

The New York City Council Council Agenda

Stated Meeting

October 29, 2007

1:30 PM

Council Chambers - City Hall

1. Roll Call

2. Invocation

*Delivered by: Rev. Jason P. Radmacher, Pastor, John Street
United Methodist Church, 44 John Street, New York, NY 10038*

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

3. Adoption of Minutes

None

4. Messages & Papers from the Mayor

M 0849-2007

Page Ayres Cowley, Landmarks Preservation Commission

Communication from the Mayor - Submitting the name of
Page Ayres Cowley to the Council for its advice and consent

regarding her appointment to the Landmarks Preservation Commission, Pursuant to Sections 31 and 3020 of the City Charter.

Rules, Privileges and Elections

5. Communications from City, County & Borough Offices

None

6. Petitions and Communications

None

7. Land Use Call-Ups

M 0850-2007 **ULURP, 1113 York Avenue, Manhattan (C070441ZSM)**

By the Chair of the Land Use Committee Council Member Katz

Pursuant to Rule 11.20(c) of the Council and Section 197-d(b)(3) of the New York City Charter, the Council hereby resolves that the action of the City Planning Commission on Uniform Land Use Procedure Application no. C 070411 ZSM, shall be subject to Council review. This application is related to application no. C 000198 ZMM that is subject to Council review pursuant to Section 197-d of the New York City Charter.

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 Civil Service and Labor

Int 0369-2006-A The composition of the fire department pension fund medical board.

A Local Law to amend the administrative code of the city of New York, in relation to the composition of the fire department pension fund medical board.

Amended and Coupled on GO

Report of the Committee on Land Use

Res 1119-2007 LU 534 - UDAAP, 1753 Madison Ave., 55 & 57 E. 115th St., Manhattan (C070513HAM)

Resolution approving the decision of the City Planning Commission on an application submitted by the Department of Housing Preservation and Development, ULURP No. C 070513 HAM, approving the designation of 1753 Madison Avenue, 55 and 57 East 115th Street (Block 1621, Lots 23-25), parts of Sites 3A and 3B within the Milbank Frawley Circle East Urban Renewal Area, Borough of Manhattan, as an Urban Development Action Area, approving the project for the area as an Urban Development Action Area Project, and approving the disposition of such property to a developer selected by the Department of Housing Preservation and Development (L.U. No. 534; C 070513 HAM).

Coupled on GO

Res 1120-2007 LU 543 - ULURP, 3100, 3120 Third Ave.; 747 Elton Ave.; 507 E. 158th St., Bronx (C070506HAX)

Resolution approving the decision of the City Planning

Commission on an application submitted by the Department of Housing Preservation and Development, ULURP No. C 070506 HAX, approving the designation of property located at 3100 3rd Avenue (Block 2364, Lot 45), 3120 3rd Avenue (Block 2364, p/o the air rights over Lot 58), 3106 3rd Avenue (Block 2364, Lot 49), and 507 East 158th Street (Block 2364, Lot 70), part of Site 17 within the Melrose Commons Urban Renewal Area, Borough of the Bronx, as an Urban Development Action Area, approving the project for the area as an Urban Development Action Area Project, and approving the disposition of such property to a developer selected by the Department of Housing Preservation and Development (L.U. No. 543; C 070506 HAX).

Coupled on GO

Res 1121-2007

LU 544 - ULURP, Melrose Commons RFP-B-7, Bronx (C070507ZSX)

Resolution approving the decision of the City Planning Commission on ULURP No. C 070507 ZSX (L.U. No. 544), for the grant of a special permit pursuant to Section 74-681(a) (2) of the Zoning Resolution to allow a portion of a railroad or transit right-of-way that has been permanently discontinued or terminated to be included in the lot area for a proposed eight-story mixed building on property located north of East 158th Street between Third Avenue and Brook Avenue (Block 2364, Lots 45, 49, 70 and part of Lot 58), in an R8 and an R8/C1-4 Districts.

Coupled on GO

Res 1122-2007

LU 545 - ULURP, Melrose Commons, Bronx (C080002ZMX)

Resolution approving the decision of the City Planning Commission on ULURP No. C 080002 ZMX, a Zoning Map change (L.U. No. 545).

Coupled on GO

Res 1123-2007

LU 553 - Landmark, Sunnyside Gardens H.D., Queens

(20085013HKQ)

Resolution affirming the designation by the Landmarks Preservation Commission of Sunnyside Gardens Historic District in the Borough of Queens, Designation List No. 393, LP-2258 (L.U. No. 553; 20085013 HKQ; N 080005 HKQ).

Coupled on GO

Res 1124-2007

LU 559 - UDAAP, 2334 Tilden Avenue, Brooklyn

(20085079HAK)

Resolution approving an Urban Development Action Area Project located at Block 5135/Lot 16, Brooklyn, and waiving the urban development action area designation requirement and the Uniform Land Use Review Procedure, pursuant to Sections 693 and 694 of the General Municipal Law (L.U. No. 559; 20085079 HAK).

Coupled on GO

Res 1125-2007

LU 560 - UDAAP, Dabar Oceanhill/Brownsville 5, Brooklyn

(20085080HAK)

Resolution approving an Urban Development Action Area Project located at Block 1446/Lot 56, Block 1447/Lot 14, Block 1447/Lot 20, and Block 1454/Lot 66, Brooklyn, and waiving the urban development action area designation requirement and the Uniform Land Use Review Procedure, pursuant to Sections 693 and 694 of the General Municipal Law (L.U. No. 560; 20085080 HAK).

Coupled on GO

Res 1126-2007

LU 562 - UDAAP, 690 Union Avenue, Bronx (20085082HAX)

Resolution approving an Urban Development Action Area Project located at 690 Union Avenue (Block 2675/Lot 70), the Bronx, and waiving the urban development action area designation requirement and the Uniform Land Use Review Procedure, pursuant to Sections 693 and 694 of the General Municipal Law (L.U. No. 562; 20085082 HAX).

Coupled on GO

Res 1127-2007 **LU 564 - UDAAP, 1347 Bristow Street, Bronx (20085084HAX)**

Resolution approving an Urban Development Action Area Project located at 1347 Bristow Street (Block 2972/Lot 34), the Bronx, and waiving the urban development action area designation requirement and the Uniform Land Use Review Procedure, pursuant to Sections 693 and 694 of the General Municipal Law (L.U. No. 564; 20085084 HAX).

Coupled on GO

Res 1128-2007 **LU 568 - UDAAP, 631 Academy Street, Manhattan (20085089HAM)**

Resolution approving an Urban Development Action Area Project located at 631 Academy Street (Block 2234/Lot 41), 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. 568; 20085089 HAM).

Coupled on GO

Res 1129-2007 **LU 569 - UDAAP, 639 East 169th Street, Bronx (20085090HAX)**

Resolution approving an Urban Development Action Area Project located at 639 East 169th Street (Block 2933/Lot 65), the Bronx, and waiving the urban development action area designation requirement and the Uniform Land Use Review Procedure, pursuant to Sections 693 and 694 of the General Municipal Law (L.U. No. 569; 20085090 HAX).

Coupled on GO

LU 0570-2007 **ULURP, 45 Summit Street Rezoning, Brooklyn (C060477ZMK)**

Uniform Land Use Review Procedure application no. C 060477 ZMK, pursuant to Sections 197-c and 201 of the New York City Charter, for an amendment of the Zoning Map, Section No. 16a.

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 0571-2007 Zoning, 130 Court Street, Brooklyn (C070156ZSK)

Uniform land use review procedure application no. C 070156 ZSK, pursuant to §197-c and §201 of the Charter of the City of New York for the grant of a special permit pursuant to Section 74-711 of the Zoning Resolution in the Borough of Brooklyn, Council District no. 39 to allow modifications of use and bulk at 130 Court Street a.k.a. 182-184 Atlantic Avenue (Block 286, Lots 17 and 21). 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 1130-2007 LU 572 - Zoning, 95 West 95th Street, Manhattan (C070381ZSM)

Resolution approving the decision of the City Planning Commission on ULURP No. C 070381 ZSM (L.U. No. 572), for the grant of a special permit pursuant to Sections 13-562 and 74-52 of the Zoning Resolution to allow an attended public parking garage with a maximum capacity of 100 spaces, including 43 accessory spaces, on portions of the ground floor, cellar and subcellar, and to allow floor space up to a height of 23 feet above curb level to be exempted from the definition of floor area as set forth in Section 12-10 (DEFINITIONS), within the C1-9 District portion of an existing mixed use building on property located at 95 West 95th Street (Block 1209, Lot 1), in C1-9 and R9 Districts, Borough of Manhattan.

Coupled on GO

Res 1131-2007 LU 582 - Landmarks, Crotona Park Center Bath House,

Manhattan (20085040HKM)

Resolution affirming the designation by the Landmarks Preservation Commission of the Frederick C. and Birdsall Otis Edey Residence located at 10 West 56th Street (Block 1271, Lot 46), Designation List No. 394, LP-2226 (L.U. No. 582; 20085040 HKM (N 080033 HKM)).

Coupled on GO

Res 1132-2007 LU 583 - Landmarks, Henry Seligman Residence, Manhattan (20085043HKM)

Resolution affirming the designation by the Landmarks Preservation Commission of the Henry Seligman Residence located at 30 West 56th Street (aka 30-32 West 56th Street) (Block 1271, Lot 55), Manhattan, Designation List No. 394, LP-2227 (L.U. No. 583; 20085043 HKM (N 080034 HKM)).

Coupled on GO

Res 1133-2007 LU 589 - Landmark, 488 Greenwich Street House, Manhattan (20085039HKM)

Resolution affirming the designation by the Landmarks Preservation Commission of the 488 Greenwich Street House (Block 595, Lot 82), Manhattan, Designation List No. 394, LP-2224 (L.U. No. 589; 20085039 HKM (N 080032 HKM)).

Coupled on GO

Res 1134-2007 LU 590 - Landmark, 486 Greenwich Street House, Manhattan (20085038HKM)

Resolution affirming the designation by the Landmarks Preservation Commission of the 486 Greenwich Street House (Block 595, Lot 83), Manhattan, Designation List No. 394, LP-2225 (L.U. No. 590; 20085038 HKM (N 080031 HKM)).

Coupled on GO

Res 1135-2007 LU 591 - ULURP, Bed Stuy South Rezoning, Brooklyn (C070447ZMK)

Resolution approving the decision of the City Planning

Commission on ULURP No. C 070447 ZMK, a Zoning Map change (L.U. No. 591).

Coupled on GO

Res 1136-2007 LU 597 - Landmark, Highbridge Play Center, Manhattan (20085050HKM)

Resolution affirming the designation by the Landmarks Preservation Commission of the Highbridge Play Center located on Amsterdam Avenue between West 172nd and West 173rd Street (Block 2106, p/o Lot 1), Manhattan, Designation List No. 395, LP-2237 (L.U. No. 597; 20085050 HKM (N 080068 HKM).

Coupled on GO

Res 1137-2007 LU 598 - ULURP, Jamaica Plan Text, Manhattan (N080022ZRM)

Resolution approving the decision of the City Planning Commission on Application No. N 080022 ZRQ, for an amendment of the Zoning Resolution of the City of New York, relating to Article XI, Chapter 5 (Special Downtown Jamaica District) concerning Section 115-22 (Modification of Rear Yard Regulations) and 115-234 (Maximum Building Height), Borough of Queens (L.U. No. 598).

Coupled on GO

Res 1138-2007 LU 599 - ULURP, Forest Hills South Rezoning, Queens (C070521ZMQ)

Resolution approving the decision of the City Planning Commission on ULURP No. C 070521 ZMQ, a Zoning Map change (L.U. No. 599).

Coupled on GO

Res 1139-2007 LU 606 - Sidewalk Cafe, Bouley Bakery Operating LLC., Manhattan (20075443TCM)

Resolution approving the petition for a revocable consent for an unenclosed sidewalk café located at 130 West Broadway,

Borough of Manhattan (20075443 TCM; L.U. No. 606).
Coupled on GO

- Res 1140-2007** **LU 607 - Zoning, Bed Stuy Rezoning, Brooklyn (N070448ZRY)**
- Resolution approving the decision of the City Planning Commission on Application No. N 070448 ZRY, for an amendment of the Zoning Resolution of the City of New York, concerning the establishment of the R7D and C4-5D zoning districts, the establishment of Special Mixed Use District-10 on Atlantic and Howard Avenues in Brooklyn, the application of the Inclusionary Housing program to the proposed R7D districts in the Borough of Brooklyn, Community District 3, and the clarification of language pertaining to Section 23-90 (Inclusionary Housing), inclusive, and Inclusionary Housing designated areas, Borough of Brooklyn (L.U. No. 607).
Coupled on GO

Report of the Committee on Rules, Privileges, and Elections

- Res 1141-2007** **M 817 - Nicholas A. LaPorte, Jr., New York City Civil Service Commission**
- RESOLUTION APPROVING THE RE-APPOINTMENT BY THE MAYOR OF NICHOLAS LAPORTE, AS A COMMISSIONER OF THE NEW YORK CITY CIVIL SERVICE COMMISSION.
Coupled on GO
- Res 1142-2007** **M 842 - James F. Donlon, Civilian Complaint Review Board (Staten Island)**
- RESOLUTION APPROVING THE RE-DESIGNATION BY THE COUNCIL OF JAMES F. DONLON AS A MEMBER OF THE NEW YORK CITY CIVILIAN COMPLAINT REVIEW BOARD.
Coupled on GO

- Res 1143-2007** **M 843 - Anthony Sumpter, Youth Board**
- RESOLUTION APPROVING THE RECOMMENDATION
BY THE COUNCIL OF ANTHONY SUMPTER AS A
MEMBER OF THE NEW YORK CITY YOUTH BOARD.
Coupled on GO

12. **General Orders Calendar**

- Res 0273-2006-A** **Last week of each January to be known and celebrated as
“Live Theatre Week” in NYC.**
- Resolution designating the last week of each January to be
known and celebrated as “Live Theatre Week” in New York
City and calling upon the Mayor, the New York City
Department of Cultural Affairs and the Mayor’s Office of
Film, Theatre and Broadcasting to recognize and celebrate
such week.
Laid Over
- Res 1144-2007** **LU 570 - ULURP, 45 Summit Street Rezoning, Brooklyn
(C060477ZMK)**
- Resolution approving with modifications the decision of the
City Planning Commission on ULURP No. C 060477 ZMK, a
Zoning Map change (L.U. No. 570).
Coupled on GO
- Res 1145-2007** **LU 580 - ULURP, St. Albans/Hollis Rezoning, Queens
(C070472ZMQ)**
- Resolution approving with modifications the decision of the
City Planning Commission on ULURP No. C 070472 ZMQ, a
Zoning Map change (L.U. No. 580).
Coupled on GO
- T2006-0001** **Commissioner of Deeds**

Commissioner of Deeds

*Coupled on GO***Coupled on General Order Calendar****Civil Service and Labor**

Int 0369-2006-A **The composition of the fire department pension fund medical board.**
A and GO

Land Use

Res 1119-2007 **LU 534 - UDAAP, 1753 Madison Ave., 55 & 57 E. 115th St., Manhattan (C070513HAM)**
GO

Res 1120-2007 **LU 543 - ULURP, 3100, 3120 Third Ave.; 747 Elton Ave.; 507 E. 158th St., Bronx (C070506HAX)**
GO

Res 1121-2007 **LU 544 - ULURP, Melrose Commons RFP-B-7, Bronx (C070507ZSX)**
GO

Res 1122-2007 **LU 545 - ULURP, Melrose Commons, Bronx (C080002ZMX)**
GO

Res 1123-2007 **LU 553 - Landmark, Sunnyside Gardens H.D., Queens (20085013HKQ)**
GO

Res 1124-2007 **LU 559 - UDAAP, 2334 Tilden Avenue, Brooklyn (20085079HAK)**
GO

Res 1125-2007 **LU 560 - UDAAP, Dabar Oceanhill/Brownsville 5, Brooklyn**

(20085080HAK)

GO

Res 1126-2007 LU 562 - UDAAP, 690 Union Avenue, Bronx (20085082HAX)

GO

Res 1127-2007 LU 564 - UDAAP, 1347 Bristow Street, Bronx (20085084HAX)

GO

Res 1128-2007 LU 568 - UDAAP, 631 Academy Street, Manhattan

(20085089HAM)

GO

Res 1129-2007 LU 569 - UDAAP, 639 East 169th Street, Bronx

(20085090HAX)

GO

Res 1130-2007 LU 572 - Zoning, 95 West 95th Street, Manhattan

(C070381ZSM)

GO

Res 1131-2007 LU 582 - Landmarks, Crotona Park Center Bath House,

Manhattan (20085040HKM)

GO

Res 1132-2007 LU 583 - Landmarks, Henry Seligman Residence, Manhattan

(20085043HKM)

GO

Res 1133-2007 LU 589 - Landmark, 488 Greenwich Street House, Manhattan

(20085039HKM)

GO

Res 1134-2007 LU 590 - Landmark, 486 Greenwich Street House, Manhattan

(20085038HKM)

GO

Res 1135-2007 LU 591 - ULURP, Bed Stuy South Rezoning, Brooklyn

(C070447ZMK)

GO

**Res 1136-2007 LU 597 - Landmark, Highbridge Play Center, Manhattan
(20085050HKM)**

GO

**Res 1137-2007 LU 598 - ULURP, Jamaica Plan Text, Manhattan
(N080022ZRM)**

GO

**Res 1138-2007 LU 599 - ULURP, Forest Hills South Rezoning, Queens
(C070521ZMQ)**

GO

**Res 1139-2007 LU 606 - Sidewalk Cafe, Bouley Bakery Operating LLC.,
Manhattan (20075443TCM)**

GO

Res 1140-2007 LU 607 - Zoning, Bed Stuy Rezoning, Brooklyn (N070448ZRY)

GO

Rules, Privileges, and Elections

**Res 1141-2007 M 817 - Nicholas A. LaPorte, Jr., New York City Civil Service
Commission**

GO

**Res 1142-2007 M 842 - James F. Donlon, Civilian Complaint Review Board
(Staten Island)**

GO

Res 1143-2007 M 843 - Anthony Sumpter, Youth Board

GO

General Order Calendar

Res 1144-2007 **LU 570 - ULURP, 45 Summit Street Rezoning, Brooklyn
(C060477ZMK)
GO**

Res 1145-2007 **LU 580 - ULURP, St. Albans/Hollis Rezoning, Queens
(C070472ZMQ)
GO**

T2006-0001 **Commissioner of Deeds
GO**

13. Introduction & Reading of Bills See Attached

14. Discussion of Resolutions

15. Resolutons

Res 0823-2007 **Make certain persons who are eligible for or receiving social
security disability insurance (SSDI) benefits eligible for Elderly
Pharmaceutical Insurance Coverage (EPIC) program. (S.2644
and A.5178)
*Amended and Adopted by the Committee on Mental Health,
Mental Retardation, Alcoholism, Drug Abuse and Disability
Services***

16. General Discussion

17. Extension of Remarks

INTRODUCTION AND READING OF BILLS

Res 1112-2007 *By The Speaker (Speaker Quinn) and Council Members Comrie Jr., Dilan, Seabrook, Fidler, James, Vann, Weprin, Barron, Brewer, Dickens, Eugene, Foster, Gennaro, Gerson, Gonzalez, Koppell, Liu, Nelson, Recchia Jr., Sanders Jr., Sears, Stewart, de Blasio, White Jr. and Jackson*

Resolution denouncing foreclosures precipitated by subprime and predatory lending, and supporting state and federal legislation that regulates lenders and assists borrowers engaged in subprime mortgages.

Consumer Affairs

Res 1113-2007 *By Council Members Barron, Brewer, Eugene, Fidler, Foster, Gennaro, Gerson, Gonzalez, James, Liu, Nelson, Recchia Jr., Sanders Jr., Weprin and Jackson*

Resolution calling upon the New York State Legislature to create a low-cost health insurance program for young adults.

Health

Res 1114-2007 *By Council Members Addabbo Jr., The Public Advocate (Public Advocate Gotbaum), Avella, Brewer, Fidler, Gennaro, Gentile, Gonzalez, Liu, Nelson, Recchia Jr., Weprin, Jackson and Vallone Jr.*

Resolution calling upon the New York State Legislature to strengthen vehicle window tinting laws and urging the federal government to consider revising federal law in this area to enhance the safety of police officers.

Transportation

Int 0638-2007 *By Council Members White Jr. and Comrie Jr.*

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

Housing and Buildings

Int 0639-2007 *By Council Members Brewer, Felder, Gerson, Gonzalez, James, Koppell, Recchia Jr., Stewart, Mark-Viverito and Seabrook*

A Local Law to amend the administrative code of the city of

New York, in relation to the review of curb cuts.

Transportation

Res 1115-2007 *By Council Members de Blasio, Brewer, Fidler, Gennaro, Gerson, James, Koppell, Mark-Viverito, Nelson and Jackson*

Resolution calling upon the boards of New York City and New York State's pension funds to support the goals of Burma's democracy movement by introducing shareholder resolutions to pressure companies to suspend operations in Burma.

Finance

Res 1116-2007 *By Council Members Dickens, Brewer, Felder, Fidler, Foster, Gentile, Gerson, James, Liu, Mark-Viverito, Nelson, Recchia Jr., Sanders Jr., Weprin and Jackson*

Resolution commending the Schomburg Center for Research in Black Culture for its efforts in preserving materials documenting the experiences of people of African descent throughout the world and urging the New York Public Library to maintain the Schomburg Center as one of the preeminent research libraries in the City of New York.

Cultural Affairs, Libraries & International Intergroup Relations

Res 1117-2007 *By Council Members Monserrate, Brewer, Felder, Fidler, Gennaro, Gentile, Gerson, Gonzalez, James, Mark-Viverito, Nelson, Sanders Jr., Avella, Liu, Eugene, Sears, Weprin and White Jr.*

Resolution calling upon the United States Congress to pass as the "Bridging the Gap for Wounded Warriors Act".

Veterans

Int 0640-2007 *By Council Members Vallone Jr., The Speaker (Speaker Quinn), Gennaro, McMahon, Yassky, Liu, Mark-Viverito, Gioia, de Blasio, The Public Advocate (Public Advocate Gotbaum), Avella, Brewer, Felder, Fidler, Gentile, Gonzalez, James, Koppell, Lappin, Nelson, Recchia Jr., Sanders Jr., Weprin, Jackson and Arroyo*

A Local Law to amend the administrative code of the city of New York, in relation to requiring a recycling program for

plastic carryout bags and film plastic.
Sanitation and Solid Waste Management

Res 1118-2007 *By Council Members Weprin, Brewer, Fidler, Gennaro, James, Liu, Mendez, Nelson, Sanders Jr., Sears, Stewart, Vann, Arroyo and Jackson*

Resolution calling upon the New York State Legislature to adopt and the Governor to sign legislation which would allow credit unions, savings banks, savings and loan associations and federal savings associations to accept and secure deposits from municipal corporations.

Finance

LU 0610-2007 *By Council Member Katz*

Uniform Land Use Review Procedure application no. C 000198 ZMM pursuant to §197-c and §197-d of the New York City Charter, concerning changes to the zoning map, Section No.s 8c and 8d, Borough of Manhattan, Council District no. 5.

Zoning and Franchises

LU 0611-2007 *By Council Member Katz*

Uniform land use review procedure application no. C 070441 ZSM, pursuant to §197-c and §197-d of the Charter of the City of New York concerning a special permit under Sections 13-562 and 74-52 of the Zoning Resolution to allow an attended public parking garage in the Borough of Manhattan, Council District no. 5. 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.

Zoning and Franchises