**Int 0606-2003      A Local Law to amend the administrative code of the city of New York, in relation to enforcement of the restrictions regarding engine idling.**

**Sponsors:**      By Council Members Yassky, Gennaro, Avella, Brewer, Felder, Gentile, Gerson, Gioia, Koppell, Lopez, Martinez and Liu

**Attachments:**    Committee Report, Hearing Transcript

**Res 1139-2003      Resolution calling upon the New York State Legislature to pass Assembly Bill 04440, a bill establishing a system of merit selection for judges in New York State.**

**Sponsors:**      By Council Members Yassky, Clarke, Gentile, Koppell, Serrano, Avella and Felder

**Res 1140-2003      Resolution urging the New York State Legislature to pass legislation reforming the present judicial election process by (i) establishing a voluntary Campaign Finance Program for all judicial candidates, (ii) requiring all judicial candidates, whether inside or outside such system, to disclose contributions and expenditures and (iii) requiring the New York State Board of Elections to publish a meaningful and objective voters guide for all judicial elections.**

**Sponsors:**      By Council Members Yassky, Koppell, Avella, Brewer, Felder, Gerson, Clarke and James

**Res 1141-2003      Resolution calling on the parties designated by the New York State Board of Elections in the City of New York and holding a place on a judicial election ballot to create independent and diverse judicial screening panels that provide a meaningful evaluation process for the selection of judicial candidates.**

**Sponsors:**      By Council Members Yassky, Fidler, Koppell, Avella and Felder

**LU 0567-2003      Landmarks Preservation Commission designation no. DL - 348, LP - 2135, pursuant to §3020 of the New York City Charter, concerning the designation of property in the Williamsburg Houses that was unintentionally omitted and located within the Williamsburg Houses, Borough of Brooklyn, Council District no. 34, as a landmark. (Non-ULURP no. 20045244 HKK)**

**Sponsors:**      By Council Member Katz

**Sponsors:**      By Council Member Katz

**LU 0568-2003**      **Landmarks Preservation Commission designation no. DL - 349, LP - 2132, pursuant to §3020 of the New York City Charter, concerning the designation of the Gansevoort Market Area as a historic District, located at ginerally between West 15th street, Hudson street, Horatio street, and West street , Borough of Manhattan, Council District no. 3, as a landmark. (Non-ULURP no. 20045210 HKM).**

**Sponsors:**      By Council Member Katz

**Attachments:**      Hearing Transcript 12/11, Stated Meeting - Hearing Transcript 12/15,  
Hearing Transcript 12/9

**Sponsors:**      By Council Member Katz

**Attachments:**      Hearing Transcript 12/11, Stated Meeting - Hearing Transcript 12/15,  
Hearing Transcript 12/9

**LU 0569-2003**      **Uniform Land Use Review Procedure application no. 030526 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. 31.**

**Sponsors:**      By Council Member Katz

**Sponsors:**      By Council Member Katz

*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, November 19, 2003.*

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