

The New York City Council

Council Agenda

Stated Meeting

September 16, 2010

1:30 PM

Emigrant Savings Bank - 49-51 Chambers
Street

1. Roll Call

2. Invocation

*Delivered by: Pastor Bill Devlin, Manhattan Bible Church, 401
west 205th Street, New York, NY 10034.*

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

3. Adoption of Minutes

*Motion that the Minutes of the Stated Meeting of June 29, 2010
be adopted as printed by Council Member Fidler.*

4. Messages & Papers from the Mayor

None

5. Communications from City, County & Borough

Offices

M 0214-2010 **Submitting a comprehensive 2009 post-election report, New Yorkers Make Their Voices Heard: A Report on the 2009 Elections.**

Communication from the New York City Campaign Finance Board – Submitting a comprehensive 2009 post-election report, New Yorkers Make Their Voices Heard: A Report on the 2009 Elections, pursuant to Section 3-713 of the Administrative Code.

Received, Ordered, Printed and Filed

6. **Petitions and Communications**

None

7. **Land Use Call-Ups**

M 0215-2010 **ULRUP, Special Permits**

By the Chair of the Land Use Committee Council Member Comrie

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 Applications no. C 100348 ZSK, C 100349 ZSK, C 100350 ZSK, C 100351 ZSK, C 100352 ZSK, C 100353 ZSK, C 100354 ZSK, C 100355 ZSK, C 100356 ZSK, C 100357 ZSK, C 100358 ZSK, C 100359 ZSK, C 100360 ZSK and C 100361 ZSK , special permits, shall be subject to Council review. These applications are related to applications no. C 100345 ZMK, C100346 ZRK and C 100347 HAK that are subject to Council review pursuant to Section 197-d of the New York City Charter.

Coupled on Call – Up Vote

M 0216-2010 Sidewalk café, 1664 First Ave, Manhattan (20115161TCM)

By Council Member Lappin:
Pursuant to Rule 11.20(b) of the Council and Section 20-226(g) or Section 20-225 (g) of the New York City Administrative Code, the Council resolves that the action of the Department of Consumer Affairs approving an unenclosed sidewalk café located at 1664 First Avenue, Community Board 8, Application 20115161 TCM shall be subject to review by the Council.

Coupled on Call – Up Vote

M 0217-2010 Landmarks, 145 Randolph St (C100264PQK)

By Council Member Reyna:
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 Applications no. C 100264 PQK, shall be subject to review by the Council.

Coupled on Call – Up Vote

M 0218-2010 Landmarks, 525 Johnson Ave (C100258PQK)

By Council Member Reyna:
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 Applications no. C 100258 PQK, shall be subject to review by the Council.

Coupled on Call – Up Vote

8. Communication from the Speaker**9. Discussion of General Orders****10. Reports of Special Committees**

None

11. Reports of Standing Committees

Report of the Committee on Aging

Int 0270-2010-A **Establishing a silver alert program to provide public notification for missing senior citizens with certain cognitive impairments.**

A Local Law to amend the administrative code of the city of New York, in relation to establishing a silver alert program to provide public notification for missing senior citizens with certain cognitive impairments.

Amended and Coupled on GO

Report of the Committee on Finance

Int 0312-2010 **34th Street BID**

A Local Law to amend the administrative code of the city of New York, in relation to amending the district plan of the 34th Street business improvement district to authorize additional services and modify existing services for the district, to change the method of assessment upon which the district charge is based and to increase the maximum total amount to be expended for improvements in the district.

Coupled on GO

Res 0451-2010 **LU 203 - Harlem West III, Block 1945, Lots, 5,7,9 Manhattan.**

Resolution approving an exemption from real property taxes for property located at (Block 1945, Lots 5, 7 and 9), Manhattan, pursuant to Section 577 of the Private Housing Finance Law (Preconsidered L.U. No 203).

Preconsidered - Coupled on GO

Res 0452-2010 **LU 204 - Harlem West IV, Block 1944, Lots 18 and 45
Manhattan.**

Resolution approving an exemption from real property taxes for property located at (Block 1944, Lots 18 and 45), Manhattan, pursuant to Section 577 of the Private Housing Finance Law (Preconsidered L.U. No 204).

Preconsidered - Coupled on GO

Res 0453-2010 **LU 205 - Boston Road Apartments, Block 2940, Lots 58 and
65, Bronx.**

Resolution approving an exemption from real property taxes for property located at (Block 1944, Lots 18 and 45), Manhattan, pursuant to Section 577 of the Private Housing Finance Law (Preconsidered L.U. No 205).

Preconsidered - Coupled on GO

Report of the Committee on Governmental Operations

Int 0091-2010-A **Requiring that all proposed rules be reviewed by the law
department and the mayor's office of operations.**

A Local Law to amend the New York City charter, in relation to requiring that all proposed rules be reviewed by the law department and the mayor's office of operations.

Amended and Coupled on GO with a Message of Necessity

Res 0444-2010 **Approving the rate set by the Commissioners of the Board of
Elections in the City of New York.**

Resolution approving the rate set by the Commissioners of the Board of Elections in the City of New York pursuant to Section 7-207(5) of the State Election Law to compensate party representatives for their time spent monitoring the preparation of voting machines and devices pursuant to Sections 7-207(2) and 7-207(3) of the State Election Law.

Adopted and Rereferred to the Committee on Governmental Operations

Report of the Committee on Land Use

Res 0454-2010 **LU 198 - Sidewalk Cafe, 604 Tenth Ave, Manhattan
(20105736TCM)**

Application no. 20105736 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of Atrio LLC d/b/a Pio Pio Restaurant to establish, maintain and operate an unenclosed sidewalk café located at 604 Tenth Avenue, Borough of Manhattan, Council District no. 3. This application is subject to review and action by the Land Use Committee only if called-up by vote of the Council pursuant to Rule 11.20b of the Council and §20-226(g) of the New York City Administrative Code.

Coupled on GO

Res 0455-2010 **LU 200 - Landmarks, 105-149 West 168th St (20105798HKX)
(N100474HKX)**

Application no. 20105798 HKX (N 100474 HKX), pursuant to §3020 of the Charter of the City of New York, concerning the designation (List No.430, LP-2400) by the Landmarks Preservation Commission of the Noonan Plaza Apartments, located at 105-149 West 168th Street (Block 2518, Lot 1) as a historic landmark, Council District no. 16.

Coupled on GO

Res 0456-2010 **LU 201 - Landmarks, 2804-2808 Third Ave (20105799 HKX)
(N100457HKX)**

Application no. 20105799 HKX (N 100457 HKX), pursuant to §3020 of the Charter of the City of New York, concerning the designation (List No.430, LP-2388) by the Landmarks Preservation Commission of the Haffen Building, located at 2804-2808 Third Avenue (Block 2307, Lot 59) as a historic landmark, Council District no. 17.

Coupled on GO

Res 0457-2010 **LU 202 - Landmarks, Greenwich Village Historic District**

Extension II (20105800 HKM) (N 100476 HKM)

Application no. 20105800 HKM (N 100476 HKM), pursuant to §3020 of the Charter of the City of New York, concerning the designation (List No.430, LP-2366) by the Landmarks Preservation Commission of the Greenwich Village Historic District Extension II, Council District no. 3.

Coupled on GO

Res 0458-2010**LU 206 - ULURP, Zoning Map Changes, Queens (C 100145 ZMQ)**

Application no. C 100145 ZMQ submitted by Hour Children, Inc. pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section Nos. 9a and 9b, changing from an M1-1 District to an R5D District and establishing within an existing and proposed R5D District, a C1-3 District..

Preconsidered - Coupled on GO

Res 0459-2010**LU 207 - ULURP, Zoning Map Changes, Queens (C 100436 ZMQ)**

Application no. C 100436 ZMQ submitted by the Department of City Planning. pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section Nos. 19a , 19b, 19c and 19d.

Preconsidered - Coupled on GO

12. General Orders Calendar

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

Coupled on GO

Coupled on General Order Calendar

Aging

- Int 0270-2010-A** **Establishing a silver alert program to provide public notification for missing senior citizens with certain cognitive impairments.**
A and GO

Finance

- Int 0312-2010** **34th Street BID**
GO
- Res 0451-2010** **LU 203 - Harlem West III, Block 1945, Lots, 5,7,9 Manhattan.**
Preconsidered - GO
- Res 0452-2010** **LU 204 - Harlem West IV, Block 1944, Lots 18 and 45 Manhattan.**
Preconsidered - GO
- Res 0453-2010** **LU 205 - Boston Road Apartments, Block 2940, Lots 58 and 65, Bronx.**
Preconsidered - GO

Governmental Operations

- Int 0091-2010-A** **Requiring that all proposed rules be reviewed by the law department and the mayor's office of operations.**
A and GO with M / N

Land Use

- Res 0454-2010** **LU 198 - Sidewalk Cafe, 604 Tenth Ave, Manhattan (20105736TCM)**
GO

- Res 0455-2010** **LU 200 - Landmarks, 105-149 West 168th St (20105798HKX)
(N100474HKX)
*GO***
- Res 0456-2010** **LU 201 - Landmarks, 2804-2808 Third Ave (20105799 HKX)
(N100457HKX)
*GO***
- Res 0457-2010** **LU 202 - Landmarks, Greenwich Village Historic District
Extension II (20105800 HKM) (N 100476 HKM)
*GO***
- Res 0458-2010** **LU 206 - ULURP, Zoning Map Changes, Queens (C 100145
ZMQ)
*Preconsidered - GO***
- Res 0459-2010** **LU 207 - ULURP, Zoning Map Changes, Queens (C 100436
ZMQ)
*Preconsidered - GO***

General Order Calendar

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

- 13. Introduction & Reading of Bills
 See Attached**
- 14. Discussion of Resolutions**
- 15. Resolutions
 *None***

16. General Discussion

17. Extension of Remarks

INTRODUCTION AND READING OF BILLS

Int 0331-2010 *By Council Member Brewer*

A Local Law to amend the administrative code of the city of New York, in relation to protection of trees during construction.

Housing and Buildings

Int 0332-2010 *By Council Members Brewer, The Speaker (Council Member Quinn), Arroyo, Mark-Viverito, Recchia Jr. and Nelson (in conjunction with the Mayor)*

A Local Law to amend the administrative code of the city of New York, in relation to prohibiting smoking in pedestrian plazas and public parks and to repeal subdivision b of section 17-513 of the administrative code of the city of New York, in relation to requiring a study regarding the prevention of second-hand smoke circulation in restaurants.

Health

Res 0444-2010 *By Council Members Brewer, Gennaro and Arroyo*

Resolution approving the rate set by the Commissioners of the Board of Elections in the City of New York pursuant to Section 7-207(5) of the State Election Law to compensate party representatives for their time spent monitoring the preparation of voting machines and devices pursuant to Sections 7-207(2) and 7-207(3) of the State Election Law.

Preconsidered - Governmental Operations

Res 0445-2010 *By Council Member Crowley*

Resolution calling upon the Governor and the New York State

Legislature to take all appropriate actions to identify and close underutilized state prison facilities.

Fire and Criminal Justice Services

Int 0333-2010

By Council Member Fidler

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

Housing and Buildings

Res 0446-2010

By Council Members Fidler, Jackson and Dromm

Resolution calling upon the New York State Legislature to pass A.11549, legislation which would amend the selection process for the Chancellor of Education in the City of New York by requiring that the Mayor obtain the advice and consent of the New York City Council when appointing a Chancellor.

Governmental Operations

Int 0334-2010

By Council Member Garodnick

A Local Law to amend the administrative code of the city of New York, in relation to requiring pedicabs to be subject to parking rules.

Transportation

Res 0447-2010

By Council Member Garodnick

Resolution urging the New York State Legislature to pass Governor Paterson's Program Bill #252, authorizing the electronic recording of instruments affecting real property.

Technology

Res 0448-2010

By Council Member Garodnick

Resolution calling upon the New York State Legislature to introduce, and the Governor to sign, legislation which would require the dates for payment of the Metropolitan Commuter Transportation Mobility Tax to correspond with tax filing dates for the payment of federal and state income taxes.

Finance

- Res 0449-2010** *By Council Member Greenfield*
- Resolution calling upon USAID to work with the Pakistani-American community to direct relief to Pakistan through non-governmental organizations.
Cultural Affairs, Libraries & International Intergroup Relations
- Int 0335-2010** *By Council Member Lappin*
- A Local Law to amend the administrative code of the city of New York, in relation to requiring the sustainable remediation of superfund or brownfield sites on which there are existing properties and developments.
Environmental Protection
- Int 0336-2010** *By Council Member Mark-Viverito*
- A Local Law to amend the administrative code of the city of New York, in relation to requiring the Department of Homeless Services to report the results of its inspections of potential housing for the homeless.
General Welfare
- Int 0337-2010** *By Council Member Rodriguez*
- A Local Law to amend the administrative code of the city of New York, in relation to permissible parking of vehicles when alternate side of the street rules are in effect for purposes of street cleaning.
Transportation
- Res 0450-2010** *By Council Member Van Bramer*
- Resolution calling upon the New York State Legislature to introduce and adopt, and the Governor to sign, legislation which would authorize the City of New York to establish a Small Performance Venue Business Tax Credit.
Finance
- LU 0203-2010** *By Council Member Recchia Jr.*

Harlem West III, Block 1945, Lots, 5,7,9 Manhattan, Council District No.9

Preconsidered - Finance

LU 0204-2010 *By Council Member Recchia Jr.*

Harlem West IV, Block 1944, Lots 18 and 45 Manhattan, Council District No. 9.

Preconsidered - Finance

LU 0205-2010 *By Council Member Recchia Jr.*

Boston Road Apartments, Block 2940, Lots 58 and 65, Bronx, Council District No. 15.

Preconsidered - Finance

LU 0206-2010 *By Council Member Comrie Jr.*

Application no. C 100145 ZMQ submitted by Hour Children, Inc. pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section Nos. 9a and 9b, changing from an M1-1 District to an R5D District and establishing within an existing and proposed R5D District, a C1-3 District..

Zoning and Franchises

LU 0207-2010 *By Council Member Comrie Jr.*

Application no. C 100436 ZMQ submitted by the Department of City Planning. pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section Nos. 19a , 19b, 19c and 19d.

Zoning and Franchises

LU 0208-2010 *By Council Member Comrie Jr.*

Application no. 20115156 HAK, an Urban Development Action Area Project located at 760 Jefferson Avenue, Council District no. 41, Borough of Brooklyn. This matter is subject to Council review and action pursuant to Article 16 of the

New York General Municipal Law, at the request of the New York City Department of Housing Preservation and Development, and pursuant to Section 696 of the General Municipal Law for a tax exemption.

Planning, Dispositions and Concessions

LU 0209-2010

By Council Member Comrie Jr.

Application no. 20115157 HAM, an Urban Development Action Area Project located at 2053 7th Avenue, Council District no. 9, Borough of Manhattan. This matter is subject to Council review and action pursuant to Article 16 of the New York General Municipal Law, at the request of the New York City Department of Housing Preservation and Development, and pursuant to Section 577 of the Private Housing Finance Law for a tax exemption.

Planning, Dispositions and Concessions

LU 0210-2010

By Council Member Comrie Jr.

Application no. 20115158 HAM, an Urban Development Action Area Project located at 108 West 114th Street, Council District no. 9, Borough of Manhattan. This matter is subject to Council review and action pursuant to Article 16 of the New York General Municipal Law, at the request of the New York City Department of Housing Preservation and Development, and pursuant to Section 577 of the Private Housing Finance Law for a tax exemption.

Planning, Dispositions and Concessions

LU 0211-2010

By Council Member Comrie Jr.

Application no. 20115159 HAR, an amended Urban Development Action Area Project located at 238 Van Buren Street, Council District no. 49, Borough of Staten Island. This matter is subject to Council review and action pursuant to Article 16 of the New York General Municipal Law, at the request of the New York City Department of Housing Preservation and Development, and pursuant to Section 696 of

the General Municipal Law for a tax exemption.

Planning, Dispositions and Concessions

LU 0212-2010

By Council Member Comrie Jr.

Application no. 20115160 HAR, an amended Urban Development Action Area Project located at 146 North Burgher Avenue, 36 Hill Street, 38A Thelma Court, 56 Bond Street, 53 Larkin Street and 96 Maple Avenue, Council District no. 49, Borough of Staten Island. This matter is subject to Council review and action pursuant to Article 16 of the New York General Municipal Law, at the request of the New York City Department of Housing Preservation and Development, and pursuant to Section 696 of the General Municipal Law for a tax exemption.

Planning, Dispositions and Concessions

LU 0213-2010

By Council Member Comrie Jr.

Application no. C 070550 ZMX submitted by High Hawk, LLC. pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 3d, changing from an C8-3 District to an R7-1 District and establishing within an existing and proposed R7-1 District, a C2-4 District..

Zoning and Franchises

LU 0214-2010

By Council Member Comrie Jr.

Application no. C 100258 PQQ, submitted by the Department of Sanitation and the Department of Citywide Administrative Services, pursuant to §197-c of the New York City Charter, for the acquisition of property located at 525 Johnson Avenue (Block 2987, Lot 16), for continued use as a garage, Community District 1, Borough of Brooklyn. 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.

Landmarks, Public Siting and Maritime Uses**LU 0215-2010** *By Council Member Comrie Jr.*

Application no. C 100264 PQQ, submitted by the Department of Sanitation and the Department of Citywide Administrative Services, pursuant to §197-c of the New York City Charter, for the acquisition of property located at 145 Randolph Street (Block 2976, Lot 45), for continued use as a parking lot, Community District 1, Borough of Brooklyn. 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.

Landmarks, Public Siting and Maritime Uses**LU 0216-2010** *By Council Member Comrie Jr.*

Application no. 20115161 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of Jasper Hospitality LLC d.b.a East End Bar & Grill to establish, maintain and operate an unenclosed sidewalk café located at 1664 Broadway, Borough of Manhattan, Council District no. 5. This application is subject to review and action by the Land Use Committee only if called-up by vote of the Council pursuant to Rule 11.20b of the Council and §20-226(g) of the New York City Administrative Code.

Zoning and Franchises