

The New York City Council

Council Agenda

Stated Meeting

November 30, 2010

1:30 PM

**Emigrant Savings Bank - 49-51 Chambers
Street**

1. Roll Call

2. Invocation

*Delivered by: Reverend Henry T. Simmons, United Church of
Christ, 172-17 Linden Boulevard, St. Albans, Queens, NY
11434.*

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

3. Adoption of Minutes

*Motion that the Minutes of the Stated Meeting of October 13,
2010 be adopted as printed by Council Member Lander.*

4. Messages & Papers from the Mayor

M 0313-2010

Michael Devonshire, Landmarks Preservation Commission

Communication from the Mayor - Submitting the name of Michael Devonshire to the Council for its advice and consent regarding his appointment to the Landmarks Preservation Commission, Pursuant to Sections 31 and 3020 of the City Charter.

Preconsidered - Rules, Privileges and Elections

5. Communications from City, County & Borough Offices

M 0314-2010 Certification of Election of Ruben Wills as the new Council Member of the 28th Councilmanic District, Queens County.

Communication from the Board of Elections - Submitting the Certification of Election of Ruben Wills as the new Council Member of the 28th Councilmanic District, Queens County.

Received, Ordered, Printed & Filed

M 0315-2010 Certificate of the swearing in of Ruben Wills, as the new Council Member of the 28th Council District, Queens County.

Communication from the Office of the City Clerk – Submitting the Certificate of the swearing in of Ruben Wills, as the new Council Member of the 28th Council District, Queens County.

THE CITY CLERK AND CLERK OF THE COUNCIL PERFORMS THE FORMAL CEREMONY OF THE ELECTED COUNCIL MEMBER RUBEN WILLS TAKING HIS OATH OF OFFICE.

Received, Ordered, Printed & Filed

M 0316-2010 Base Station License, Atlicxco Flee Car Service LLC.

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a new base station license Atlicxco Flee Car Service LLC., Council District 44, pursuant to Section 19-511(i), of the

administrative code of the city of New York.

Transportation

M 0317-2010 Base Station License, VS Express Limousine & Car Service Inc.

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a new base station license VS Express Limousine & Car Service Inc., Council District 39, pursuant to Section 19-511(i), of the administrative code of the city of New York.

Transportation

M 0318-2010 Base Station License, American Base No. 1 Inc.

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal base station license American Base No. 1 Inc., Council District 17, pursuant to Section 19-511(i), of the administrative code of the city of New York.

Transportation

M 0319-2010 Base Station License, Andrea Car Service Inc.

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal base station license Andrea Car Service Inc, Council District 26, pursuant to Section 19-511(i), of the administrative code of the city of New York.

Transportation

M 0320-2010 Base Station License, Eagle Car & Limo Ltd.

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal base station license Eagle Car & Limo Ltd., Council District 50, pursuant to Section 19-511(i), of the administrative code of the city of New York.

Transportation

M 0321-2010**Base Station License, Fenix Car Service Corp.**

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal base station license Fenix Car Service Corp., Council District 34, pursuant to Section 19-511(i), of the administrative code of the city of New York.

Transportation**M 0322-2010****Base Station License, Masada II Car & Limousine Service Inc.**

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal base station license Masada II Car & Limousine Service Inc., Council District 24, pursuant to Section 19-511(i), of the administrative code of the city of New York.

Transportation**M 0323-2010****Base Station License, Myrtle Avenue Car & Limousine Services Corp.**

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal base station license Myrtle Avenue Car & Limousine Services Corp., Council District 35, pursuant to Section 19-511(i), of the administrative code of the city of New York.

Transportation**M 0324-2010****Base Station License, New Pronto Transportation Inc.**

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal base station license New Pronto Transportation Inc., Council District 26, pursuant to Section 19-511(i), of the administrative code of the city of New York.

Transportation**M 0325-2010****Base Station License, Olympic Operating Car Service Inc.**

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal base

station license Olympic Operating Car Service Inc., Council District 22, pursuant to Section 19-511(i), of the administrative code of the city of New York.

Transportation

M 0326-2010 Base Station License, ZPI Corporation

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal base station license ZPI Corporation, Council District 21, pursuant to Section 19-511(i), of the administrative code of the city of New York.

Transportation

M 0327-2010 Base Station License, Duke Car & Limousine Service

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal and ownership change base station license Duke Car & Limousine Service, Council District 24, pursuant to Section 19-511(i), of the administrative code of the city of New York.

Transportation

M 0328-2010 Base Station License, Paisa 2 Car & Limousine Service Inc.

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal and ownership change base station license Paisa 2 Car & Limousine Service Inc., Council District 26, pursuant to Section 19-511(i), of the administrative code of the city of New York.

Transportation

M 0329-2010 Base Station License, Bensonhurst Transportation L.L.C.

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal and relocation base station license Bensonhurst Transportation L.L.C., Council District 43, pursuant to Section 19-511(i), of the administrative code of the city of New York.

*Transportation***6. Petitions and Communications***None***7. Land Use Call-Ups****M 0330-2010 Sidewalk Cafe, 89 Greenwich Ave (20115210 TCM)**

By The Speaker (Council Member Quinn):
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 89 Greenwich Street, Community Board 2, Application 20115210 TCM shall be subject to review by the Council.

*Coupled on Call-Up Vote***M 0331-2010 Sidewalk Café, 39 Greenwich Ave. (20115218 TCM)**

By The Speaker (Council Member Quinn):
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 39 Greenwich Avenue, Community Board 2, Application 20115218 TCM shall be subject to review by the Council.

*Coupled on Call-Up Vote***M 0332-2010 Sidewalk Café, 753 Washington St, Manhattan (20115001TCM)**

By The Speaker (Council Member Quinn):
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 253 Washington Street, Community Board 2, Application 20115001 TCM 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 Land Use

Res 0590-2010 **LU 175 - ULURP, 535-537 E. 11th St., Manhattan
(C100452HAM)**

Uniform land use review procedure application no. C 100452 HAM, an Urban Development Action Area Designation and Project, located at 535-537 East 11th Street, and the disposition of such property, Borough of Manhattan, Council District no. 2. 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.

Coupled on GO

Res 0591-2010 **LU 176 - ULURP, 706-712 E. 9th St., Manhattan
(C100453HAM)**

Uniform land use review procedure application no. C 100453 HAM, an Urban Development Action Area Designation and Project, located at 706-712 East 9th Street, and the disposition

of such property, Borough of Manhattan, Council District no.
2. 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.
Coupled on GO

Report of the Committee on Rules, Privileges, and Elections

Res 0592-2010 **M 313 - Michael Devonshire, Landmarks Preservation Commission**

RESOLUTION APPROVING THE APPOINTMENT BY THE MAYOR OF MICHAEL DEVONSHIRE AS A MEMBER OF THE NEW YORK CITY LANDMARKS PRESERVATION COMMISSION.

Preconsidered - Coupled on GO

Report of the Committee on Small Business

Int 0256-2010-A **Annual report required by certain entities which enter into contracts with the department of small business services.**

A Local Law to amend the New York city charter, in relation to the annual report required by certain entities which enter into contracts with the department of small business services.

Amended and Coupled on GO

Report of the Committee on Transportation

Int 0376-2010-A **Creating standards for the approval and installation of certain traffic calming devices.**

A Local Law to amend the administrative code of the city of New York, in relation to creating standards for the approval and installation of certain traffic calming devices.

Amended and Coupled on GO

12. General Orders Calendar

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

Coupled on General Order Calendar

Land Use

Res 0590-2010 **LU 175 - ULURP, 535-537 E. 11th St., Manhattan**
(C100452HAM)
GO

Res 0591-2010 **LU 176 - ULURP, 706-712 E. 9th St., Manhattan**
(C100453HAM)
GO

Rules, Privileges, and Elections

Res 0592-2010 **M 313 - Michael Devonshire, Landmarks Preservation**
Commission
Preconsidered - GO

Small Business

Int 0256-2010-A **Annual report required by certain entities which enter into**
contracts with the department of small business services.
A and GO

Transportation

Int 0376-2010-A **Creating standards for the approval and installation of certain**

traffic calming devices.

A and 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 0428-2010 *By Council Members Arroyo, Barron, Brewer, Cabrera, Comrie Jr., Crowley, Dickens, Dilan, Ferreras, Gennaro, Gentile, Gonzalez, Halloran III, Ignizio, Mark-Viverito, Nelson, Oddo, Palma, Recchia Jr., Reyna, Rivera, Rodriguez, Rose, Seabrook, Vacca, Vallone Jr., Van Bramer and Vann*

A Local Law in relation to the naming of 67 thoroughfares and public places, Police Officer Deon L. Taylor Way, Borough of the Bronx, Sergeant Jose Velez Avenue, Borough of the Bronx, Police Officer Kenneth Mahon Place, Borough of the

Bronx, Dra. Evelina Antonetty Way, Borough of the Bronx, Kevin Oslen Hill Way, Borough of Brooklyn, Kenneth S. Jackson, Jr. Blvd., Borough of Brooklyn, Bishop Clarence V. Keaton Blvd., Borough of Brooklyn, PS 84 Sidney Morison Way, Borough of Manhattan, Phyllis Yvonne Reed Plaza, Borough of the Bronx, Officer John Scarangella Way, Borough of Queens, Officer Disdale Enton Way, Borough of Queens, Church of the Holy Child Jesus Plaza, Borough of Queens, Madam C.J. & A'Lelia Walker Place, Borough of Manhattan, Jack Johnson Place, Borough of Manhattan, Judge Bruce Wright Place, Borough of Manhattan, The Reverend Doctor Joe Louis Parker Way, Borough of Brooklyn, Anna Chineda Carter Square, Borough of Brooklyn, Staff Sergeant Luis Manuel Gonzalez Street, Borough of Queens, Nancy DeBenedittis MAMA's WAY, Borough of Queens, Rabbi Sholem B. Kowalsky Way, Borough of Queens, Dr. Giacomo J. Buscaino Place, Borough of Brooklyn, Joe 'The Great' Rollino Corner, Borough of Brooklyn, Auxiliary Captain Linying Gong Way, Borough of Brooklyn, Angela Piccini Canadé Way, Borough of Brooklyn, Seven In Heaven Way, Borough of Brooklyn, FF Ronnie L Henderson Way, Borough of Brooklyn, Red Hook Heroes Run, Borough of Brooklyn, Basil "Bob" Stonbely Way, Borough of Brooklyn, Andrew DiOrio Boulevard, Borough of Brooklyn, Anthony J. Leone Way, Borough of Brooklyn, Abe Kanter Way, Borough of Brooklyn, Jennifer Y. Wong Way, Borough of Queens, Gina Alexa Morales Way, Borough of Staten Island, Rafael Vega Way, Borough of Staten Island, Union Settlement Way, Borough of Manhattan, Detective Omar Edwards Way, Borough of Manhattan, Saul Bruckner Way, Borough of Brooklyn, Dr. Gianpaolo Maestrone Corner, Borough of Staten Island, Father Gannon Court, Borough of Staten Island, John "Jack" P. Meade Way, Borough of Staten Island, Dominick S. Florio Way, Borough of Staten Island, Detective Michael Morales Way, Borough of Staten Island, Johnny Maestro Way, Borough of Staten Island, John M. D'Amato

Way, Borough of Staten Island, Kenneth Pontillo Way, Borough of the Bronx, Rebitzen Rita Horowitz Way, Borough of Brooklyn, Firefighter Paul Warhola Way, Borough of Brooklyn, Police Officer Jill Garcia Place, Borough of the Bronx, Bishop Francisco Garmendia Place, Borough of the Bronx, Carl Paul Jennewein Place, Borough of the Bronx, Merlin German Way, Borough of Manhattan, Michael “Tiger” Heaney Street, Borough of Staten Island, Bishop C. Asapansa-Johnson Way, Borough of Staten Island, Artie Evans Way, Borough of Staten Island, Dorothy Pamela Gomes Way, Borough of the Bronx, Alfred J. Ranieri Way, Borough of the Bronx, Rocco Miano Way, Borough of the Bronx, Louis Salvati Way, Borough of the Bronx, Julie Wager Way, Borough of Queens, Frank Justich Way, Borough of Queens, William Modell Way, Borough of Queens, Chuck Costello 9/11 Memorial Way, Borough of Queens, Martin M. Trainor Way, Borough of Queens, Alejandro Nino Place, Borough of Queens, Carlo A. Lanzillotti Place, Borough of Queens, Claire Kraft Way, Borough of Queens, Bertram L. Baker Way, Borough of Brooklyn and the repeal of section 57 of local law number 92 for the year 2009, the repeal of sections 1 and 4 of local law number 46 for the year 2009 and the repeal of section 30 of local law number 64 for the year 2008.

Preconsidered - Parks and Recreation

Int 0429-2010

By Council Member Dilan

A Local Law to amend the administrative code of the city of New York, in relation to the maintenance of vacant buildings.

Housing and Buildings

Int 0430-2010

By Council Member Fidler

A Local Law to amend the administrative code of the city of New York, in relation to allowing on-site disposal of storm water runoff to improve the quality of New York city waters and enhance the potential for recreational use of the city's waterfronts.

Environmental Protection**Res 0580-2010** *By Council Member Fidler*

Resolution calling upon the New York State Legislature to enact A. 11465/S.8174, an act to amend the real property actions and proceedings law, in relation to standing to commence an action to foreclose a mortgage.

Housing and Buildings**Int 0431-2010** *By Council Member Garodnick*

A Local Law to amend the New York city charter, in relation to requiring the department of information technology and telecommunication to publish annually a public data directory.

Technology**Res 0581-2010** *By Council Member Halloran III*

Resolution calling on New York State to reduce the notification period required before the New York State Office of Child and Family Services is permitted to close a correctional facility.

Juvenile Justice**Int 0432-2010** *By Council Member James*

A Local Law to amend the administrative code of the city of New York, in relation to providing paid family leave to private employees.

Civil Service and Labor**Res 0582-2010** *By Council Member James*

Resolution calling upon the Metropolitan Transportation Authority to unlock doors between cars on New York City subway trains.

Transportation**Int 0433-2010** *By Council Member Koppell*

A Local Law to amend the administrative code of the city of New York, in relation to requiring that any new taxicab design, approved by the taxi and limousine commission, be accessible to wheelchair users.

Transportation

Int 0434-2010

By Council Members Levin, Mark-Viverito, James, Barron and Rodriguez

A Local Law to amend the administrative code of the city of New York, in relation to reducing the maximum fine amount for violations of vending regulations.

Consumer Affairs

Int 0435-2010

By Council Members Levin, Mark-Viverito, James, Barron and Rodriguez

A Local Law to amend the administrative code of the city of New York, in relation to defining unrelated violations of vending rules and regulations as separate offenses.

Consumer Affairs

Int 0436-2010

By Council Members Mendez and James

A Local Law to amend the administrative code of the city of New York, in relation to the alternative enforcement program.

Housing and Buildings

Int 0437-2010

By Council Member Recchia Jr. (by request of the Mayor)

A Local Law to amend the administrative code of the city of New York, in relation to authorizing an increase in the amount to be expended in seven business improvement districts.

Finance

Res 0583-2010

By Council Member Recchia Jr.

Resolution concerning the increase in the annual expenditure for the Times Square, the Fifth Avenue Association, the Fashion Center, the HUB Third Avenue, the 125th Street, the Brighton Beach, and the Myrtle Avenue Brooklyn Business

Improvement Districts, and the setting of the date, time and place for the hearing of the local law increasing the annual expenditure for such districts.

Finance

Res 0584-2010 *By Council Member Vallone Jr.*

Resolution calling upon the New York State Legislature to pass and the Governor to sign A.4374, which would prohibit cellular towers or related equipment within five hundred feet of a school building in New York City.

Health

Res 0585-2010 *By Council Member Vallone Jr.*

Resolution calling upon the New York State Legislature to pass and the Governor to sign A.4255, authorizing the New York State Departments of Health and Environmental Conservation to commission a study on the effects of exposure to long-term, low radiation emissions from cellular phone antennas on human beings, specifically adolescents.

Health

Res 0586-2010 *By Council Member Vallone Jr.*

Resolution calling on the Port Authority of New York and New Jersey to reenter into negotiations with St. Nicholas Greek Orthodox Church in an effort to have the church rebuilt after being destroyed in the September 11, 2001 terrorist attacks.

Lower Manhattan Redevelopment

Res 0587-2010 *By Council Member Vallone Jr.*

Resolution calling on the New York State Legislature to pass legislation that would make stalking by technological means illegal and increase the penalties for such acts.

Public Safety

Res 0588-2010 *By Council Member Vallone Jr.*

Resolution calling on the New York State Legislature to pass legislation that would create a presumption that, when testifying at trial, an undercover police officer is endangered by his or her identity being made public, and would require the court to take all necessary measures to protect the officer's identity.

Public Safety

Int 0438-2010

By Council Member Vann

A Local Law to amend the New York city charter and the administrative code of the city of New York, in relation to preparation of community impact reports for city-subsidized economic development projects.

Economic Development

Res 0589-2010

By Council Members Vann and Foster

Resolution calling upon the United States Department of Health and Human Services to fully fund the Ryan White HIV/AIDS Program to allow provider and care networks to continue to combat the HIV/AIDS epidemic in New York City and across the nation.

Health

LU 0267-2010

By Council Member Comrie Jr.

Application no. N 110065 HAK, an Urban Development Action Area Designation and Project, located at 134 Wythe Avenue, Borough of Brooklyn, Council District no. 33. This matter is subject to Council Review and action pursuant to §197-d of the New York City Charter and Article 16 of the General Municipal Law.

Planning, Dispositions and Concessions

LU 0268-2010

By Council Member Comrie Jr.

Application no. 20115303 HAX a request for approvals of a project summary, a real property tax exemption and a regulatory agreement for property located on Block 2282/Lots

45 and 75; Block 2283/Lot 40, Borough of the Bronx, Council District no. 8. This matter is subject to Council Review and action pursuant to the Private Housing Finance Law.

Planning, Dispositions and Concessions

LU 0269-2010

By Council Member Comrie Jr.

Application no. 20115304 HAX a request for approvals of a project summary; a conveyance; real property tax exemptions; the voluntary dissolution of a redevelopment company; and a regulatory agreement for property located on Block 2711/Lots 17 and 19; Block 2712/Lots 1, 9, 11, 23 and 40; Block 2714/Lots 1, 61, and 64; Block 2723/Lot 12; Borough of the Bronx, Council District no. 17. This matter is subject to Council Review and action pursuant to the Private Housing Finance Law.

Planning, Dispositions and Concessions

LU 0270-2010

By Council Member Comrie Jr.

Application no. 20115269 HKM (N 110092 HKM), pursuant to §3020 of the Charter of the City of New York, concerning the designation (List No.433, LP-2353) by the Landmarks Preservation Commission of the 97 Bowery Building, located at 97 Bowery (Block 304, Lot 2) as a historic landmark, Council District no. 1.

Landmarks, Public Siting and Maritime Uses

LU 0271-2010

By Council Member Comrie Jr.

Application no. 20115270 HKM (N 110094 HKM), pursuant to §3020 of the Charter of the City of New York, concerning the designation (List No.433, LP-2398) by the Landmarks Preservation Commission of the Eleventh Street Methodist Episcopal Chapel, located at 545-547 East 11th Street (Block 405, Lot 39) as a historic landmark, Council District no. 2.

Landmarks, Public Siting and Maritime Uses

LU 0272-2010

By Council Member Comrie Jr.

Application no. 20115271 HKM (N 110093 HKM), pursuant to §3020 of the Charter of the City of New York, concerning the designation (List No.433, LP-2368) by the Landmarks Preservation Commission of the Loew's Canal Street Theatre Building, located at 31 Canal Street (Block 297, part of Lot 1) as a historic landmark, Council District no. 1.

Landmarks, Public Siting and Maritime Uses

LU 0273-2010

By Council Member Comrie Jr.

Application no. 20115218 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of Wogie's Inc. d.b.a Wogie's Bar & Grill to continue to maintain and operate an unenclosed sidewalk café located at 39 Greenwich 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.

Zoning and Franchises

LU 0274-2010

By Council Member Comrie Jr.

Application no. 20115210 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of Mestizo Inc. d.b.a Good Restaurant to continue to maintain and operate an unenclosed sidewalk café located at 89 Greenwich 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.

Zoning and Franchises

LU 0275-2010

By Council Member Comrie Jr.

Application no. 20115001 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the

petition of 753 Washington Trattoria Inc. d.b.a Baby Buddha to establish, maintain and operate an unenclosed sidewalk café located at 753 Washington Street, 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.
Zoning and Franchises