

The New York City Council Council Agenda

Stated Meeting

March 11, 2009

1:30 PM

Council Chambers - City Hall

1. Roll Call

2. Invocation

*Delivered by: Fr. James Hayes, St. Andrews Church, 20
Cardinal Hayes Place, New York, New York 10007.*

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

3. Adoption of Minutes

*Motion that the Minutes of the Stated Meeting of January 28,
2009 be adopted as printed by Council Member Comrie.*

4. Messages & Papers from the Mayor

None

5. Communications from City, County & Borough

Offices

None

6. Petitions and Communications

None

7. Land Use Call-Ups

None

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 Consumer Affairs

Int 0057-2006-A Sale of reconditioned mattresses and to the creation of a Bed Bug Task Force.

A Local Law in relation to the creation of a Bed Bug Advisory Board.

Amended and Coupled on GO

Int 0660-2007-A Buyers of consumer debt.

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

Amended and Coupled on GO

Report of the Committee on Finance

Int 0852-2008-A **Recovery of expenses for repair work performed by or on behalf of the department of housing preservation and development and department of finance statements of account.**

A Local Law to amend the administrative code of the city of New York, in relation to recovery of expenses for repair work performed by or on behalf of the department of housing preservation and development and department of finance statements of account.

Amended and Coupled on GO

Res 1854-2009 **Approving the new designation and changes in the designation of certain organizations to receive funding in the Fiscal 2009 Expense Budget.**

Resolution approving the new designation and changes in the designation of certain organizations to receive funding in the Fiscal 2009 Expense Budget.

Preconsidered - Coupled on GO

Res 1856-2009 **LU 1023 - Haven Plaza, 188-198 Avenue C, 200 Avenue C, 726 East 13th Street, 700-722 East 13th Street, Manhattan.**

Resolution approving a full exemption from real property taxes for property located at 188-198 Avenue C, 200 Avenue C, 726 East 13th Street, 700-722 East 13th Street (Block 382, Lot 1) Manhattan, pursuant to Section 577 of the Private Housing Finance Law (Preconsidered L.U. No. 1023).

Preconsidered - Coupled on GO

Report of the Committee on Land Use

Res 1857-2009 **LU 931 - UDAAP, 1157 Fulton Avenue, Bronx (C090073HAX)**

Resolution approving the decision of the City Planning Commission on an application submitted by the Department of Housing Preservation and Development, ULURP No. C

090073 HAX, approving the designation of property located at 1157 Fulton Avenue (Block 2609, Lot 54), 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. 931; C 090073 HAX).

Coupled on GO

Res 1858-2009 LU 982 - UDAAP, 304 West 47th Street, Manhattan (C090072PPM)

Resolution approving the decision of the City Planning Commission on ULURP No. C 090072 PPM, for the disposition of a negative easement interest on city-owned property located at 304 West 47th Street (Block 1037, Lot 37), Borough of Manhattan (L.U. No. 982).

Coupled on GO

Res 1859-2009 LU 984 - UDAAP, 463 East 159th Street, Bronx (20095295HAX)

Resolution approving an Urban Development Action Area Project located at 463 East 159th Street (Block 2381, Lot 64), Borough of 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. 984; 20095295 HAX).

Coupled on GO

LU 0991-2009 Zoning Reso., Special Forest Hills Districts in Article VIII, Queens (C090103ZRQ)

Application no. C 090103 ZRQ, submitted by the Department of city Planning pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, creating the Special Forest Hills Districts in Article VIII, Chapter 6 and amending related sections of the Zoning resolution.

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 0992-2009 Zoning Reso., Special Forest Hills Districts in Article VIII, Queens (C090104ZMQ)

Application no. C 090104 ZMQ, pursuant to Sections 197-c and 201 of the New York City Charter, for an amendment of the Zoning Map, Section No. 14a.

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 1860-2009 LU 998 - Sidewalk Cafe, 185 Bleecker Street, Manhattan (20085471TCM)

Resolution approving the petition for a revocable consent for an unenclosed sidewalk café located at 185 Bleecker Street, Borough of Manhattan (20085471 TCM; L.U. No. 998).

Coupled on GO

Res 1861-2009 LU 999 - Sidewalk Cafe, 523 9th Ave., Manhattan (20085645TCM)

Resolution approving the petition for a revocable consent for an unenclosed sidewalk café located at 523 9th Avenue, Borough of Manhattan (20085645 TCM; L.U. No. 999).

Coupled on GO

Res 1862-2009 LU 1000 - Zoning Map, Dermot BMB, LLC and the NYC Economic Development Corporation (C090120ZMM)

Resolution approving the decision of the City Planning Commission on ULURP No. C 090120 ZMM, a Zoning Map amendment (L.U. No. 1000).

Coupled on GO

Res 1863-2009 LU 1001 - Zoning Map Amendment (C090197ZMK)

Resolution approving the decision of the City Planning

Commission on ULURP No. C 090197 ZMK, a Zoning Map amendment (L.U. No. 1001).

Coupled on GO

Res 1864-2009 LU 1002 - ULURP, Battery Maritime Building, 10 South Street, Manhattan (20090121PPM)

Resolution approving the decision of the City Planning Commission on ULURP No. C 090121 PPM, for the disposition of one (1) city-owned property located at the Battery Maritime Building, 10 South Street (Block 2, Lot 1), Borough of Manhattan (L.U. No. 1002).

Coupled on GO

Res 1865-2009 LU 1003 - Zoning, Toll Brooklyn, L.P., Brooklyn (C090047ZMK)

Resolution approving the decision of the City Planning Commission on ULURP No. C 090047 ZMK, a Zoning Map amendment (L.U. No. 1003).

Coupled on GO

Res 1866-2009 LU 1005 - Zoning Reso., Toll Brooklyn, L.P., Brooklyn (N090049ZRK)

Resolution approving the decision of the City Planning Commission on Application No. N 090049 ZRK, for an amendment of the Zoning Resolution of the City of New York, concerning Article XII, Section 3 (Special Mixed Use Districts) and Article II, Section 3 (Bulk Regulations for Residential Buildings in Residence Districts) in Community District 6, Borough of Brooklyn (L.U. No. 1005).

Coupled on GO

Res 1867-2009 LU 1006 - Zoning, 10 South Street, Manhattan (N090122ZAM)

Resolution approving the decision of the City Planning Commission for the grant of an authorization pursuant to Section 62-722(a) of the Zoning Resolution of the City of New York to modify the requirements of Sections 62-40

(Requirements for Waterfront Public Access and Visual Corridors), and in conjunction therewith, Section 62-332 (Rear yards and waterfront yards) to facilitate a partial conversion and enlargement of an existing building, on property located at 10 South Street (Block 2, p/o Lot 1), in a C4-6 District, within the Special Lower Manhattan District (Non-ULURP No. N 090122 ZAM; L.U. No. 1006).

Coupled on GO

Res 1868-2009 LU 1007 - Landmark, St. Nicholas of Myra Orthodox Church, Manhattan (20095264HKM)

Resolution affirming the designation by the Landmarks Preservation Commission of the St. Nicholas of Myra Orthodox Church building, located at 288 East 10th Street a.k.a. 155-157 Avenue A (Block 437, Lot 25), Borough of Manhattan, Designation List No. 408, LP-2312; L.U. No. 1007; 20095264 HKM; N 090255 HKM).

Coupled on GO

Res 1869-2009 LU 1008 - Landmark, Society House of the American Society of civil Engineers, Manhattan (20095265HKM)

Resolution affirming the designation by the Landmarks Preservation Commission of the Society House of the American Society of Civil Engineers, located at 220 West 57th Street (Block 1028, Lot 42), Borough of Manhattan, Designation List No. 408, LP-2297; L.U. No. 1008; 20095265 HKM; N 090254 HKM).

Coupled on GO

Res 1870-2009 LU 1022 - Landmarks, Enabling Act requesting the approval of the surrender of a parcel of land located on the campus of the Queens Hospital Center on Goethals Avenue (20095340HHQ)

Resolution approving the surrender of a parcel of land on the northern portion of the campus of the Queens Hospital Center located on Goethals Avenue, Borough of Queens (20095340 HHQ; L.U. No. 1022).

Coupled on GO**Res 1871-2009 LU 1024 - ULURP, Toll Brooklyn L.P., Brooklyn
(C090048ZSK)**

Resolution approving the decision of the City Planning Commission on ULURP No. C 090048 ZSK (Preconsidered L.U. No. 1024), for the grant of a special permit pursuant to Section 74-743(a)(2) of the Zoning Resolution of the City of New York to modify the height and setback regulations of Section 123-66 (Height and Setback Regulations), the rear yard regulations of Section 23-47 (Minimum Required Rear Yards), and the inner court regulations of Section 23-852 (Inner court recesses), in connection with a proposed mixed use development on property located at 363-365 Bond Street, (Block 452, Lots 1, 5, 15, 19, and Block 458, Lot 1), in an M1-4/R7-2 (MX-11) district within a General Large-Scale Development, Borough of Brooklyn.

Preconsidered - Coupled on GO

**Report of the Committee on Sanitation and Solid Waste
Mangement****Int 0840-2008 Increasing fees for permits issued to operators of dumps,
non-putrescible solid waste transfer stations and putrescible
solid waste transfer stations.**

A Local Law to amend the administrative code of the city of New York, in relation to increasing fees for permits issued to operators of dumps, non-putrescible solid waste transfer stations and putrescible solid waste transfer stations, and establishing registration fees for intermodal solid waste container facilities.

Coupled on GO

Report of the Committee on Waterfronts

Int 0867-2008-A **Waterfront management advisory board.**

A Local Law to amend the New York city charter, in relation to the waterfront management advisory board.

Amended and Coupled on GO

12. General Orders Calendar

T2006-0001 **Commissioner of Deeds**

Commissioner of Deeds

Coupled on GO

Coupled on General Order Calendar

Consumer Affairs

Int 0057-2006-A **Sale of reconditioned mattresses and to the creation of a Bed Bug Task Force.**

A and GO

Int 0660-2007-A **Buyers of consumer debt.**

A and GO

Finance

Int 0852-2008-A **Recovery of expenses for repair work performed by or on behalf of the department of housing preservation and development and department of finance statements of account.**

A and GO

Res 1854-2009 **Approving the new designation and changes in the designation of certain organizations to receive funding in the Fiscal 2009 Expense Budget.**

Preconsidered - GO

Res 1856-2009 **LU 1023 - Haven Plaza, 188-198 Avenue C, 200 Avenue C, 726 East 13th Street, 700-722 East 13th Street, Manhattan.**
Preconsidered - GO

Land Use

Res 1857-2009 **LU 931 - UDAAP, 1157 Fulton Avenue, Bronx (C090073HAX)**
GO

Res 1858-2009 **LU 982 - UDAAP, 304 West 47th Street, Manhattan (C090072PPM)**
GO

Res 1859-2009 **LU 984 - UDAAP, 463 East 159th Street, Bronx (20095295HAX)**
GO

Res 1860-2009 **LU 998 - Sidewalk Cafe, 185 Bleecker Street, Manhattan (20085471TCM)**
GO

Res 1861-2009 **LU 999 - Sidewalk Cafe, 523 9th Ave., Manhattan (20085645TCM)**
GO

Res 1862-2009 **LU 1000 - Zoning Map, Dermot BMB, LLC and the NYC Economic Development Corporation (C090120ZMM)**
GO

Res 1863-2009 **LU 1001 - Zoning Map Amendment (C090197ZMK)**
GO

Res 1864-2009 **LU 1002 - ULURP, Battery Maritime Building, 10 South Street, Manhattan (20090121PPM)**
GO

Res 1865-2009 **LU 1003 - Zoning, Toll Brooklyn, L.P., Brooklyn**

(C090047ZMK)

GO

**Res 1866-2009 LU 1005 - Zoning Reso., Toll Brooklyn, L.P., Brooklyn
(N090049ZRK)**

GO

Res 1867-2009 LU 1006 - Zoning, 10 South Street, Manhattan (N090122ZAM)

GO

**Res 1868-2009 LU 1007 - Landmark, St. Nicholas of Myra Orthodox Church,
Manhattan (20095264HKM)**

GO

**Res 1869-2009 LU 1008 - Landmark, Society House of the American Society of
civil Engineers, Manhattan (20095265HKM)**

GO

**Res 1870-2009 LU 1022 - Landmarks, Enabling Act requesting the approval of
the surrender of a parcel of land located on the campus of the
Queens Hospital Center on Goethals Avenue (20095340HHQ)**

GO

**Res 1871-2009 LU 1024 - ULURP, Toll Brooklyn L.P., Brooklyn
(C090048ZSK)**

Preconsidered - GO

Sanitation and Solid Waste Management

**Int 0840-2008 Increasing fees for permits issued to operators of dumps,
non-putrescible solid waste transfer stations and putrescible
solid waste transfer stations.**

GO

Waterfronts

Int 0867-2008-A **Waterfront management advisory board.**
A and GO

General Order Calendar

T2006-0001 **Commissioner of Deeds**
GO

13. Introduction & Reading of Bills
See Attached

14. Discussion of Resolutions

15. Resolutons
None

16. General Discussion

17. Extension of Remarks

INTRODUCTION AND READING OF BILLS

Int 0941-2009 *By Council Members Arroyo, Vallone Jr., Recchia Jr., Avella,
Baez, Comrie Jr., Dickens, Gentile, James, Koppell, Liu, Mealy,
Nelson, Palma and Sears*

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

Public Safety

Int 0942-2009 *By Council Member Avella*

A Local Law to amend the New York City charter in relation

to prohibiting allowances in addition to salary for council members.

Governmental Operations

Int 0943-2009

By Council Member Avella

A Local Law to amend the New York City charter, in relation to prohibiting outside employment for council members.

Governmental Operations

Res 1848-2009

By Council Members Avella and Palma

Resolution repealing, adding and amending various rules to the Rules of the Council.

Rules, Privileges and Elections

SLR 0001-2009

By Council Members Baez, The Speaker (Speaker Quinn), Fidler, Garodnick, James, Koppell, Lappin, Liu, Mealy, Palma, Avella, Gerson, de Blasio, Dickens, Brewer and Weprin

State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Krueger, S. 749, and Assembly Member Lopez, A. 1688, "AN ACT to amend the local emergency housing rent control act, in relation to the rent regulation laws".

State and Federal Legislation

SLR 0002-2009

By Council Members Baez, The Speaker (Speaker Quinn), Garodnick, James, Koppell, Lappin, Liu, Mealy, Palma, Avella, Gerson, de Blasio, Dickens, Brewer and Weprin

State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Stewart-Cousins, S. 2237-A, and Assembly Member Rosenthal, A. 2005, "AN ACT to amend the administrative code of the city of New York and the emergency tenant protection act of nineteen seventy-four, in relation to making conforming technical changes; and to repeal paragraph 13 of subdivision a of section 5 of section 4 of chapter 576 of the laws of 1974 constituting the emergency tenant protection act

of nineteen seventy-four, paragraph (n) of subdivision 2 of section 2 of chapter 274 of the laws of 1946, constituting the emergency housing rent control law, and section 26-504.2 and subparagraph (k) of paragraph 2 of subdivision e of section 26-403 of the administrative code of the city of New York, relating to vacancy decontrol”.

State and Federal Legislation

Res 1849-2009

By Council Members Foster, Brewer, Comrie Jr., Dickens, Gonzalez, James, Koppell, Mealy, Palma, Rivera, Sanders Jr., Vann, Weprin, Gerson, Avella, White Jr. and Gentile

Resolution calling upon the New York State Legislature to increase the maximum weekly unemployment insurance benefit of \$405 to be compatible with the greater benefits provided by twenty-four other states, including New Jersey and Connecticut, and to pass A.4921/S.2245, an act to amend the labor law, in relation to the unemployment insurance law and increasing the maximum benefit rate for unemployment insurance.

Civil Service and Labor

Int 0944-2009

By Council Members Gennaro, Comrie Jr., Dickens, Fidler, James, Koppell, Nelson, Palma, Sears, Stewart, Weprin, Gerson, Foster and White Jr.

A Local Law to amend the administrative code of the city of New York, in relation to the notification of schools concerning drug activity.

Public Safety

Res 1850-2009

By Council Members Gennaro, Garodnick, Brewer, Comrie Jr., Fidler, Gentile, Gonzalez, Katz, Koppell, Liu, Nelson, Palma, Sanders Jr., Vallone Jr., Weprin, Gerson, Foster, White Jr., de Blasio and Lappin

Resolution calling on the New York State Legislature, the New York State Department of Environmental Conservation, and New York State Governor David Paterson to prohibit drilling for natural gas within the boundaries of the watershed

of the New York City drinking water supply.

Environmental Protection

Res 1851-2009

By Council Members James, Brewer, Comrie Jr., Fidler, Gentile, Koppell, Liu, Mealy, Palma, Rivera, Sanders Jr., Sears, Weprin, Stewart and Foster

Resolution calling upon the Bloomberg Administration to discontinue the practice of defunding child care centers mid-year and thus closing desperately needed child care services throughout the city.

General Welfare

Int 0945-2009

By Council Members Recchia Jr., Vallone Jr., Arroyo, Baez, Brewer, Comrie Jr., Fidler, Gennaro, Gentile, Gonzalez, Liu, Nelson, Stewart, Vann, Avella, Mark-Viverito, Lappin, Koppell, Vacca, Crowley, Gerson, Ignizio and Oddo

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

Public Safety

Res 1852-2009

By Council Members Recchia Jr., Avella, Brewer, Fidler, Gennaro, Gentile, Gonzalez, James, Koppell, Mealy, Nelson, Palma, Rivera, Stewart, Weprin, Foster, Gerson, Jackson, Mark-Viverito and Sears

Resolution urging the Governor of the State of New York and the New York State Legislature not to cut State funding to zoos, botanical gardens and aquariums.

Cultural Affairs, Libraries & International Intergroup Relations

Res 1853-2009

By Council Members Stewart, Dickens, James, Palma, Sanders Jr., Gerson, Foster, Vallone Jr., Koppell and Seabrook

Resolution calling on the State Legislature to pass legislation that would require the owners of dangerous dogs to obtain liability insurance for personal injury or death of any person, resulting from an attack of such dangerous dog.

Health

Res 1854-2009

By Council Members Weprin, Comrie Jr. and James

Resolution approving the new designation and changes in the designation of certain organizations to receive funding in the Fiscal 2009 Expense Budget.

Preconsidered - Finance

Res 1855-2009

By Council Members Yassky, Weprin, Brewer, Comrie Jr., James, Koppell, Lappin, Liu and Palma

Resolution calling on the New York State Assembly to pass A. 4916, which would amend New York State insurance law to ensure that consumers utilizing rental vehicle reimbursement coverage are able to rent from the rental vehicle company of their choice.

Consumer Affairs

LU 1023-2009

By Council Member Weprin

Haven Plaza, 188-198 Avenue C, 200 Avenue C, 726 East 13th Street, 700-722 East 13th Street, Manhattan, Council District No. 2.

Preconsidered - Finance

LU 1024-2009

By Council Member Katz

Uniform land use review procedure application no. C 090048 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. 39 to facilitate a mixed-use development. 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.

Preconsidered - Zoning and Franchises

LU 1025-2009

By Council Member Katz

Application no. 20095180 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of Scuderia Gallo Inc. d/b/a Scuderia to establish,

maintain and operate an unenclosed sidewalk café located at 10 Downing Street a.k.a. 257-263 6th Avenue, Borough of Manhattan, Council District no. 3. This application is subject to review and action by the Land Use Committee only if called-up by vote of the Council pursuant to Rule 11.20b of the Council and §20-226(g) of the New York City Administrative Code.

Preconsidered - Zoning and Franchises

LU 1026-2009

By Council Member Katz

Uniform land use review procedure application no. C 090141 HAK, an Urban Development Action Area Designation and Project, located at 1598, 1600 and 1602 Fulton Street and the disposition of such property, Borough of Brooklyn, Council District no. 36. 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 1027-2009

By Council Member Katz

Uniform land use review procedure application no. C 090142 HAK, an Urban Development Action Area Designation and Project, located at 1560, 1562, 1564, 1566, 1568, 1570, 1572, 1574 and 1576 Fulton Street and 43 Albany Street, and the disposition of the city-owned property, Borough of Brooklyn, Council District no. 36. 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 1028-2009

By Council Member Katz

Application no. N 090252 HAM, an Urban Development Action Area Designation and Project, located at 400-402 East 8th Street; 103, 101, 97-99 Avenue D; 281 and 279 East 7th Street, Borough of Manhattan, Council District no. 2. This

matter is subject to Council Review and action pursuant to §197-c and §197-d of the New York City Charter and Article 16 of the General Municipal Law.

Planning, Dispositions and Concessions