

**The New York City Council**  
**Recessed Meeting of June 7, 2004**

**Council Agenda**

**Stated Meeting**

**June 21, 2004**

**4:00 PM**

**Council Chambers - City Hall**

- 1. The Public Advocate will call the meeting to order.**
- 2. Roll Call**
- 3. The Clerk will announce the presence of a quorum.**
- 4. Supplemental Messages & Papers from the Mayor**

**M 0125-2004**      **Authorize the city of New York to discontinue certain land as park land" (A.11375/S.7432)**

Communication from the Mayor - "AN ACT to authorize the city of New York to discontinue certain land as park land"  
A.11375 / S.7432

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*Preconsidered - State and Federal Legislation***M 0126-2004      Rate of regular interest used in the actuarial valuation of liabilities for the purpose of calculating contributions to the NYC employees' retirement system (A.11225/S.7467)**

Communication from the Mayor - "AN ACT to amend the administrative code of the city of New York, in relation to the rate of regular interest used in the actuarial valuation of liabilities for the purpose of calculating contributions to the New York city employees' retirement system, the New York city teachers' retirement system, the police pension fund, subchapter two, the fire department pension fund, subchapter two and the board of education retirement system of such city by public employers and other obligors required to make employer contributions to such retirement systems, and the crediting of special interest and additional interest to members of such retirement systems, and the allowance of supplementary interest on the funds of such retirement systems." A.11225 / S.7467

*Preconsidered - State and Federal Legislation***M 0127-2004      Providing excess benefit plans for certain retirees and other beneficiaries of the NYC employees' retirement system (A.11419/S.7466)**

Communication from the Mayor - "AN ACT to amend the administrative code of the city of New York, in relation to providing excess benefit plans for certain retirees and other beneficiaries of the New York city employees' retirement system, the New York city teachers' retirement system, the police pension fund, subchapter two, and the fire department pension fund, subchapter two of such city; and to amend the education law, in relation to providing an excess benefit plan for certain retirees and other beneficiaries of the board of education retirement system of such city." A.11419 / S.7466

*Preconsidered - State and Federal Legislation***M 0128-2004      Discontinue the use as parkland of a portion of real property in**

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**the borough of Manhattan. (S.7578/A.11682)**

Communication from the Mayor - "AN ACT to authorize the city of New York to discontinue the use as parkland of a portion of real property in the borough of Manhattan and to use such property and adjacent property under the jurisdiction of the New York City department of transportation for the construction of a new subway tunnel approach and a reconstructed South Ferry subway station on the Seventh Avenue subway line." (S.7578/A.11682)

*Preconsidered - State and Federal Legislation*

**M 0129-2004**

**Civil liability of vehicle owners for traffic-control signal violations. (S.7599/A.11663)**

Communication from the Mayor - "AN ACT to amend the vehicle and traffic law and the administrative code of the city of New York, in relation to the civil liability of vehicle owners for traffic-control signal violations; to amend chapter 746 of the laws of 1988 amending the vehicle and traffic law, the general municipal law and the public officers law, relating to the civil liability of vehicle owners for traffic control signal violations, and to amend local law number 46 of the city of New York for the year 1989 amending the administrative code of the city of New York, relating to civil liability of vehicle owners for traffic control signal violations, in relation to the duration of the application of the provisions of such code, such chapter and such local law." (S.7599/A.11663)

*Preconsidered - State and Federal Legislation*

**M 0130-2004**

**Number of intersections at which traffic control signal photo-monitoring devices may be installed.**

Communication from the Mayor - "AN ACT to amend the vehicle and traffic law and the administrative code of the city of New York, in relation to the number of intersections at which traffic control signal photo-monitoring devices may be installed and reporting on the use of traffic control signal photo-monitoring system and amend chapter 746 of the laws

of 1988 amending the vehicle and traffic law, the general municipal law and the public officers law, relating to the civil liability of vehicle owners for traffic control signal violations in relation to the effectiveness thereof; and to amend local law number 46 of the city of New York for the year 1989 amending the administrative code of the city of New York, relating to civil liability of vehicle owners for traffic control signal violations, in relation to the duration of the application of the provisions of such code, such chapter and such law." (S. 2472-A)

*Preconsidered - State and Federal Legislation*

## **5. Supplemental Communications from City, County & Borough Offices**

**M 0131-2004**      **NYC Banking Commission - Prepayment of real estate taxes be continued at two percent (2%) per annum for FY'05.**

Communication from the New York City Banking Commission - Transmitting recommendation that the discount rate to be allowed for prepayment of real estate taxes be continued at two percent (2%) per annum for Fiscal Year 2005, pursuant to Section 1519 of the City Charter.

*Finance*

**M 0132-2004**      **NYC Banking Commission - Interest rate for non-payment of real estate taxes where annual tax is more than \$2,750 (Health)**

Communication from the New York City Banking Commission - Transmitting recommendation that the interest rate for non-payment of real estate taxes where annual tax is more than \$2,750, or vacant or unimproved land; and non-payment of charges for work performed pursuant to orders of the Board of Health or Department of Health be 18 percent (18%) for Fiscal Year 2005.

*Finance*

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**M 0133-2004**      **NYC Banking Commission - Interest rate to be charged for FY'05 for non-payment of taxes on real property where the annual tax is not more than \$2,750.**

Communication from the New York City Banking Commission - Transmitting resolution recommending that the interest rate to be charged for Fiscal Year 2005 for non-payment of taxes on real property where the annual tax is not more than \$2,750 or where the real property taxes are held in escrow and paid by a mortgage escrow agent be eighteen percent (18%), and nine percent (9%) in all other such parcels.

*Finance*

**M 0134-2004**      **NYC Banking Commission - Transmitting recommendation that the interest rate to be charged for FY'05 for non-payment of water rents and sewer rents be eighteen percent (18%) where the annual tax on parcel is more than \$2,750.**

Communication from the New York City Banking Commission - Transmitting recommendation that the interest rate to be charged for Fiscal Year 2005 for non-payment of water rents and sewer rents be eighteen percent (18%) where the annual tax on parcel is more than \$2,750 or where taxes are held in escrow or where parcel consists of vacant or unimproved land, and nine percent (9%) in all other cases.

*Finance*

**M 0135-2004**      **Base Station License, Mazin Car and Limo Svc**

Communication from the Taxi & Limousine Commission - Submitting its approval of an application for a new base station license Mazin Car and Limo Svc, pursuant to Section 19-511(i), of the administrative code of the city of New York.

*Transportation*

**M 0136-2004**      **Base Station License, Shafa Car Svc**

Communication from the Taxi & Limousine Commission - Submitting its approval of an application for a new base station license Shafa Car Svc, pursuant to Section 19-511(i),

of the administrative code of the city of New York.

***Transportation***

**M 0137-2004**

**Base Station License, Kabaro Car & Limo Svc**

Communication from the Taxi & Limousine Commission - Submitting its approval of an application for a new base station license Kabaro Car & Limo Svc, pursuant to Section 19-511(i), of the administrative code of the city of New York.

***Transportation***

**M 0138-2004**

**Base Station License, Mazad Car & Limo Svc**

Communication from the Taxi & Limousine Commission - Submitting its approval of an application for a new base station license Mazad Car & Limo Svc, pursuant to Section 19-511(i), of the administrative code of the city of New York.

***Transportation***

**M 0139-2004**

**Base Station License, Selena Car & Limo Svc**

Communication from the Taxi & Limousine Commission - Submitting its approval of an application for a new base station license Selena Car & Limo Svc, pursuant to Section 19-511(i), of the administrative code of the city of New York.

***Transportation***

**M 0140-2004**

**Base Station License, Caton Car & Limo Svc**

Communication from the Taxi & Limousine Commission - Submitting its approval of an application for a new base station license Caton Car & Limo Svc, pursuant to Section 19-511(i), of the administrative code of the city of New York.

***Transportation***

**M 0141-2004**

**Base Station License, Somerville Car and Limo Svc**

Communication from the Taxi & Limousine Commission - Submitting its approval of an application for a new base station license Somerville Car and Limo Svc, pursuant to Section 19-511(i), of the administrative code of the city of

New York.

***Transportation***

**M 0142-2004 Base Station License, Agga Car and Limo Svc**

Communication from the Taxi & Limousine Commission - Submitting its approval of an application for a new base station license Agga Car and Limo Svc, pursuant to Section 19-511(i), of the administrative code of the city of New York.

***Transportation***

**M 0143-2004 Base Station License, A & M Car and Limo Svc**

Communication from the Taxi & Limousine Commission - Submitting its approval of an application for a new base station license A & M Car and Limo Svc, pursuant to Section 19-511(i), of the administrative code of the city of New York.

***Transportation***

**M 0144-2004 Base Station License, Union Radio Dispatch, Inc.**

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

***Transportation***

**M 0145-2004 Base Station License, New Family Radio Dispatch, Inc.**

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

***Transportation***

**M 0146-2004 Base Station License, RPDW, Inc.**

Communication from the Taxi & Limousine Commission - Submitting its approval of an application for a renewal base station license RPDW, Inc., pursuant to Section 19-511(i), of

the administrative code of the city of New York.

***Transportation***

**M 0147-2004 Base Station License, Servicios De Choferes, Inc.**

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

***Transportation***

**M 0148-2004 Base Station License, C-Anne Corp.**

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

***Transportation***

**M 0149-2004 Base Station License, P F Management, Inc.**

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

***Transportation***

**M 0150-2004 Base Station License, New Harlem Car Service, Inc.**

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

***Transportation***

**M 0151-2004 Base Station License, Bliss 48, Inc.**

Communication from the Taxi & Limousine Commission - Submitting its approval of an application for a renewal base station license Bliss 48, Inc., pursuant to Section 19-511(i), of



the administrative code of the city of New York.

***Transportation***

**M 0152-2004 Base Station License, Queens Dispatch Svc**

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

***Transportation***

**M 0153-2004 Base Station License, Transit PVT C/S, Inc.**

Communication from the Taxi & Limousine Commission - Submitting its approval of an application for a renewal base station license Transit PVT C/S, Inc., pursuant to Section 19-511(i), of the administrative code of the city of New York.

***Transportation***

**M 0154-2004 Base Station License, Goodfellows Car Service, Inc.**

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

***Transportation***

**M 0155-2004 Base Station License, Zion Car Service, Inc.**

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

***Transportation***

**M 0156-2004 Base Station License, St. George Express Car Service, Inc.**

Communication from the Taxi & Limousine Commission - Submitting its approval of an application for a renewal base station license St. George Express Car Service, Inc., pursuant

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to Section 19-511(i), of the administrative code of the city of New York.

***Transportation***

**M 0157-2004 Base Station License, Pamelene Transportation Corp**

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

***Transportation***

**M 0158-2004 Base Station License, B.O.B. Express, Inc.**

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

***Transportation***

**M 0159-2004 Base Station License, U.C. Columbus Radio Dispatch**

Communication from the Taxi & Limousine Commission - Submitting its approval of an application for a renewal base station license U.C. Columbus Radio Dispatch pursuant to Section 19-511(i), of the administrative code of the city of New York.

***Transportation***

**M 0160-2004 Base Station License, Always On Time Car Service, Corp.**

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

***Transportation***

**M 0161-2004 Base Station License, Art's Place, Inc.**

Communication from the Taxi & Limousine Commission - Submitting its approval of an application for a renewal base station license Art's Place, Inc., pursuant to Section 19-511(i), of the administrative code of the city of New York.

***Transportation***

**M 0162-2004 Base Station License, Best Deal Private Car Service, Inc.**

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

***Transportation***

**M 0163-2004 Base Station License, Shak's Private Car Service, Inc.**

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

***Transportation***

**M 0164-2004 Base Station License, New Mexicana Car Service, Inc.**

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

***Transportation***

**M 0165-2004 Base Station License, Evergreen Trans, Inc.**

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

***Transportation***

- M 0166-2004**      **Base Station License, A. Town Express, Inc.**  
Communication from the Taxi & Limousine Commission -  
Submitting its approval of an application for a renewal base  
station license A. Town Express, Inc., pursuant to Section  
19-511(i), of the administrative code of the city of New York.  
*Transportation*
- M 0167-2004**      **Base Station License, Eilat Transportation, Corp.,**  
Communication from the Taxi & Limousine Commission -  
Submitting its approval of an application for a renewal base  
station license Eilat Transportation, Corp., pursuant to Section  
19-511(i), of the administrative code of the city of New York.  
*Transportation*
- M 0168-2004**      **Base Station License, Mexicana Car Service, Inc.**  
Communication from the Taxi & Limousine Commission -  
Submitting its approval of an application for a renewal base  
station license Mexicana Car Service, Inc., pursuant to Section  
19-511(i), of the administrative code of the city of New York.  
*Transportation*
- M 0169-2004**      **Base Station License, Lincoln Limo Brok'age, Inc.**  
Communication from the Taxi & Limousine Commission -  
Submitting its approval of an application for a renewal base  
station license Lincoln Limo Brok'age, Inc., pursuant to  
Section 19-511(i), of the administrative code of the city of  
New York.  
*Transportation*
- M 0170-2004**      **Base Station License, Gateway Car and Limo Service,**  
Communication from the Taxi & Limousine Commission -  
Submitting its approval of an application for a renewal base  
station license Gateway Car and Limo Service, pursuant to  
Section 19-511(i), of the administrative code of the city of  
New York.

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***Transportation*****M 0171-2004      Base Station License, North Shore Car & Limo, Corp.**

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

***Transportation*****M 0172-2004      Base Station License, Queens Community Car Service, Corp.**

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

***Transportation*****M 0173-2004      Base Station License, Top Limo Service, Inc.**

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

***Transportation*****M 0174-2004      Base Station License, All People Car Service**

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

***Transportation*****M 0175-2004      Base Station License, Shaheeda Corp.**

Communication from the Taxi & Limousine Commission - Submitting its approval of an application for a renewal base station license Shaheeda Corp., pursuant to Section 19-511(i),

of the administrative code of the city of New York.

***Transportation***

**M 0176-2004 Base Station License, Ahsan, Inc.**

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

***Transportation***

**M 0177-2004 Base Station License, Lefferts Car & Limo, Inc.**

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

***Transportation***

**M 0178-2004 Base Station License, Fat Livery, Inc.**

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

***Transportation***

**M 0179-2004 Base Station License, Globe Car Service, Inc.**

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

***Transportation***

**M 0180-2004 Base Station License, Ultra Radio Dispatch, Inc.**

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

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***Transportation*****M 0181-2004      Base Station License, AR Car & Limo, Corp.**

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

***Transportation***

**6.      Supplemental Petitions and Communications**

*None*

**7.      Supplemental Land Use Call-Ups****M 0182-2004      Sidewalk Cafe, 324 Bowery, Manhattan (20045558TCM)**

By Council Member Gerson:

Pursuant to Rule 11.20(b) of the Council and Section 20-226(g) of the New York City Administrative Code, the Council resolves that the action of the Department of Transportation approving an enclosed sidewalk café located at 324 Bowery, Borough of Manhattan, Council District no. 1, shall be subject to review by the Council. (Application no. 20045558 TCM.)

***Coupled on Call-Up Vote***

**M 0183-2004      Sidewalk Cafe, 106-03 Metropolitan Ave, Queens  
(20045438TCQ)**

By Council Member Katz:

Pursuant to Rule 11.20(b) of the Council and Section 20-226(g) of the New York City Administrative Code, the Council resolves that the action of the Department of Transportation approving an enclosed sidewalk café located at 106-03 Metropolitan Avenue, Borough of Queens, Council District no. 29, shall be subject to review by the Council. (Application no. 20045438 TCQ.)

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*Coupled on Call-Up Vote***Roll Call**

- 8. Supplemental Communication from the Speaker**
- 9. Supplemental Discussion of General Orders**
- 10. Supplemental Reports of Special Committees**  
*None*
- 11. Supplemental Reports of Standing Committees**

**Report of the Committee on Education**

**Int 0261-2004-A**      **Dep't of education of the city of New York provide voter registration forms to students.**

A Local Law to amend the administrative code of the city of New York, in relation to requiring that the New York city department of education provide voter registration forms to students.

*Amended and Laid Over*

**Report of the Committee on Land Use**

**Int 0369-2004**      **DOT to extend the date of the operating authority of certain private bus services.**

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.

*Coupled on GO*



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**Res 0415-2004 LU 65 - UDAAP, 6-10 E 1st St, Manhattan (20045371HAM)**

Resolution approving an Urban Development Action Area Project located at 6-10 East 1 Street (Block 457/p/o Lot 1), 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. 65; 20045371 HAM).

*Coupled on GO*

**Res 0416-2004 LU 66 - UDAAP, 235 W 116th St, Manhattan (20045372HAM)**

Resolution approving a motion to file pursuant to withdrawal of an Urban Development Action Area Project located at 235 West 116th Street (Block 1922/Lot 13), Manhattan (L.U. No. 66; 20045372 HAM).

*Coupled to be Filed*

**Res 0417-2004 LU 68 - UDAAP, Round II Sites 2, 3, 4A & 4C, Queens (20045374HAQ)**

Resolution approving an Urban Development Action Area Project located at Block 11756/Lot 24; Block 11772/Lot 112; Block 11980/Lots 30, 32; Block 11994/Lots 1, 18, 20, 57; Queens, 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. 68; 20045374 HAQ).

*Coupled on GO*

**Res 0418-2004 LU 85 - ULURP, 28 & 28A Bradhurst Ave., Manhattan (C040032HAM)**

Resolution approving the decision of the City Planning Commission on an application submitted by the Department of Housing Preservation and Development, ULURP No. C 040032 HAM, approving the designation of 28 and 28A Bradhurst Avenue (Block 2044/Lots 4 and 122), 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 28A Bradhurst Avenue (Block 2044/Lot 122) to a developer selected by the Department of Housing Preservation and Development (L.U. No. 85; C 040032 HAM).

*Coupled on GO*

**Res 0419-2004**

**LU 124 - UDAAP, St. Marks and Troy, Brooklyn  
(20045420HAK)**

Resolution approving an Urban Development Action Area Project located at 408 St. Marks Avenue (Block 1155/Lot 23), and 78-82 Troy Avenue (Block 1340/Lot 41), 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.

*Coupled on GO*

**Res 0420-2004**

**LU 146 - Sidewalk Cafe, 64 City Island Avenue, Bronx  
(20045399TCX)**

Resolution disapproving the petition for a revocable consent for an unenclosed sidewalk café located at 64 City Island Avenue, the Bronx (20045399 TCX; L.U. No. 146).

*Motion to Disapprove*

**LU 0147-2004**

**ULURP, Downtown Brooklyn Development, Brooklyn  
(040171ZMK)**

Uniform Land Use Review Procedure application no. 040171 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. 35 and 33.

*Approved with Modifications and Referred to the City Planning Commission pursuant to Rule 11.70(b) of the Rules of the Council and Section 197-(d) of the New York City Charter*

**LU 0148-2004**

**Zoning Reso., Downtown Brooklyn Development, Brooklyn  
(040172ZRK)**

Zoning resolution amendment application no. 040172 ZRK, pursuant to §197-d and §200 of the New York City Charter, concerning changes in the text of the zoning resolution, Borough of Brooklyn, Council District no. 35 and 33, relating to a text amendment to the Special Downtown Brooklyn District.

*Approved with Modifications and Referred to the City Planning Commission pursuant to Rule 11.70(b) of the Rules of the Council and Section 197-(d) of the New York City Charter*

**LU 0149-2004****ULURP, Downtown Brooklyn Development, Brooklyn (C030514MMK)**

Uniform land use review procedure, application no. C 030514 MMK, pursuant to §197-c and §197-d of the New York City Charter, changes to the City Map, Borough of Brooklyn, Council District no.35 and 33. This application is subject to Council review and action only if appealed to the Council pursuant to §197-d(b)(2) of the Charter or called-up by a vote of the Council pursuant to §197-d(b)(3) of the Charter and §11.20 of the Rules of the Council.

*Approved with Modifications and Referred to the City Planning Commission pursuant to Rule 11.70(b) of the Rules of the Council and Section 197-(d) of the New York City Charter*

**LU 0150-2004****ULURP, Downtown Brooklyn Development, Brooklyn (C030515MMK)**

Uniform land use review procedure, application no. C 030515 MMK, pursuant to §197-c and §197-d of the New York City Charter, changes to the City Map, Borough of Brooklyn, Council District no.35 and 33. This application is subject to Council review and action only if appealed to the Council pursuant to §197-d(b)(2) of the Charter or called-up by a vote of the Council pursuant to §197-d(b)(3) of the Charter and §11.20 of the Rules of the Council.

*Approved with Modifications and Referred to the City Planning Commission pursuant to Rule 11.70(b) of the Rules of the*

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*Council and Section 197-(d) of the New York City Charter***LU 0151-2004**      **ULURP, Downtown Brooklyn Development, Brooklyn  
(C030516MMK)**

Uniform land use review procedure, application no. C 030516 MMK, pursuant to §197-c and §197-d of the New York City Charter, changes to the City Map, Borough of Brooklyn, Council District no.35 and 33. This application is subject to Council review and action only if appealed to the Council pursuant to §197-d(b)(2) of the Charter or called-up by a vote of the Council pursuant to §197-d(b)(3) of the Charter and §11.20 of the Rules of the Council.

*Approved with Modifications and Referred to the City Planning Commission pursuant to Rule 11.70(b) of the Rules of the Council and Section 197-(d) of the New York City Charter*

**LU 0152-2004**      **ULURP, Downtown Brooklyn Development, Brooklyn  
(C030517MMK)**

Uniform land use review procedure, application no. C 030517 MMK, pursuant to §197-c and §197-d of the New York City Charter, changes to the City Map, Borough of Brooklyn, Council District no.35 and 33. This application is subject to Council review and action only if appealed to the Council pursuant to §197-d(b)(2) of the Charter or called-up by a vote of the Council pursuant to §197-d(b)(3) of the Charter and §11.20 of the Rules of the Council.

*Approved with Modifications and Referred to the City Planning Commission pursuant to Rule 11.70(b) of the Rules of the Council and Section 197-(d) of the New York City Charter*

**LU 0153-2004**      **ULURP, Downtown Brooklyn Development, Brooklyn  
(C040173HUK)**

Uniform Land Use Review Procedure, application no. C 040173 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 Brooklyn Center Urban

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Renewal Plan, Borough of Brooklyn, Council District no. 35 and 33.

*Approved with Modifications and Referred to the City Planning Commission pursuant to Rule 11.70(b) of the Rules of the Council and Section 197-(d) of the New York City Charter*

**LU 0154-2004**

**ULURP, Downtown Brooklyn Development, Brooklyn (C040174HUK)**

Uniform Land Use Review Procedure, application no. C 040174 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 MetroTech Urban Renewal Plan, Borough of Brooklyn, Council District no. 35 and 33.

*Approved with Modifications and Referred to the City Planning Commission pursuant to Rule 11.70(b) of the Rules of the Council and Section 197-(d) of the New York City Charter*

**LU 0155-2004**

**ULURP, Downtown Brooklyn Development, Brooklyn (C040175HUK)**

Uniform Land Use Review Procedure, application no. C 040175 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 Atlantic Terminal Urban Renewal Plan, Borough of Brooklyn, Council District no. 35 and 33.

*Approved with Modifications and Referred to the City Planning Commission pursuant to Rule 11.70(b) of the Rules of the Council and Section 197-(d) of the New York City Charter*

**LU 0156-2004**

**ULURP, Downtown Brooklyn Development, Brooklyn (040176HGK)**

Application no. 040176 HGK, pursuant to § 504 of the New York General Municipal law, concerning the designation of 59 lots in the Brooklyn Center Urban Renewal Area, Borough of Brooklyn, Council District no. 35 and 33.

*Approved with Modifications and Referred to the City Planning Commission pursuant to Rule 11.70(b) of the Rules of the*

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*Council and Section 197-(d) of the New York City Charter***LU 0157-2004      ULURP, Downtown Brooklyn Development, Brooklyn  
(C040177HDK)**

Uniform land use review procedure application no. C 040177 HDK, pursuant to §197-c and §197-d of the New York City Charter, concerning the disposition of city-owned non-residential real property, in Council District no. 35 and 33, Borough of Brooklyn. This application is subject to review and action by the Land Use Committee only if appealed to the Council pursuant to Section 197-d(b)(2) of the Charter or called up by vote of the Council pursuant to §197-d(b)(3) of the Charter.

*Approved with Modifications and Referred to the City Planning Commission pursuant to Rule 11.70(b) of the Rules of the Council and Section 197-(d) of the New York City Charter*

**LU 0158-2004      ULURP, Downtown Brooklyn Development, Brooklyn  
(C040178HDK)**

Uniform land use review procedure application no. C 040178 HDK, pursuant to §197-c and §197-d of the New York City Charter, concerning the disposition of city-owned non-residential real property, in Council District no. 35 and 33, Borough of Brooklyn. This application is subject to review and action by the Land Use Committee only if appealed to the Council pursuant to Section 197-d(b)(2) of the Charter or called up by vote of the Council pursuant to §197-d(b)(3) of the Charter.

*Approved with Modifications and Referred to the City Planning Commission pursuant to Rule 11.70(b) of the Rules of the Council and Section 197-(d) of the New York City Charter*

**LU 0159-2004      ULURP, Downtown Brooklyn Development, Brooklyn  
(C040179HDK)**

Uniform land use review procedure application no. C 040179 HDK, pursuant to §197-c and §197-d of the New York City

Charter, concerning the disposition of city-owned non-residential real property, in Council District no. 35 and 33, Borough of Brooklyn. This application is subject to review and action by the Land Use Committee only if appealed to the Council pursuant to Section 197-d(b)(2) of the Charter or called up by vote of the Council pursuant to §197-d(b)(3) of the Charter.

*Approved with Modifications and Referred to the City Planning Commission pursuant to Rule 11.70(b) of the Rules of the Council and Section 197-(d) of the New York City Charter*

**LU 0160-2004****ULURP, Downtown Brooklyn Development, Brooklyn (C040180PPK)**

Uniform land use review procedure application no. C 040180 PPK, pursuant to §197-c and §197-d of the New York City Charter concerning the disposition of one city-owned property, located 370 Jay Street, Borough of Brooklyn, in Council District no. 35 and 33. 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.

*Approved with Modifications and Referred to the City Planning Commission pursuant to Rule 11.70(b) of the Rules of the Council and Section 197-(d) of the New York City Charter*

**LU 0161-2004****ULURP, Downtown Brooklyn Development, Brooklyn (040181ZSK)**

Uniform land use review procedure application no. 040181 ZSK, pursuant to §197-c and §197-d of the Charter of the City of New York concerning a special permit under the Zoning Resolution in the Borough of Brooklyn, Council District no. 35 and 33 to allow an unattended parking garage. 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.

*Approved with Modifications and Referred to the City Planning Commission pursuant to Rule 11.70(b) of the Rules of the Council and Section 197-(d) of the New York City Charter*

**LU 0162-2004**      **ULURP, Downtown Brooklyn Development, Brooklyn (040182ZSK)**

Uniform land use review procedure application no. 040182 ZSK, pursuant to §197-c and §197-d of the Charter of the City of New York concerning a special permit under the Zoning Resolution in the Borough of Brooklyn, Council District no. 35 and 33 to allow an attended public parking garage. 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.

*Approved with Modifications and Referred to the City Planning Commission pursuant to Rule 11.70(b) of the Rules of the Council and Section 197-(d) of the New York City Charter*

**LU 0163-2004**      **ULURP, Downtown Brooklyn Development, Brooklyn (040183ZSK)**

Uniform land use review procedure application no. 040183 ZSK, pursuant to §197-c and §197-d of the Charter of the City of New York concerning a special permit under the Zoning Resolution in the Borough of Brooklyn, Council District no. 35 and 33 to allow an attended public parking garage. 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

*Approved with Modifications and Referred to the City Planning Commission pursuant to Rule 11.70(b) of the Rules of the Council and Section 197-(d) of the New York City Charter*

**LU 0164-2004**      **ULURP, Downtown Brooklyn Development, Brooklyn (040184ZSK)**



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Uniform land use review procedure application no. 040184 ZSK, pursuant to §197-c and §197-d of the Charter of the City of New York concerning a special permit under the Zoning Resolution in the Borough of Brooklyn, Council District no. 35 and 33 to allow an unattended public parking garage. 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.

*Approved with Modifications and Referred to the City Planning Commission pursuant to Rule 11.70(b) of the Rules of the Council and Section 197-(d) of the New York City Charter*

**LU 0165-2004****ULURP, Downtown Brooklyn Development, Brooklyn (040185PSK)**

Uniform land use review procedure application no. 040185 PSK, pursuant to §197-c and §197-d of the New York City Charter, concerning site selection for a capital project to be located at Flatbush Avenue to the West, Lafayette Avenue to the North, and Ashland Avenue to the East, Borough of Brooklyn, Council District no. 35 and 33. 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.

*Approved with Modifications and Referred to the City Planning Commission pursuant to Rule 11.70(b) of the Rules of the Council and Section 197-(d) of the New York City Charter*

**Res 0421-2004****LU 180 - Sidewalk Cafe, 35-01 Ditmars Boulevard, Queens (20045412TCQ)**

Resolution approving the petition for a revocable consent for an unenclosed sidewalk café located at 35-01 Ditmars Boulevard, Queens (20045412 TCQ; L.U. No. 180).

*Coupled on GO*

**Res 0422-2004****LU 185 - ULURP, Atlantic Avenue Rezoning, Brooklyn**

**(040124ZMK)**

Resolution approving the decision of the City Planning Commission on ULURP No. C 040124 ZMK, a Zoning Map change (L.U. No. 185).

*Coupled on GO*

**Res 0423-2004****LU 186 - ULURP, Atlantic Avenue Rezoning, Brooklyn (C040125PPK)**

Resolution approving the decision of the City Planning Commission on ULURP No. C 040125 PPK, the disposition of five (5) city-owned properties located at 2076 Atlantic Avenue (Block 1432/Lot 5), 2078 Atlantic Avenue (Block 1432/Lot 6), 2080 Atlantic Avenue (Block 1432/ Lot 7), 2084 Atlantic Avenue (Block 1432/Lot 9), and 2088 Atlantic Avenue (Block 1432/Lot 10), Brooklyn (L.U. No. 186).

*Coupled on GO*

**Res 0424-2004****LU 190 - Sidewalk Cafe, 41 City Island Avenue, Bronx (20045533TCX)**

Resolution disapproving the petition for a revocable consent for an unenclosed sidewalk café located at 41 City Island Avenue, the Bronx (20045533 TCX; L.U. No. 190).

*Motion to Disapprove*

**Res 0425-2004****LU 191 - Sidewalk Cafe, 338 Bedford Avenue, Brooklyn (20045473TCK)**

Resolution approving the petition for a revocable consent for an unenclosed sidewalk café located at 338 Bedford Avenue, Brooklyn (20045473 TCK; L.U. No. 191).

*Coupled on GO*

## **Report of the Committee on State and Federal Legislation**

**SLR 0034-2004****Crediting of prior service by the police pension fund (S.2936-A,**

**A.5915-A)**

State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Maltese, S.2936-A, and Assembly Member Abbate, et al, A.5915-A, “AN ACT to amend the administrative code of the city of New York, in relation to the crediting of prior service by the police pension fund of such city”.

*Coupled on GO*

**SLR 0052-2004****In rem, Bernadette Ernst, Queens (S.5885, A.9678)**

State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Maltese, S.5885, and Assembly Member Titus, A.9678, “AN ACT authorizing the city of New York to reconvey its interest in certain real property acquired by in rem tax foreclosure in the borough of Queens to former owner Bernadette C. Ernst, notwithstanding expiration of the two year period within which application may be made to the city to release its interest in property thus acquired; Block No. 11820, Lot No. 38 on tax map for the borough of Queens”.

*Coupled on GO*

**SLR 0060-2004****Allowing correction members of the New York city employees' retirement system to obtain retirement credit for certain periods of child care leave (S.2365-A, A.5175-A)**

State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Velella, S.2365-A, and Assembly Members Abbate, Colton, Aubry, Seddio, Cymbrowitz and Lavelle, et al, A.5175-A, “AN ACT to amend the administrative code of the city of New York, in relation to allowing correction members of the New York city employees' retirement system to obtain retirement credit for certain periods of child care leave”.

*Coupled on GO*

**SLR 0068-2004****In rem, Henrietta Wood, Brooklyn (S.6133, A.9723)**

State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Montgomery, S.6133, and Assembly Member Robinson, A.9723, "AN ACT authorizing the city of New York to reconvey its interest in certain real property acquired by in rem tax foreclosure in the borough of Brooklyn, to Henrietta Wood, notwithstanding expiration of the two year period within which application may be made to the city to release its interest in property thus acquired; Block No. 1251, Lot No. 49, on the tax map for the borough of Brooklyn".

*Coupled on GO*

**SLR 0106-2004      Establishment of a twenty year retirement program (S.2564-D, A.5464-D)**

State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senators Padavan, Golden, Maltese, Marchi and Velella, S.2564-D, and Assembly Members Abbate, Colton, Cymbrowitz, Ortiz, Pheffer, Seddio, Seminerio and McLaughlin, et al, A.5464-D, "AN ACT to amend the administrative code of the city of New York, in relation to the establishment of a twenty year retirement program for members of the New York city employees' retirement system employed as investigators by district attorneys' offices".

*Coupled on GO*

**SLR 0108-2004      Coverage for additional members of the New York City employees' retirement system (S.7163, A.10280)**

State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Velella, S.7163, and Assembly Member Abbate, A.10280, "AN ACT to amend the retirement and social security law and the administrative code of the city of New York, in relation to coverage for additional members of the New York city employees' retirement system".

*Coupled on GO*

- SLR 0119-2004**      **Eligibility for benefits payable by the firefighters' variable supplements fund (S.6974, A.10886-A)**
- State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Golden, S.6974, and Committee on Rules, A.10886-A, "AN ACT to amend the administrative code of the city of New York, in relation to eligibility for benefits payable by the firefighters' variable supplements fund".
- Coupled on GO*
- SLR 0125-2004**      **Provisional appointments (S.7154, A.10279)**
- State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Velella, S.7154, and Assembly Member Abbate, A.10279, "AN ACT to amend the civil service law, in relation to provisional appointments".
- Coupled on GO*
- SLR 0132-2004**      **In rem, Jacquesline Menaged, Brooklyn (S.7190)**
- State Legislation Resolution requesting the New York State Legislature to pass a bill introduced by Senator Andrews, S.7190, "AN ACT authorizing the city of New York to reconvey its interest in certain real property acquired by in rem tax foreclosure in the borough of Brooklyn to Jacquesline Menaged, notwithstanding expiration of the two year period within which application may be made to the city to release its interest in property thus acquired; Block No. 1330, Lot No. 32 on the tax map for the borough of Brooklyn".
- Preconsidered - Coupled on GO*
- SLR 0133-2004**      **In rem, Doreen Harris, Brooklyn (S.5927-A, A.9413-A)**
- State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Andrews, S.5927-A, and Assembly Member Norman, A.9413-A, "AN ACT authorizing the city of New York to reconvey its interest

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in certain real property acquired by in rem tax foreclosure in the borough of Brooklyn to former owner Doreen Harris, notwithstanding expiration of the two year period within which application may be made to the city to release its interest in property thus acquired; Block No. 4802, Lot No. 36 on tax map for the borough of Brooklyn”.

*Preconsidered - Coupled on GO*

**SLR 0134-2004      Reconvey its interest in certain real property acquired by in rem tax foreclosure (S.7461/A.10879)**

State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Committee on Rules, S.7461, and, Committee on Rules, A.10879, “AN ACT authorizing the city of New York to reconvey its interest in certain real property acquired by in rem tax foreclosure in the borough of Brooklyn to former owners Martin Lee and Annette Lee, notwithstanding expiration of the two year period within which application may be made to the city to release its interest in property thus acquired; Block No. 6046, Lot No. 9 on tax map for the borough of Brooklyn”.

*Preconsidered - Coupled on GO*

**SLR 0135-2004      Loans to members of the New York city fire department pension fund (S.4186-B, A.7163-B)**

State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senators Golden, Maltese, Marchi, Mendez and Padavan, S.4186-B, and Assembly Member Abbate, A.7163-B, “AN ACT to amend the administrative code of the city of New York, in relation to loans to members of the New York city fire department pension fund”.

*Preconsidered - Coupled on GO*

**SLR 0136-2004      Authorize retroactive membership in tier one of the New York city teachers' retirement system (S.7413-A, A.11373-A)**

State Legislation Resolution requesting the New York State

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Legislature to pass bills introduced by Senator Smith, S.7413-A, and Committee on Rules, A.11373-A, “AN ACT to authorize retroactive membership in tier one of the New York city teachers’ retirement system for Rose Treiber”.

*Preconsidered - Coupled on GO*

**SLR 0137-2004**      **Providing for medical review for employees of governmental entities performing emergency medical services (S.7500, A.11580)**

State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senators Golden, Maltese and Morahan, S.7500, and Committee on Rules, A.11580, “AN ACT to amend the retirement and social security law, in relation to providing for medical review for employees of governmental entities performing emergency medical services in the city of New York who apply for disability pension benefits”.

*Preconsidered - Coupled on GO*

**SLR 0138-2004**      **Payment of salary of certain peace officers (S.6450-A, A.10189-A)**

State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senators Volker, Maltese, Marchi, Mendez and Padavan, S.6450-A, and Assembly Member Abbate, A.10189-A, “AN ACT to amend the general municipal law, in relation to the payment of salary of certain peace officers”.

*Preconsidered - Coupled on GO*

**SLR 0139-2004**      **Disabilities incurred by members of the uniformed force of sanitation departments (S.3299-B, A.5982-B)**

State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senators Marchi and Leibell, S.3299-B, and Assembly Member Abbate, A.5982-B, “AN ACT to amend the general municipal law, in relation to certain disabilities incurred by members of the uniformed

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force of sanitation departments and providing for the repeal of such provisions upon expiration thereof”.

*Preconsidered - Coupled on GO*

**SLR 0140-2004      Sell and convey certain property to Yeshiva Har Torah  
(S.5931-A, A.9417-A)**

State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Padavan, S.5931-A, and Assembly Member Weprin, A.9417-A, “AN ACT authorizing the city of New York to sell and convey certain property to Yeshiva Har Torah”.

*Preconsidered - Coupled on GO*

**SLR 0141-2004      Amend the retirement and social security law (S.7457/ A.11487)**

State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Golden, S.7457, and Committee on Rules, A.11487, “AN ACT to amend the retirement and social security law, in relation to the additional member contributions payable by participants in the twenty-five year retirement programs for certain members of the uniformed force of the New York City department of correction established pursuant to article 14 of such law, and in relation to the establishment of a twenty-year retirement program for certain members of such uniformed correction force of such city who are subject to article 14 of such law; and to amend the administrative code of the city of New York, in relation to providing for employer pick up, pursuant to provisions of the federal internal revenue code, of certain additional member contributions required to be made by participants in such twenty-year retirement program”.

*Preconsidered - Coupled on GO*

**SLR 0142-2004      Discontinue certain park land in the county of New York.**

State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Mendez, S.7623, and Committee on Rules, A.11679, “AN ACT to



authorize the city of New York to temporarily discontinue certain park land in the county of New York”.

*Preconsidered - Coupled on GO*

**M 0125-2004**

**Authorize the city of New York to discontinue certain land as park land" (A.11375/S.7432)**

Communication from the Mayor - "AN ACT to authorize the city of New York to discontinue certain land as park land"

A.11375 / S.7432

*Preconsidered - Coupled on GO*

**M 0126-2004**

**Rate of regular interest used in the actuarial valuation of liabilities for the purpose of calculating contributions to the NYC employees' retirement system (A.11225/S.7467)**

Communication from the Mayor - "AN ACT to amend the administrative code of the city of New York, in relation to the rate of regular interest used in the actuarial valuation of liabilities for the purpose of calculating contributions to the New York city employees' retirement system, the New York city teachers' retirement system, the police pension fund, subchapter two, the fire department pension fund, subchapter two and the board of education retirement system of such city by public employers and other obligors required to make employer contributions to such retirement systems, and the crediting of special interest and additional interest to members of such retirement systems, and the allowance of supplementary interest on the funds of such retirement systems." A.11225 / S.7467

*Preconsidered - Coupled on GO*

**M 0127-2004**

**Providing excess benefit plans for certain retirees and other beneficiaries of the NYC employees' retirement system (A.11419/S.7466)**

Communication from the Mayor - "AN ACT to amend the administrative code of the city of New York, in relation to providing excess benefit plans for certain retirees and other

beneficiaries of the New York city employees' retirement system, the New York city teachers' retirement system, the police pension fund, subchapter two, and the fire department pension fund, subchapter two of such city; and to amend the education law, in relation to providing an excess benefit plan for certain retirees and other beneficiaries of the board of education retirement system of such city." A.11419 / S.7466  
*Preconsidered - Coupled on GO*

**M 0128-2004****Discontinue the use as parkland of a portion of real property in the borough of Manhattan. (S.7578/A.11682)**

Communication from the Mayor - "AN ACT to authorize the city of New York to discontinue the use as parkland of a portion of real property in the borough of Manhattan and to use such property and adjacent property under the jurisdiction of the New York City department of transportation for the construction of a new subway tunnel approach and a reconstructed South Ferry subway station on the Seventh Avenue subway line." (S.7578/A.11682)

*Preconsidered - Coupled on GO*

**M 0129-2004****Civil liability of vehicle owners for traffic-control signal violations. (S.7599/A.11663)**

Communication from the Mayor - "AN ACT to amend the vehicle and traffic law and the administrative code of the city of New York, in relation to the civil liability of vehicle owners for traffic-control signal violations; to amend chapter 746 of the laws of 1988 amending the vehicle and traffic law, the general municipal law and the public officers law, relating to the civil liability of vehicle owners for traffic control signal violations, and to amend local law number 46 of the city of New York for the year 1989 amending the administrative code of the city of New York, relating to civil liability of vehicle owners for traffic control signal violations, in relation to the duration of the application of the provisions of such code, such chapter and such local law." (S.7599/A.11663)

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*Preconsidered - Coupled on GO***M 0130-2004**      **Number of intersections at which traffic control signal photo-monitoring devices may be installed.**

Communication from the Mayor - "AN ACT to amend the vehicle and traffic law and the administrative code of the city of New York, in relation to the number of intersections at which traffic control signal photo-monitoring devices may be installed and reporting on the use of traffic control signal photo-monitoring system and amend chapter 746 of the laws of 1988 amending the vehicle and traffic law, the general municipal law and the public officers law, relating to the civil liability of vehicle owners for traffic control signal violations in relation to the effectiveness thereof; and to amend local law number 46 of the city of New York for the year 1989 amending the administrative code of the city of New York, relating to civil liability of vehicle owners for traffic control signal violations, in relation to the duration of the application of the provisions of such code, such chapter and such law." (S. 2472-A)

*Preconsidered - Coupled on GO*

## 12. Supplemental General Order Calendar

**Int 0142-2004-A**      **Prohibit the use of racial or ethnic profiling by members of the Police Dept.**

A Local Law to amend the administrative code of the city of New York, in relation to prohibiting the use of racial or ethnic profiling by law enforcement officers.

*Rereferred to the Committee on Public Safety*

**Int 0188-2004-A**      **Prohibiting acts of harassment at schools.**

A Local Law to amend the administrative code of the city of New York, in relation to prohibiting acts of harassment at schools.

*Laid Over*

**T2004-0073**      **Commissioner of Deeds**  
Commissioner of Deeds  
*Coupled on GO*

**Coupled on General Order Calendar****Land Use**

**Int 0369-2004**      **DOT to extend the date of the operating authority of certain private bus services.**  
*GO*

**Res 0415-2004**      **LU 65 - UDAAP, 6-10 E 1st St, Manhattan (20045371HAM)**  
*GO*

**Res 0416-2004**      **LU 66 - UDAAP, 235 W 116th St, Manhattan (20045372HAM)**  
*Filed*

**Res 0417-2004**      **LU 68 - UDAAP, Round II Sites 2, 3, 4A & 4C, Queens (20045374HAQ)**  
*GO*

**Res 0418-2004**      **LU 85 - ULURP, 28 & 28A Bradhurst Ave., Manhattan (C040032HAM)**  
*GO*

**Res 0419-2004**      **LU 124 - UDAAP, St. Marks and Troy, Brooklyn (20045420HAK)**  
*GO*

**Res 0420-2004**      **LU 146 - Sidewalk Cafe, 64 City Island Avenue, Bronx (20045399TCX)**  
*Disapprove*

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- Res 0421-2004**      **LU 180 - Sidewalk Cafe, 35-01 Ditmars Boulevard, Queens  
(20045412TCQ)  
*GO***
- Res 0422-2004**      **LU 185 - ULURP, Atlantic Avenue Rezoning, Brooklyn  
(040124ZMK)  
*GO***
- Res 0423-2004**      **LU 186 - ULURP, Atlantic Avenue Rezoning, Brooklyn  
(C040125PPK)  
*GO***
- Res 0424-2004**      **LU 190 - Sidewalk Cafe, 41 City Island Avenue, Bronx  
(20045533TCX)  
*Disapprove***
- Res 0425-2004**      **LU 191 - Sidewalk Cafe, 338 Bedford Avenue, Brooklyn  
(20045473TCK)  
*GO***

## **State and Federal Legislation**

- SLR 0034-2004**      **Crediting of prior service by the police pension fund (S.2936-A,  
A.5915-A)  
*GO***
- SLR 0052-2004**      **In rem, Bernadette Ernst, Queens (S.5885, A.9678)  
*GO***
- SLR 0060-2004**      **Allowing correction members of the New York city employees'  
retirement system to obtain retirement credit for certain periods  
of child care leave (S.2365-A, A.5175-A)  
*GO***
- SLR 0068-2004**      **In rem, Henrietta Wood, Brooklyn (S.6133, A.9723)  
*GO***

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- SLR 0106-2004**      **Establishment of a twenty year retirement program (S.2564-D, A.5464-D)**  
***GO***
- SLR 0108-2004**      **Coverage for additional members of the New York City employees' retirement system (S.7163, A.10280)**  
***GO***
- SLR 0119-2004**      **Eligibility for benefits payable by the firefighters' variable supplements fund (S.6974, A.10886-A)**  
***GO***
- SLR 0125-2004**      **Provisional appointments (S.7154, A.10279)**  
***GO***
- SLR 0132-2004**      **In rem, Jacquesline Menaged, Brooklyn (S.7190)**  
***Preconsidered - GO***
- SLR 0133-2004**      **In rem, Doreen Harris, Brooklyn (S.5927-A, A.9413-A)**  
***Preconsidered - GO***
- SLR 0134-2004**      **Reconvey its interest in certain real property acquired by in rem tax foreclosure (S.7461/A.10879)**  
***Preconsidered - GO***
- SLR 0135-2004**      **Loans to members of the New York city fire department pension fund (S.4186-B, A.7163-B)**  
***Preconsidered - GO***
- SLR 0136-2004**      **Authorize retroactive membership in tier one of the New York city teachers' retirement system (S.7413-A, A.11373-A)**  
***Preconsidered - GO***
- SLR 0137-2004**      **Providing for medical review for employees of governmental entities performing emergency medical services (S.7500, A.11580)**  
***Preconsidered - GO***

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- SLR 0138-2004**      **Payment of salary of certain peace officers (S.6450-A, A.10189-A)**  
*Preconsidered - GO*
- SLR 0139-2004**      **Disabilities incurred by members of the uniformed force of sanitation departments (S.3299-B, A.5982-B)**  
*Preconsidered - GO*
- SLR 0140-2004**      **Sell and convey certain property to Yeshiva Har Torah (S.5931-A, A.9417-A)**  
*Preconsidered - GO*
- SLR 0141-2004**      **Amend the retirement and social security law (S.7457/ A.11487)**  
*Preconsidered - GO*
- SLR 0142-2004**      **Discontinue certain park land in the county of New York.**  
*Preconsidered - GO*
- M 0125-2004**        **Authorize the city of New York to discontinue certain land as park land" (A.11375/S.7432)**  
*Preconsidered - GO*
- M 0126-2004**        **Rate of regular interest used in the actuarial valuation of liabilities for the purpose of calculating contributions to the NYC employees' retirement system (A.11225/S.7467)**  
*Preconsidered - GO*
- M 0127-2004**        **Providing excess benefit plans for certain retirees and other beneficiaries of the NYC employees' retirement system (A.11419/S.7466)**  
*Preconsidered - GO*
- M 0128-2004**        **Discontinue the use as parkland of a portion of real property in the borough of Manhattan. (S.7578/A.11682)**  
*Preconsidered - GO*
- M 0129-2004**        **Civil liability of vehicle owners for traffic-control signal violations. (S.7599/A.11663)**

*Preconsidered - GO*

**M 0130-2004**      **Number of intersections at which traffic control signal photo-monitoring devices may be installed.**  
*Preconsidered - GO*

## **General Order Calendar**

**T2004-0073**      **Commissioner of Deeds**  
*GO*

## **Roll Call**

**13. Supplemental Introduction & Reading of Bills**  
**See Attached**

**14. Supplemental Discussion of Resolutions**

**15. Supplemental Resolutions**

**Res 0154-2004**      **Opposing Governor Pataki's recent proposed cuts to public assistance spending.**

Resolution opposing Governor Pataki's recent proposed cuts to public assistance spending, which would harm families struggling to make ends meet and would not provide appropriate supports for recipients of public assistance working towards permanent self-sufficiency.

*Adopted by the Committee on General Welfare*

**Res**  
**0155-2004-A**      **Use of the fair hearing process to challenge the HRA's use of sanctions on persons who seek and receive public assistance.**

Resolution calling on the appropriate committee of the Council of the City of New York to hold an oversight hearing



on use of the fair hearing process to challenge the Human Resources Administration's use of sanctions on persons who seek and receive public assistance.

*Amended and Filed by the Committee on General Welfare*

**Res 0248-2004**      **"Timothy's Law," which would provide New Yorkers with fair insurance treatment for mental health and chemical dependency services. (S.5329/A.8301)**

Resolution calling upon the New York State Legislature to adopt S. 5329 and A. 8301, also known as "Timothy's Law," which would provide New Yorkers with fair insurance treatment for mental health and chemical dependency services.

*Adopted by the Committee on Mental Health, Mental Retardation, Alcoholism, Drug Abuse & Disability Services*

**Res 0389-2004-A**      **Government officials to protect and uphold First Amendment rights to freedom of speech, association and assembly.**

Resolution calling upon government officials to protect and uphold First Amendment rights to freedom of speech, association and assembly.

*Amended and Laid Over by the Committee on Governmental Operations*

## **16. Supplemental General Discussion**

## **17. Supplemental Extension of Remarks**

### **INTRODUCTION AND READING OF BILLS**

**SLR 0132-2004**      *By Council Member Clarke*

State Legislation Resolution requesting the New York State Legislature to pass a bill introduced by Senator Andrews, S.7190, "AN ACT authorizing the city of New York to reconvey its interest in certain real property acquired by in rem

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tax foreclosure in the borough of Brooklyn to Jacquesline Menaged, notwithstanding expiration of the two year period within which application may be made to the city to release its interest in property thus acquired; Block No. 1330, Lot No. 32 on the tax map for the borough of Brooklyn”.

*Preconsidered - State and Federal Legislation*

**SLR 0133-2004** *By Council Member Clarke*

State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Andrews, S.5927-A, and Assembly Member Norman, A.9413-A, “AN ACT authorizing the city of New York to reconvey its interest in certain real property acquired by in rem tax foreclosure in the borough of Brooklyn to former owner Doreen Harris, notwithstanding expiration of the two year period within which application may be made to the city to release its interest in property thus acquired; Block No. 4802, Lot No. 36 on tax map for the borough of Brooklyn”.

*Preconsidered - State and Federal Legislation*

**SLR 0134-2004** *By Council Member Gentile*

State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Committee on Rules, S.7461, and, Committee on Rules, A.10879, “AN ACT authorizing the city of New York to reconvey its interest in certain real property acquired by in rem tax foreclosure in the borough of Brooklyn to former owners Martin Lee and Annette Lee, notwithstanding expiration of the two year period within which application may be made to the city to release its interest in property thus acquired; Block No. 6046, Lot No. 9 on tax map for the borough of Brooklyn”.

*Preconsidered - State and Federal Legislation*

**Int 0389-2004** *By Council Member McMahon (by request of the Mayor)*

A Local Law to amend the administrative code of the city of New York, in relation to department-disposed of and

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department-collected solid waste.

***Sanitation and Solid Waste Management***

**Int 0390-2004**

*By Council Members Reed and Stewart (by request of the Mayor)*

A Local Law to amend the New York City Charter, in relation to the adjudication of violations of laws enforced by the New York City Department of Consumer Affairs.

***Consumer Affairs***

**SLR 0135-2004**

*By Council Members Rivera, Fidler and Monserrate*

State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senators Golden, Maltese, Marchi, Mendez and Padavan, S.4186-B, and Assembly Member Abbate, A.7163-B, “AN ACT to amend the administrative code of the city of New York, in relation to loans to members of the New York city fire department pension fund”.

***Preconsidered - State and Federal Legislation***

**SLR 0136-2004**

*By Council Members Rivera and Katz*

State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Smith, S.7413-A, and Committee on Rules, A.11373-A, “AN ACT to authorize retroactive membership in tier one of the New York city teachers’ retirement system for Rose Treiber”.

***Preconsidered - State and Federal Legislation***

**SLR 0137-2004**

*By Council Members Rivera, Fidler and Monserrate*

State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senators Golden, Maltese and Morahan, S.7500, and Committee on Rules, A.11580, “AN ACT to amend the retirement and social security law, in relation to providing for medical review for employees of governmental entities performing emergency medical services in the city of New York who apply for disability pension benefits”.

***Preconsidered - State and Federal Legislation***

**SLR 0138-2004** *By Council Members Rivera, Fidler and Monserrate*

State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senators Volker, Maltese, Marchi, Mendez and Padavan, S.6450-A, and Assembly Member Abbate, A.10189-A, “AN ACT to amend the general municipal law, in relation to the payment of salary of certain peace officers”.

***Preconsidered - State and Federal Legislation***

**SLR 0139-2004** *By Council Member Rivera*

State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senators Marchi and Leibell, S.3299-B, and Assembly Member Abbate, A.5982-B, “AN ACT to amend the general municipal law, in relation to certain disabilities incurred by members of the uniformed force of sanitation departments and providing for the repeal of such provisions upon expiration thereof”.

***Preconsidered - State and Federal Legislation***

**SLR 0140-2004** *By Council Members Rivera, Weprin and Gerson*

State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Padavan, S.5931-A, and Assembly Member Weprin, A.9417-A, “AN ACT authorizing the city of New York to sell and convey certain property to Yeshiva Har Torah”.

***Preconsidered - State and Federal Legislation***

**SLR 0141-2004** *By Council Members Rivera and Fidler*

State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Golden, S.7457, and Committee on Rules, A.11487, “AN ACT to amend the retirement and social security law, in relation to the additional member contributions payable by participants in the twenty-five year retirement programs for certain members of

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the uniformed force of the New York City department of correction established pursuant to article 14 of such law, and in relation to the establishment of a twenty-year retirement program for certain members of such uniformed correction force of such city who are subject to article 14 of such law; and to amend the administrative code of the city of New York, in relation to providing for employer pick up, pursuant to provisions of the federal internal revenue code, of certain additional member contributions required to be made by participants in such twenty-year retirement program”.

***Preconsidered - State and Federal Legislation***

**SLR 0142-2004** *By Council Members Rivera and Martinez*

State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Mendez, S.7623, and Committee on Rules, A.11679, “AN ACT to authorize the city of New York to temporarily discontinue certain park land in the county of New York”.

***Preconsidered - State and Federal Legislation***

**SLR 0143-2004** *By Council Member Rivera*

State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Golden, S.7630, and Committee on Rules, A.11706, “AN ACT to amend the real property tax law, in relation to protective devices for senior citizens or disabled persons tax credit”.

***State and Federal Legislation***

**SLR 0144-2004** *By Council Member Rivera*

State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senators Golden and Lachman, S.7432, and Committee on Rules, A.11375, “AN ACT to authorize the city of New York to discontinue certain land as park land”.

***State and Federal Legislation***

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**SLR 0145-2004** *By Council Member Rivera*

State Legislation Resolution requesting the New York State Legislature to pass a bill introduced by Senator Golden, S.7290-B, "AN ACT to amend the retirement and social security law and the administrative code of the city of New York, in relation to the definitions of final average salary for certain employees".

***State and Federal Legislation*****SLR 0146-2004** *By Council Members Rivera and Vallone Jr.*

State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Marchi, S.7335, and Committee on Rules, A.11297, "AN ACT to amend the administrative code of the city of New York, in relation to extending the benefits of the variable supplements fund for housing police and transit police members of the New York city employees' retirement system".

***State and Federal Legislation*****Res 0411-2004** *By Council Members Weprin, Fidler and Stewart*

Resolution to establish that the discount rate for the prepayment of real estate taxes be continued at 2% per annum for Fiscal Year 2005.

***Finance*****Res 0412-2004** *By Council Members Weprin and Stewart*

Resolution to establish that the interest rate be 18% per annum for Fiscal Year 2004 for non-payment of taxes on real property where the annual tax on the parcel is more than \$2,750 or where, irrespective of the annual tax, the parcel consists of vacant or unimproved land; and for non-payment of charges for work performed pursuant to orders of the Board of Health or Department of Health and Mental Hygiene.

***Finance*****Res 0413-2004** *By Council Member Weprin*

Resolution to establish that the interest rate to be charged for non-payment of taxes on real property where the annual tax on the parcel, other than a parcel that consists of vacant or unimproved land, is not more than \$2,750, be 18% per annum for Fiscal Year 2005 in the case of any such parcel where the real property taxes are held in escrow and paid to the Commissioner of Finance by a mortgage escrow agent; and 9% per annum in the case of all other such parcels.

***Finance***

**Res 0414-2004**

*By Council Member Weprin*

Resolution to establish that the interest rate to be charged for Fiscal Year 2005 for non-payment of water rents and sewer rents be 18% per annum for any parcel where the annual real estate tax is more than \$2,750 or where the real estate taxes are held in escrow and paid to the Commissioner of Finance by a mortgage escrow agent or where the parcel consists of vacant or unimproved land; and 9% per annum in all other cases.

***Finance***

**LU 0192-2004**

*By Council Member Katz*

Application no. 20045650 HAX, an Urban Development Action Area Project located at 599 Courtlandt Avenue, Council District no. 17, 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 696 of the General Municipal Law for an exemption from real property taxes.

***Planning, Dispositions and Concessions***

**LU 0193-2004**

*By Council Member Katz*

Application no. 20045651 HAK, an Urban Development Action Area Project known as Bristol Street/East New York Avenue, located in Community Board 16, Council District no. 41, Borough of Brooklyn. This matter is subject to Council

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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 an exemption from real property taxes.

***Planning, Dispositions and Concessions***

**LU 0194-2004**

*By Council Member Katz*

Application no. 20045652 HAK, an Urban Development Action Area Project located at 1496 and 1498 Blake Avenue, Council District no. 42, 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 an exemption from real property taxes.

***Planning, Dispositions and Concessions***

**LU 0195-2004**

*By Council Member Katz*

Application no. 20045653 HAK, an Urban Development Action Area Project known as Ashford/Cleveland Street, located in Community Board 5, Council District no. 42, 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 an exemption from real property taxes.

***Planning, Dispositions and Concessions***

**LU 0196-2004**

*By Council Member Katz*

Uniform land use review procedure application no. C 040442 HAX, an Urban Development Action Area Designation, Project, and the disposition of such property located within Site 44 of the Melrose Commons Urban Renewal Area, 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.

***Planning, Dispositions and Concessions***

**LU 0197-2004**

*By Council Member Katz*

Uniform land use review procedure application no. C 040456 HAX, an Urban Development Action Area Designation, Project, and the disposition of such property located within Site 43 of the Melrose Commons Urban Renewal Area, 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.

***Planning, Dispositions and Concessions***

**LU 0198-2004**

*By Council Member Katz*

Application no. 20045438 TCQ pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of LNC Café Corp. to establish, maintain and operate an unenclosed sidewalk café located at 106-03 Metropolitan Avenue, Borough of Queens, Council District no. 29. 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 0199-2004**

*By Council Member Katz*

Application no. 20045558 TCM pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of G.D.P. Enterprises, Inc., d/b/a Algozar, to establish, maintain and operate an unenclosed sidewalk café located at 324 Bowery, Borough of Manhattan, Council District no. 1. 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 0200-2004**

*By Council Member Katz*

Uniform land use review procedure application no. C 040476 HAM, an Urban Development Action Area Designation, Project, and the disposition of such property located at 246 West 116th Street, Borough of Manhattan, Council District no. 9. This matter is subject to Council Review and action pursuant to §197-c and §197-d of the New York City Charter and Article 16 of the General Municipal Law.

***Planning, Dispositions and Concessions***