

CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

STATED MEETING OF THE CITY COUNCIL

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February 2, 2011  
Start: 2:25 pm  
Recess: 4:40 pm

HELD AT: Council Chambers  
City Hall

B E F O R E:  
CHRISTINE C. QUINN  
Speaker

COUNCIL MEMBERS:

Council Member Maria del Carmen Arroyo  
Council Member Gale A. Brewer  
Council Member Fernando Cabrera  
Council Member Margaret S. Chin  
Council Member Leroy G. Comrie, Jr.  
Council Member Elizabeth S. Crowley  
Council Member Inez E. Dickens  
Council Member Erik Martin Dilan  
Council Member Daniel Dromm  
Council Member Mathieu Eugene  
Council Member Julissa Ferreras  
Council Member Lewis A. Fidler  
Council Member Helen D. Foster  
Council Member Daniel R. Garodnick  
Council Member James F. Gennaro  
Council Member Vincent J. Gentile  
Council Member Sara M. Gonzalez

## A P P E A R A N C E S [CONTINUED]

## COUNCIL MEMBERS:

Council Member David Greenfield  
Council Member Daniel J. Halloran  
III  
Council Member Vincent M. Ignizio  
Council Member Robert Jackson  
Council Member Letitia James  
Council Member Peter A. Koo  
Council Member G. Oliver Koppell  
Council Member Karen Koslowitz  
Council Member Brad S. Lander  
Council Member Jessica S. Lappin  
Council Member Stephen T. Levin  
Council Member Melissa Mark-  
Viverito  
Council Member Darlene Mealy  
Council Member Rosie Mendez  
Council Member Michael C. Nelson  
Council Member James S. Oddo  
Council Member Domenic M. Recchia,  
Jr.  
Council Member Diana Reyna  
Council Member Ydanis A. Rodriguez  
Council Member Deborah L. Rose  
Council Member James Sanders, Jr.  
Council Member Larry B. Seabrook  
Council Member Eric A. Ulrich  
Council Member James Vacca  
Council Member Peter F. Vallone,  
Jr.  
Council Member James G. Van Bramer  
Council Member Albert Vann  
Council Member Mark S. Weprin  
Council Member Jumaane D. Williams  
Council Member Ruben Wills

A P P E A R A N C E S [CONTINUED]

Christine C. Quinn  
Opening Statement  
Speaker  
New York City Council

Ceremonial Presentations

Erik Martin Dilan  
Presenting Proclamation Honoring Bonnie Impagliazzo  
New York City Council Member

Committee Clerk  
Reading Proclamation for Bonnie Impagliazzo  
New York City Council

Karen L. Gould  
President  
Brooklyn College

Bonnie Impagliazzo  
Proclamation Honoree  
Brooklyn College

Christine C. Quinn acknowledges:  
Barbara Scafiddi, Special Assistant to the Speaker

Vincent Gentile  
Presenting Proclamation Honoree Fort Hamilton High  
School Tigers  
New York City Council Member

Vincent Gentile Acknowledging:  
Fort Hamilton Tigers  
Dan Diaz, Football Coach, Fort Hamilton Tigers

Committee Clerk  
Reading Proclamation for Fort Hamilton High School  
New York City Council

Daniel Diaz  
Coach  
Fort Hamilton Tigers

A P P E A R A N C E S [CONTINUED]

Daniel Diaz acknowledges:  
Brandon Reddish, football player  
Ivan Floyd, football player  
James Howard, football player

Jo Ann Chester  
Principal  
Fort Hamilton High School

Jo Ann Chester thanks:  
Vincent Gentile  
Christine C. Quinn

Christine C. Quinn thanks:  
Council Member Margaret S. Chin  
Council Member Peter A. Koo

Margaret S. Chin  
Presenting Proclamation for Chinese Consolidated  
Benevolent Association

Peter A. Koo  
Presenting Proclamation for Chinese Consolidated  
Benevolent Association

Committee Clerk  
Reading Proclamation for Chinese Consolidated  
Benevolent Association  
New York City Council

Jack Eng  
President  
Chinese Consolidated Benevolent Association

Sergeant at Arms  
New York City Council

Leroy G. Comrie, Jr.  
Acting as Presiding official

A P P E A R A N C E S [CONTINUED]

Reverend Doctor John C. J. Chang  
The Grace Christian Church  
Flushing, New York

Peter A. Koo  
Motion to spread the invocation  
New York City Council Member

Michael C. Nelson  
Motion to adopt the minutes  
New York City Council Member

Christine C. Quinn  
Speaking on Intro 332-A

Christine C. Quinn thanks for work on 2 HHC  
appointees:  
Leroy Comrie, Acting Chair of the Rules Committee  
Chuck Davis

Christine C. Quinn thanks for work on Intro 332-A:  
Rob Newman  
Lacey Clark  
Adira Simon  
Joe Mancino  
Terza Nasser  
Maria del Carmen Arroyo  
Melissa Mark-Viverito  
Gale A. Brewer

Gale A. Brewer  
Sponsor, Intro 332-A  
New York City Council Member

Gale A. Brewer thanks for support on Intro 332-A:  
Melissa Mark-Viverito  
Maria del Carmen Arroyo  
Domenic M. Recchia, Jr.  
Peter F. Vallone, Jr.

A P P E A R A N C E S [CONTINUED]

Christine C. Quinn acknowledges:

Many advocates in support of Intro 332-A  
James Gennaro for Academy Nomination for film on  
hydraulic fracturing

Robert Jackson  
Speaking on Intro 332-A  
New York City Council Member

Vincent M. Ignizio  
Speaking on Intro 332-A  
New York City Council Member

Brad S. Lander  
Speaking on Intro 332-A  
New York City Council Member

James S. Oddo  
Speaking on Intro 332-A  
New York City Council Member

James F. Gennaro  
Speaking on Intro 332-A  
New York City Council Member

Daniel J. Halloran III  
Speaking on Intro 332-A  
New York City Council Member

G. Oliver Koppell  
Speaking on Intro 332-A  
New York City Council Member

Jumaane D. Williams  
Speaking on Intro 332-A  
New York City Council Member

Letitia James  
Speaking on Intro 332-A  
New York City Council Member

A P P E A R A N C E S [CONTINUED]

James Sanders, Jr.  
Speaking on Intro 332-A  
New York City Council Member

Ydanis Rodriguez  
Speaking on Intro 332-A  
New York City Council Member

Eric A. Ulrich  
Speaking on Intro 332-A  
New York City Council Member

Rosie Mendez  
Speaking on Intro 332-A  
New York City Council Member

Melissa Mark-Viverito  
Speaking on Intro 332-A  
New York City Council Member

James G. Van Bramer  
Speaking on Intro 332-A  
New York City Council Member

Peter F. Vallone, Jr.  
Speaking on Intro 332-A  
New York City Council Member

Lewis A. Fidler  
Speaking on Intro 332-A  
New York City Council Member

Karen Koslowitz  
Speaking on Intro 332-A  
New York City Council Member

Erik Martin Dilan  
Speaking on Intro 332-A  
New York City Council Member

A P P E A R A N C E S [CONTINUED]

Maria del Carmen Arroyo  
Speaking on Intro 332-A  
New York City Council Member

Stephen T. Levin  
Speaking on Intro 332-A  
New York City Council Member

David Greenfield  
Speaking on Intro 332-A  
New York City Council Member

Albert Vann  
Speaking on Intro 332-A  
New York City Council Member

Domenic M. Recchia, Jr.  
Speaking on Intro 332-A  
New York City Council Member

Margaret S. Chin  
Speaking on Intro 332-A  
New York City Council Member

Darlene Mealy  
Speaking on Intro 332-A  
New York City Council Member

Ruben Wills  
Speaking on Intro 332-A  
New York City Council Member

Peter A. Koo  
Speaking on Intro 332-A  
New York City Council Member

Deborah L. Rose  
Speaking on Intro 332-A  
New York City Council Member

A P P E A R A N C E S [CONTINUED]

Michael C. Nelson  
Speaking on Intro 332-A  
New York City Council Member

Robert Jackson  
Speaking on closure of New York City schools  
New York City Council Member

Daniel R. Garodnick  
Speaking on bills for pedicab regulation and  
government parking placards  
New York City Council Member

Peter A. Koo  
Wishing everyone a great Chinese New Year  
New York City Council Member

Jumaane D. Williams  
Speaking on bill for cost-benefit analysis of  
contracting out  
New York City Council Member

Leroy G. Comrie, Jr.  
Speaking on Resolution for credits on firefighters  
exam  
New York City Council Member

David Greenfield  
Speaking on intro regarding parking permits for women  
with difficult pregnancies  
New York City Council Member

Ydanis Rodriguez  
Urging members to attend Panel on Education meeting  
New York City Council Member

Diana Reyna  
Speaking on Reso for early voting  
New York City Council Member

A P P E A R A N C E S [CONTINUED]

Stephen T. Levin  
Speaking on Intro for oversight of Police  
Department's CPR and AED certifications  
New York City Council Member

2                   MALE VOICE 1: This is a test for  
3 the Stated Meeting of February 2<sup>nd</sup>, 2011, the  
4 meeting is being recorded by Ivette Molina.

5                   SPEAKER QUINN: Start our  
6 ceremonials. And whoops, we have three  
7 ceremonials today. And the first one is being led  
8 by Erik Dilan with the entire Brooklyn delegation  
9 and if we could ask President Karen Gould and  
10 everyone from Brooklyn College, particularly  
11 Bonnie, to make their way up here for this  
12 important ceremonial. Let's give the Brooklyn  
13 College gang a round of applause while they make  
14 their way up here.

15                  [Applause]

16                  BROOLYN COLLEGE PRESIDENT KAREN  
17 GOULD: Speaker it's so nice to see you again.

18                  SPEAKER QUINN: Thank you so much.

19                  MS. GOULD: You're so very welcome.

20                  SPEAKER QUINN: And let me turn the  
21 mic over to the Chair of the Brooklyn delegation,  
22 Erik Dilan and Gary let's give the proclamation.

23                  COUNCIL MEMBER DILAN: Bonnie just  
24 thank you for all your years of service  
25 particularly to Brooklyn College and to our

2 delegation. And I think to a person in this  
3 delegation it's certainly going to be a different  
4 budget season without you advocating for your  
5 university on the steps. But we will all miss  
6 you. We will not forget your advocacy efforts on  
7 behalf of the college. And I know that we've been  
8 through some good budgets together and some bad  
9 budgets together.

10 We'll still keep Brooklyn College  
11 in mind. I know you're probably particularly sad  
12 you're going to miss this one 'cause it's going to  
13 be interesting. But... you know, rest assured the  
14 entire delegation cares very much about our  
15 universities and our hospitals. So we're going to  
16 do the best that we can to make sure that  
17 everybody comes out the way they need to come out  
18 as a whole. And just thank you for all your years  
19 of service. Enjoy your retirement. We're all  
20 going to miss you, miss you so very much.

21 [Applause]

22 COUNCIL MEMBER DILAN: Okay... Oh  
23 that's what I get for not listening to the  
24 Speaker, I'm so sorry. Can the Clerk please read  
25 the Proclamation.

FEMALE COMMITTEE CLERK: Council,

## 3 || City of New York Proclamation.

Whereas Bonnie Impagliazzo has dedicated herself to public service and has a distinguished career serving the needs of Brooklyn in various capacities, serving as Brooklyn College's Director of Government and External Affairs since 2000, Ms. Impagliazzo has been instrumental in obtaining public funding for a variety of major capital projects that are transforming the college's campus.

Whereas Ms. Impagliazzo's first endeavor in the field of public service was to establish and direct a program called Something for Mothers which provided educational workshops for women and childcare for their young children. She subsequently created and eventually directed the Park Slope Women's Center, a job-readiness program for women receiving public assistance.

21 [Applause]

Following that she went on to work  
as an administrator and leader as a Youth  
Coordinator in the District of Community Board 6  
in Brooklyn, and

2                           Whereas in 1986 Ms. Impagliazzo  
3 joined the Office of the Brooklyn Borough  
4 President where over a 10-year span she served as  
5 a Community Coordinator, Census Director and  
6 finally as Education Policy Specialist, and

Whereas Ms. Impagliazzo joined the  
Municipal Labor Organization, the Council of  
Supervisors and Administrators in 1997 to serve as  
its first Public Relations Director, she  
implemented an Institution Identity Program and  
expanded the union's relations with major press  
outlets including the New York Times.

14 Now therefore be it known that the  
15 Council of the City of New York including the  
16 entire Brooklyn delegation proudly honors Bonnie  
17 Impagliazzo for her outstanding contributions to  
18 the Borough of Brooklyn and to all of New York  
19 City.

22 Erik Martin Dilan, Council Member,  
23 37<sup>th</sup> District

24 And the rest of the Brooklyn  
25 delegation

2 SPEAKER QUINN: Well just as we...

3 [Applause]

4 SPEAKER QUINN: Let me give the mic  
5 to President Gould and then to Bonnie but I will  
6 just say to everyone that I echo everything Erik  
7 said. That your work at Brooklyn College is  
8 incredibly impressive, all of the work that's  
9 outlined in the Proclamation is even more  
10 impressive, but most impressive of all, and Madam  
11 President you really need to appreciate this, is  
12 that Barbara Scafiddi, my Special Assistant who  
13 literally likes no one and Barbara would agree  
14 with that if she was here just said I'm going to  
15 miss Bonnie during the budget. Right? So she  
16 really made it into the innards of the City  
17 Council. So that is higher than a Proclamation.  
18 So President?

19 MS. KAREN GOULD: Thank you very  
20 much. It is very difficult to say goodbye but I  
21 know that Bonnie is going to be with all of us  
22 including the Council for a very, very long time.  
23 And she's going to be making sure that we are all  
24 doing our work on behalf of Brooklyn College. So  
25 I just want to say I always say that no one is

2                   irreplaceable but I think I just found out that  
3                   I'm wrong. I'm going to need all of your help to  
4                   find someone who can begin to be as good as Bonnie  
5                   has been her whole career at Brooklyn College.  
6                   Thank you very much and congratulations Bonnie.

7                   [Applause]

8                   MS. IMPAGLIAZZO: Thank you  
9                   everyone, I'm almost speechless but there are a  
10                  couple of things I'd like to say--

11                  SPEAKER QUINN: [Interposing]  
12                  [Laughing].

13                  MS. IMPAGLIAZZO: This is a  
14                  bittersweet moment. I'm very touched and honored  
15                  and it's also very hard to say goodbye to all of  
16                  you. And there's somebody out there who also  
17                  should be in this inner circle, including Barbara  
18                  and Jeff Rodus.

19                  [Applause]

20                  MS. IMPAGLIAZZO: Speaker Quinn and  
21                  the Brooklyn delegation and the members of your  
22                  staff, including Barbara, I thank you for all your  
23                  years of loyalty and commitment and support of  
24                  Brooklyn College. I thank you for your  
25                  camaraderie and friendship during some times of

2 difficult budget seasons. You always made it  
3 pleasant, productive, helpful, I thank you all.  
4 And I'm very quickly going to rattle off three  
5 areas where you've really been supportive of the  
6 college. Capital programs, a number of very  
7 important projects, lecture halls, special  
8 teaching labs, roofs so that we didn't have a  
9 building completely deteriorate and our library  
10 café, a very important resource on campus.

I'd like to thank you for the  
Borough's classroom which you fund every year  
which enables faculty on campus to assign students  
to attend events, lectures, concerts whatever, in  
our top cultural institutions. Many of our  
students don't know about BAM and the Brooklyn  
Museum and their attendance as a part of their  
coursework is a life-changing experience. And  
finally I'd like to thank you for your support of  
the Vallone scholarships. It really--those are  
really, really important to our students.

22 [Applause]

23 MS. IMPAGLIAZZO: Thank you all.  
24 I'll miss working with you. I know you are very  
25 connected to the college. Some of you went there.

2 Some of you are children of people who went there  
3 or are married to people who went there or who  
4 have cousins who are going there. And I know that  
5 you understand and value higher education. And  
6 I'm very appreciative of all the work that you do  
7 for us and I thank you very much for 11 great  
8 years.

9 MS. GOULD: Thank you.

10 SPEAKER QUINN: Thank you very much  
11 Bonnie and thank you Erik for pulling this  
12 together. Thank you very much. If Brooklyn can  
13 stay here we're going to do Fort Hamilton.

14 COUNCIL MEMBER DILAN: Thanks.

15 SPEAKER QUINN: Oh, you're very  
16 welcome. Thank you.

17 [Pause]

18 SPEAKER QUINN: Thank you. All  
19 right we're going to do another Brooklyn  
20 Ceremonial led by Council Member Vinnie Gentile.  
21 So if the folks from... if the folks from Fort  
22 Hamilton can make their way up that would be  
23 great. The folks from Fort Hamilton High School  
24 come on up.

25 COUNCIL MEMBER JAMES: Yea if

2 you're alumni, yeah Fort Hamilton.

3 SPEAKER QUINN: And if folks can  
4 just fall behind Vinnie in the sweatshirt that  
5 would be great.

6 COUNCIL MEMBER JAMES: Vinnie these  
7 are my fellows. Fellows.

8 [Off mic conversations]

9 COUNCIL MEMBER GENTILE: I'm joined  
10 here not only by the Principal and the first year  
11 coach at Fort Hamilton High School but Fort  
12 Hamilton is the only school to have three current  
13 members of the City Council who are graduates of  
14 Fort Hamilton High School.

15 [Applause, cheering]

16 COUNCIL MEMBER GENTILE:  
17 Councilwoman Tish James, Councilwoman Sara  
18 Gonzales and yours truly. Okay. Yeah let's put  
19 some of the--coach, where's the coach? Coach?  
20 Coach?

21 [Off mic conversation]

22 COUNCIL MEMBER GENTILE: All right.

23 [Off mic conversation]

24 COUNCIL MEMBER GENTILE: To get to  
25 the Championship game the Fort Hamilton High

2 School team--

3 SPEAKER QUINN: [Interposing] Okay  
4 why don't we, shhhh.

5 COUNCIL MEMBER GENTILE: --  
6 undefeated.

7 SPEAKER QUINN: Wait, wait a  
8 minute, hang on one second Vinnie. Let's have  
9 everybody kind of fall in one way or the other so  
10 'cause Bill's going to do his best to get  
11 everybody in the picture. So Bill how wide can it  
12 be for you to take it? All right. Shhh. So  
13 listen--

14 COUNCIL MEMBER GENTILE:  
15 [Interposing] The undefeated--

16 SPEAKER QUINN: --hand on Vinnie,  
17 wait a second. Folks. Bill is the photographer.  
18 Follow his instruction about whether he needs to  
19 get you to move so we can get everybody in the  
20 picture. You got everybody Bill?

21 COUNCIL MEMBER GENTILE: Everybody  
22 good?

23 SPEAKER QUINN: All right, take one  
24 more Bill, a little backup.

25 COUNCIL MEMBER GENTILE: Fort

2 Hamilton. Fort Hamilton defeated--

3 SPEAKER QUINN: [Interposing]

4 Great, thank you.

5 COUNCIL MEMBER GENTILE: --both  
6 undefeated Tottenville and Lincoln High School to  
7 win the Citywide Championship and, you know, just  
8 like the Jets in the Championship game, Fort  
9 Hamilton was dominated by their opponent in the  
10 first half.

11 But unlike the Jets, Fort Hamilton  
12 Tigers found a way to win in the second half of  
13 the game, 8 to 6 with a 26-yard over the shoulder  
14 pass by Marvin Centeno, their quarterback, to  
15 Brendan Reddish and then a 2-point conversion to  
16 Dylan Campili and the defense held Lincoln in the  
17 fourth quarter and some of the defensive members  
18 were even ill during that game but they held them  
19 and they won 8-6 and they are now the new Citywide  
20 PSAL Champions of Football.

21 [Applause]

22 COUNCIL MEMBER GENTILE: And so our  
23 Principal is here and our Head Coach. And our  
24 Head Coach is a rookie head coach, the first time  
25 ever a rookie head coach has won the Citywide

2 Championship in Football, Dan Diaz. And our  
3 Principal Jo Ann Chester.

4 And if the Clerk could now please  
5 read the Proclamation.

6 FEMALE COMMITTEE CLERK: Council,  
7 City of New York Proclamation.

8 Whereas the Fort Hamilton Tigers  
9 established in 1990 were the first football team  
10 in Fort Hamilton High School history, over the  
11 course of the last two decades they have had  
12 incredible triumphs including 16 playoffs, 7  
13 championship games and 5 PSAL Championships, their  
14 tenacity and success have inspired others to--

15 SPEAKER QUINN: [Interposing] If we  
16 can get a little--

17 FEMALE COMMITTEE CLERK:--inspire.

18 SPEAKER QUINN: --shhh, some quiet  
19 in the chambers please. Thank you.

20 FEMALE COMMITTEE CLERK: Have  
21 inspired others to aspire to get it done the Tiger  
22 way, and

23 Whereas on December 9<sup>th</sup>, 2010 in the  
24 first New York City High School football game  
25 played at Yankee Stadium, first year Head Coach

2 Daniel Diaz guided the Fort Hamilton High School  
3 Tigers, 13 and 0 to victory in the New York City  
4 Public School Athletic League Football  
5 Championship with a final score of 8 to 6 over  
6 their Brooklyn rival, the Lincoln High School  
7 Rail-splitters, and

8                           Whereas we congratulate all of the  
9                           players for their hard work and dedication and  
10                          wish them continued success both on and off the  
11                          football field,

Now therefore be it known that  
Council of the City of New York including the  
entire Brooklyn delegation honors the Fort  
Hamilton High School Tigers for their outstanding  
teamwork and victory in the 2010 New York City  
PSAL Championship.

20 Vincent Gentile, Council Member,  
21 43<sup>rd</sup> District

22 And the rest of the Brooklyn  
23 delegation.

24 SPEAKER QUINN: Thank you very much  
25 and Vinnie if we could hear from the coach and/or

2 the captain please.

3 COUNCIL MEMBER GENTILE: Great,  
4 Coach Diaz.

5 COACH DANIEL DIAZ: I feel honored  
6 to be here today, a Brooklyn College graduate,  
7 following the retirement of the Brooklyn College  
8 President. As well I feel honored representing my  
9 alma mater, my high school alma mater, Fort  
10 Hamilton and our great principal Ms. Jo Ann  
11 Chester who's the captain of our ship and always  
12 kept us going in the right direction.

13 I have a great group of boys.  
14 They've been doing a great job. I have two--

15 [Applause]

16 FOOTBALL TEAM MEMBER: Yeah Coach.

17 COACH DIAZ: I've got two boys that  
18 were selected to the All Metro Team which  
19 represents the best players in New Jersey,  
20 Connecticut and New York. And two players were  
21 selected on that team. As well, today is National  
22 Signing Day. And today we had three players  
23 signed National Letters of Intent to go to a  
24 Division I Football program and go play football  
25 for free. So we're really happy with those guys--

2 [Applause]

3 COAH DIAZ: --and I want to point  
4 them out. Brandon Reddish [phonetic].

5 [Cheering, applause]

6 COAH DIAZ: Where's Brandon?  
7 Brandon was our star player this year. He did it  
8 all for us as a quarterback, receiver. Now he's  
9 going to be playing football for Syracuse  
10 University next fall.

11 [Cheering, applause]

12 MR. BRANDON REDDISH: Thank you,  
13 thank you, thank you.

14 COAH DIAZ: As well, probably the  
15 tallest guy over here, you can't miss him, Ivan  
16 Floyd.

17 [Cheering, applause]

18 COAH DIAZ: He's 6'5", 285 pounds.  
19 He did the job. Well done, on the field and off  
20 the field where as well he is also going to attend  
21 Syracuse University next fall. Congratulations  
22 Ivan.

23 [Applause]

24 COUNCIL MEMBER JAMES: There you  
25 go, study hard.

2 COAH DIAZ: And finally but not  
3 least is our senior captain of four years, varsity  
4 player who's been doing a great job for us, James  
5 Howard, just signed his letter of intent for  
6 Wagner College. Congratulation James.

7 [Applause]

8 COAH DIAZ: Who's - - playing the  
9 captain though? Okay? So right now I want to pass  
10 the mic to our Principal, Ms. Jo Ann Chester.

11 MS. JO ANN CHESTER: Thank you  
12 everyone. Fort Hamilton is certainly honored to  
13 be here once again. We were invited back here  
14 four years ago. We had a back to back win. And  
15 we're here again this year, very, very proud, the  
16 team of the decade. Our Tiger Varsity football  
17 team at Yankee Stadium. I want to thank Council  
18 Member Gentile, a former Fort Hamilton grad for  
19 being one of our best supporters and also Speaker  
20 of the House Quinn for your hospitality. Thank  
21 you once again and we'll be back again, Go Tigers.

22 [Applause]

23 SPEAKER QUINN: Great. Thank you  
24 very much.

25 COUNCIL MEMBER GENTILE: Thank you

2 guys. Good job. Good job. Good job.

3 You're great. Thank you guys very  
4 much. And now we're going to bring up as the--  
5 let's give a round of applause to the Fort  
6 Hamilton High School as they make their way out  
7 everybody.

8 [Applause]

9 And if we can get quiet though as  
10 folks exit. And our final ceremonial is going to  
11 be led by Council Member Margaret Chin and Council  
12 Member Peter Koo, the Chinese Consolidated  
13 Benevolent Association of New York, but as Peter  
14 and Margaret make their way up let's give them a  
15 big round of applause and thank them for the  
16 delicious lunch that they brought everybody. So.

17 [Applause]

18 SPEAKER QUINN: Yes? Okay and if  
19 the folks from the Benevolent Association can make  
20 their way too that would be great. And again we  
21 want to thank Peter and Margaret for providing  
22 such a great lunch and reminding us of the  
23 importance of the Lunar New Year so thank you both  
24 very, very much. And if the folks can make their  
25 way on up that would be great.

2

[Pause]

3

SPEAKER QUINN: All right. Let me hand the mic over to Council Member Chin and then Council Member Koo.

6

COUNCIL MEMBER CHIN: Thank you Madam Speaker. I'm glad all my colleagues and their staff enjoyed the great lunch, Chinese food, and want to wish--

10

[Cheering, applause]

11

COUNCIL MEMBER CHIN: --and we want to wish everyone a Happy Lunar New Year, 4,609 and the Year of the Rabbit. So hopefully this will be a peaceful and prosperous year, especially for us in the City Council. Yes, yes, Rabbit. We have the honor, Council Member Koo and I have the honor to present the Proclamation to the Chinese Consolidated Benevolent Association. This Association has been around for 128 years.

20

It was founded after 1882 when our country instituted the Chinese Exclusion Act. The organization came together to fight to protect the Chinese citizens who were here helping to build this country, build the railroad. But they were discriminated. And CCBA have to come together to

make sure that their rights were protected. So over these 120 years they have united Chinese Americans across the country, across New York City, to make sure that they know their rights, make sure they know how to become US citizens, make sure that they exercise their right to vote and also help organize them so they can become a strong community in our City.

And this year especially, they are leading the celebration for the 100<sup>th</sup> anniversary of the founding of the Republic of China where we overthrew the Qing Dynasty and established the first Republic in Asia. So we're happy with the celebration and we wanted to thank and congratulate CCBA for their historic effort throughout this 128 years.

[Applause]

COUNCIL MEMBER KOO: I want to thank Speaker Quinn and all my colleagues here. And tomorrow is the first day of the Chinese New Year of the Rabbit. So let me say Happy New Year to all of you and may the new year bring us prosperity and peace and health. And Gung Hey Fat Choy.

2

[Cheering]

3

COUNCIL MEMBER KOO: Gung Hey Fat

4

Choy means make you make a lot of money.

5

[Laughter]

6

COUNCIL MEMBER KOO: Chinese  
people, Asian people are very practical. And I  
also want to congratulate CCBA for their over 200  
years of service for our community. Our President  
here, his nickname is Mayor of Chinatown. He has  
done a lot of things. He acts as a bridge between  
the City government and the local community. I  
want to thank you for his tireless efforts helping  
our community. And I hope CCBA will do more  
things and continue to do more things for not only  
the Chinese community but for the overall downtown  
community in our area. Thank you very much.

18

SPEAKER QUINN: And if the Clerk  
could please read the Proclamation.

20

COMMITTEE CLERK: Council, City of  
New York Proclamation.

22

Whereas in celebration of Lunar New  
Year and the 100<sup>th</sup> anniversary of the founding of  
the Republic of China, the Council of the City of  
New York is proud to honor the Chinese

2                   Consolidated Benevolent Association, the CCBA, for  
3                   128 years of outstanding support to the community,  
4                   and

5                   Whereas the establishment of the  
6                   Republic of China in 1911 marked the end of the  
7                   Qing Dynasty and 2000 years of Imperial rule in  
8                   China, under its first provisional president  
9                   Doctor Sun Yat Sen, the Republic of China sought  
10                  to provide for the welfare of the people. By  
11                  advocating for a monument to commemorate the  
12                  vision of Doctor Sun Yat Sen, the Chinese  
13                  Consolidated Benevolent Association seeks to honor  
14                  the history of people of Chinese descent on this  
15                  landmark anniversary, and

16                  Whereas the Chinese Consolidated  
17                  Benevolent Association of New York was founded in  
18                  1883, one year after the Chinese Exclusion Act was  
19                  signed into law by the United States, during this  
20                  time Chinese Americans were frozen out of  
21                  mainstream society and subjected to one of the  
22                  most restrictive and discriminatory immigration  
23                  policies in United States history. When the  
24                  Federal government stepped out of the lives of  
25                  Chinese Americans, the CCBA effective stepped in

2 to guarantee the provision of social services to  
3 the Chinese American community, and

Whereas the Chinese Consolidated Benevolent Association has dutifully served Chinese Americans in New York for 128 years, the CCBA, the parent organization of the Chinese Community Center, is the oldest community organization in Chinatown. The New York City Council commends the CCBA for its unwavering service to the Chinese American community and local businesses, for its commitment to charity, and for its protection and advocacy on behalf of recent immigrants, and

Whereas this Lunar New Year 4709 is  
the Year of the Rabbit, a year to foster stronger  
relationships within our families and within our  
communities. The rabbit's traditional focus on  
home, family, security and diplomacy all speak to  
the mission of the great work of the CCBA.

Now therefore be it known that the  
Council of the City of New York most gratefully  
honors the Chinese Consolidated Benevolent  
Association of New York for 128 years of stellar  
service and contributions to the community.

4 Margaret Chin, Council Member, 1<sup>st</sup>  
5 District, Manhattan

Peter Koo, Council Member, 20<sup>th</sup>  
District, Queens.

8 SPEAKER QUINN: Thank you very  
9 much.

10 [Applause]

11 SPEAKER QUINN: Let's hear it for  
12 the president.

13 MR. JACK ENG: Thank you very much  
14 for this Proclamation for the CCBA. As Margaret  
15 Chin and Peter Koo say, our CCBA have been 128  
16 years in service to the community. And this year  
17 is the Year of the Rabbit. And I take this  
18 opportunity to tell everybody have a prosperous  
19 New Year and good luck and good health and Gung  
20 Hey Fat Choy.

21 [Applause]

22 MR. ENG: And this year is also 100  
23 years of the Republic of China. We will put the  
24 statue of Doctor Sun Yat Sen on Canal Street near  
25 Postal [phonetic] and Walker Street. The Board

2 number 3 has been approved. Right now we're  
3 waiting for DOT and the Parks Department. I hope  
4 they will approve too so we can do this on  
5 October. Thank you. Thank you for your support.

6 SPEAKER QUINN: Thank you very,  
7 very much. And this concludes ceremonials and  
8 we'll get the Stated Meeting started in just a  
9 minute or two.

10 [Pause]

11 SERGEANT AT ARMS: Ladies and  
12 gentlemen can I have your attention please. At  
13 this time please place all cell phones and pagers  
14 to vibrate. Thank you.

15 [Gavel banging]

16 COUNCIL MEMBER COMRIE: Please rise  
17 for the Pledge of Allegiance.

18 ALL: I pledge allegiance to the  
19 flag of the United States of America and to the  
20 republic for which it stands, one nation under  
21 god, indivisible with liberty and justice for all.

22 COUNCIL MEMBER COMRIE: Roll call.

23 COMMITTEE CLERK: Arroyo.

24 COUNCIL MEMBER ARROYO: Here.

25 COMMITTEE CLERK: Barron.

2 COUNCIL MEMBER BARRON: [No audible  
3 response]

4 COMMITTEE CLERK: Brewer.

5 COUNCIL MEMBER BREWER: Here.

6 COMMITTEE CLERK: Cabrera.

7 COUNCIL MEMBER CABRERA: Here.

8 COMMITTEE CLERK: Chin.

9 COUNCIL MEMBER CHIN: Here.

10 COMMITTEE CLERK: Comrie.

11 COUNCIL MEMBER COMRIE: Here.

12 COMMITTEE CLERK: Crowley.

13 COUNCIL MEMBER CROWLEY: Here.

14 COMMITTEE CLERK: Dickens.

15 COUNCIL MEMBER DICKENS: Here.

16 COMMITTEE CLERK: Dilan.

17 COUNCIL MEMBER DILAN: Here.

18 COMMITTEE CLERK: Dromm.

19 COUNCIL MEMBER DROMM: Here.

20 COMMITTEE CLERK: Eugene.

21 COUNCIL MEMBER EUGENE: Here.

22 COMMITTEE CLERK: Ferreras.

23 COUNCIL MEMBER FERRERAS: [No  
24 audible response]

25 COMMITTEE CLERK: Fidler.

2 COUNCIL MEMBER FIDLER: [No audible  
3 response]

4 COMMITTEE CLERK: Foster.

5 COUNCIL MEMBER FOSTER: Here.

6 COMMITTEE CLERK: Garodnick.

7 COUNCIL MEMBER GARODNICK: Here.

8 COMMITTEE CLERK: Gennaro.

9 COUNCIL MEMBER GENNARO: Here.

10 COMMITTEE CLERK: Gentile.

11 COUNCIL MEMBER GENTILE: [No  
12 audible response]

13 COMMITTEE CLERK: Gonzalez.

14 COUNCIL MEMBER GONZALEZ: Here.

15 COMMITTEE CLERK: Greenfield.

16 COUNCIL MEMBER GREENFIELD: [No  
17 audible response]

18 COMMITTEE CLERK: Halloran.

19 COUNCIL MEMBER HALLORAN: Here.

20 COMMITTEE CLERK: Ignizio.

21 COUNCIL MEMBER IGNIZIO: Here.

22 COMMITTEE CLERK: Jackson.

23 COUNCIL MEMBER JACKSON: Here.

24 COMMITTEE CLERK: James.

25 COUNCIL MEMBER JAMES: [No audible

1 response]

2 COMMITTEE CLERK: Koo.

3 COUNCIL MEMBER KOO: Here.

4 COMMITTEE CLERK: Koppell.

5 COUNCIL MEMBER KOPPELL: Here.

6 COMMITTEE CLERK: Koslowitz.

7 COUNCIL MEMBER KOSLOWITZ: Here.

8 COMMITTEE CLERK: Lander.

9 COUNCIL MEMBER LANDER: Here.

10 COMMITTEE CLERK: Lappin.

11 COUNCIL MEMBER LAPPIN: Here.

12 COMMITTEE CLERK: Levin.

13 COUNCIL MEMBER LEVIN: Here.

14 COMMITTEE CLERK: Mark-Viverito.

15 COUNCIL MEMBER MARK-VIVERITO:

16 Here.

17 COMMITTEE CLERK: Mealy.

18 COUNCIL MEMBER MEALY: [No audible

19 response]

20 COMMITTEE CLERK: Mendez.

21 COUNCIL MEMBER MENDEZ: Here.

22 COMMITTEE CLERK: Nelson.

23 COUNCIL MEMBER NELSON: Here.

24 COMMITTEE CLERK: Palma.

2 COUNCIL MEMBER PALMA: [No audible  
3 response]

4 COMMITTEE CLERK: Recchia.

5 COUNCIL MEMBER RECCHIA: Here.

6 COMMITTEE CLERK: Reyna.

7 COUNCIL MEMBER REYNA: [No audible  
8 response]

9 COMMITTEE CLERK: Rodriguez.

10 COUNCIL MEMBER RODRIGUEZ: Here.

11 COMMITTEE CLERK: Rose.

12 COUNCIL MEMBER ROSE: Here.

13 COMMITTEE CLERK: Sanders.

14 COUNCIL MEMBER SANDERS: [No  
15 audible response]

16 COMMITTEE CLERK: Seabrook.

17 COUNCIL MEMBER SEABROOK: Here.

18 COMMITTEE CLERK: Ulrich.

19 COUNCIL MEMBER ULRICH: Here.

20 COMMITTEE CLERK: Vacca.

21 COUNCIL MEMBER VACCA: Here.

22 COMMITTEE CLERK: Vallone.

23 COUNCIL MEMBER VALLONE: Here.

24 COMMITTEE CLERK: Van Bramer.

25 COUNCIL MEMBER VAN BRAMER: Here.

2 COMMITTEE CLERK: Vann.

3 COUNCIL MEMBER VANN: Here.

4 COMMITTEE CLERK: Weprin. Weprin.

5 COUNCIL MEMBER WEPRIN: Here.

6 COMMITTEE CLERK: Williams.

7 COUNCIL MEMBER WILLIAMS: Here.

8 COMMITTEE CLERK: Wills,

9 COUNCIL MEMBER WILLS: Here.

10 COMMITTEE CLERK: Fidler.

11 COUNCIL MEMBER FIDLER: Here.

12 COMMITTEE CLERK: Gentile.

13 COUNCIL MEMBER GENTILE: Here.

14 COMMITTEE CLERK: Levin.

15 COUNCIL MEMBER LEVIN: Here.

16 COMMITTEE CLERK: Mealy.

17 COUNCIL MEMBER MEALY: Here.

18 COMMITTEE CLERK: Oddo.

19 COUNCIL MEMBER ODDO: Here.

20 COMMITTEE CLERK: Rivera.

21 COUNCIL MEMBER RIVERA: [No audible  
22 response]

23 COMMITTEE CLERK: Speaker Quinn.

24 SPEAKER QUINN: Here.

25 COMMITTEE CLERK: We have a quorum.

2

COUNCIL MEMBER COMRIE: Invocation

3

by Reverend Doctor John C. H. Chang, The Grace  
Christian Church.

5

REVEREND DOCTOR JOHN C. H. CHANG:

6

Before I say any word of prayer, I just want to  
say thank you for inviting me here to give me this  
privilege. And you have heard that tomorrow is  
Chinese New Year. And it is not only celebrated  
by Chinese but also by most of the Asian people.  
Therefore allow me to say on behalf of the Asian  
community in New York City to wish you all to have  
prosperous future and healthy body and spirit to  
serve well for this wonderful, great City. Could  
you please join me in prayer?

16

Oh mighty God, we thank you for  
this time that we can gather together as the  
Council of the City of New York. Thank you for  
electing us to represent this great City. Lord we  
are here to make decisions for the welfare and the  
benefit of the City. And we need you to grant us  
your wisdom. We know that all wisdom comes from  
you without wisdom we cannot make right decisions.  
Without your guidance we cannot know what is the  
right way to move.

2                         Therefore we are here, we humbly  
3 ask you to be with us. Lord, we know that you are  
4 the Almighty God. You are the creator of the  
5 universe. You are the sustainer of this world.  
6 And you are the redeemer of we humankind. And we  
7 beseech you, we need you to be with us, especially  
8 now, we pray that you grant your wisdom to all  
9 Council People. Give them the courage to pursue  
10 for the truth and righteousness. And we pray that  
11 through their decisions and when they make right  
12 decisions your love and your grace will be  
13 manifest to all City of New York.

14                         Lord we pray that you be with them  
15 and keep them well. And through them our City  
16 will become a City of peace, a City of joy, of  
17 peace, a City of righteousness and a City of  
18 prosperity. We thank you for everything that you  
19 have given to us. We honor you and we love you  
20 because you are the ultimate authority and power.  
21 And we all hold accountable to you. We praise you  
22 and we honor you. We pray in the name of our Lord  
23 Jesus Christ, amen.

24                         COUNCIL MEMBER COMRIE: Council  
25 Member Koo to spread the invocation?

2

COUNCIL MEMBER KOO: I want to

3

thank the Speaker for affording me this  
opportunity to invite Reverend John Chang to give  
the invocation in honor of the Lunar New Year.

6

And I want to wish all my colleagues a very happy  
and prosperous New Year, Gung Hey Fat Choy. I'd  
also like to make a motion to spread the  
invocation in full upon the record.

10

COUNCIL MEMBER COMRIE: So ordered.

11

Thank you. Council Member Nelson for adoption of  
the minutes?

13

COUNCIL MEMBER NELSON: I make a  
motion that the minutes of the Stated Meetings of  
December 20<sup>th</sup>, 2010 and January 5<sup>th</sup>, 2011 be adopted  
as printed.

17

COUNCIL MEMBER COMRIE: So ordered.

18

Messages and papers from the Mayor.

19

COUNCIL MEMBER COMRIE:

20

Communication from City, County and Borough  
offices?

22

COMMITTEE CLERK: M 344 to M 379

23

and page 6, Base Station Licenses.

24

SPEAKER QUINN: Transportation.

25

[Sneezing]

2 SPEAKER QUINN: God bless you.

3 COUNCIL MEMBER COMRIE: Petitions  
4 and--god bless you, petitions and communications.

5 COMMITTEE CLERK: None.

6 COUNCIL MEMBER COMRIE: Land use  
7 call ups?

8 COMMITTEE CLERK: M 380 to M 382,  
9 sidewalk cafes.

10 SPEAKER QUINN: If we could couple  
11 all of those on a Land Use call ups vote and if we  
12 could have a roll call on the coupled Land Use  
13 call ups, please.

14 COMMITTEE CLERK: Arroyo.

15 COUNCIL MEMBER ARROYO: Aye on all.

16 COMMITTEE CLERK: Brewer.

17 [Pause]

18 COMMITTEE CLERK: Brewer.

19 COUNCIL MEMBER BREWER: Aye.

20 COMMITTEE CLERK: Cabrera.

21 COUNCIL MEMBER CABRERA: Aye.

22 COMMITTEE CLERK: Chin.

23 COUNCIL MEMBER CHIN: Aye.

24 COMMITTEE CLERK: Comrie.

25 COUNCIL MEMBER COMRIE: Aye.

2 COMMITTEE CLERK: Crowley.

3 COUNCIL MEMBER CROWLEY: Aye.

4 COMMITTEE CLERK: Dickens.

5 COUNCIL MEMBER DICKENS: Aye.

6 COMMITTEE CLERK: Dilan.

7 COUNCIL MEMBER DILAN: Aye.

8 COMMITTEE CLERK: Dromm.

9 COUNCIL MEMBER DROMM: Aye on all.

10 COMMITTEE CLERK: Eugene.

11 COUNCIL MEMBER EUGENE: [No audible  
12 response]

13 COMMITTEE CLERK: Ferreras.

14 COUNCIL MEMBER FERRERAS: Aye.

15 COMMITTEE CLERK: Fidler.

16 COUNCIL MEMBER FIDLER: Yes.

17 COMMITTEE CLERK: Foster.

18 COUNCIL MEMBER FOSTER: Aye.

19 COMMITTEE CLERK: Garodnick.

20 COUNCIL MEMBER GARODNICK: Aye.

21 COMMITTEE CLERK: Gennaro.

22 COUNCIL MEMBER GENNARO: [No  
23 audible response]

24 COMMITTEE CLERK: Gentile.

25 COUNCIL MEMBER GENTILE: Yes.

2 COMMITTEE CLERK: Gonzalez.

3 COUNCIL MEMBER GONZALEZ: Aye.

4 COMMITTEE CLERK: Greenfield.

5 COUNCIL MEMBER GREEFIELD: Aye.

6 COMMITTEE CLERK: Halloran.

7 COUNCIL MEMBER HALLORAN: Aye.

8 COMMITTEE CLERK: Ignizio.

9 COUNCIL MEMBER IGNIZIO: [No

10 audible response]

11 COMMITTEE CLERK: Jackson.

12 COUNCIL MEMBER JACKSON: Aye on  
13 all.

14 COMMITTEE CLERK: James.

15 COUNCIL MEMBER JAMES: [No audible  
16 response]

17 COMMITTEE CLERK: Koo.

18 COUNCIL MEMBER KOO: Aye.

19 COMMITTEE CLERK: Koppell.

20 COUNCIL MEMBER KOPPELL: Aye.

21 COMMITTEE CLERK: Koslowitz.

22 COUNCIL MEMBER KOSLOWITZ: Aye.

23 COMMITTEE CLERK: Lander.

24 COUNCIL MEMBER LANDER: Aye.

25 COMMITTEE CLERK: Lappin.

2                   COUNCIL MEMBER LAPPIN: Aye and I  
3 request permission to vote on the General Order  
4 calendar. And I vote aye.

5                   COUNCIL MEMBER COMRIE: So ordered.

6                   COMMITTEE CLERK: Levin.

7                   COUNCIL MEMBER LEVIN: Aye.

8                   COMMITTEE CLERK: Mark-Viverito.

9                   COUNCIL MEMBER MARK-VIVERITO: Aye.

10                  COMMITTEE CLERK: Mealy.

11                  COUNCIL MEMBER MEALY: Aye.

12                  COMMITTEE CLERK: Mendez.

13                  COUNCIL MEMBER MENDEZ: Aye.

14                  COMMITTEE CLERK: Nelson.

15                  COUNCIL MEMBER NELSON: Aye.

16                  COMMITTEE CLERK: Palma.

17                  COUNCIL MEMBER PALMA: [No audible  
18 response]

19                  COMMITTEE CLERK: Recchia.

20                  COUNCIL MEMBER RECCHIA: Aye.

21                  COMMITTEE CLERK: Reyna.

22                  COUNCIL MEMBER REYNA: Aye.

23                  COMMITTEE CLERK: Rodriguez.

24                  COUNCIL MEMBER RODRIGUEZ: Aye.

25                  COMMITTEE CLERK: Rose.

2 COUNCIL MEMBER ROSE: Aye.

3 COMMITTEE CLERK: Sanders.

4 COUNCIL MEMBER SANDERS: [No  
5 audible response]

6 COMMITTEE CLERK: Seabrook.

7 COUNCIL MEMBER SEABROOK: Aye.

8 COMMITTEE CLERK: Ulrich.

9 COUNCIL MEMBER ULRICH: Aye.

10 COMMITTEE CLERK: Vacca.

11 COUNCIL MEMBER VACCA: Aye.

12 COMMITTEE CLERK: James.

13 COUNCIL MEMBER JAMES: Aye.

14 COMMITTEE CLERK: Vallone.

15 COUNCIL MEMBER VALLONE: Aye.

16 COMMITTEE CLERK: Van Bramer.

17 COUNCIL MEMBER VAN BRAMER: Aye.

18 COMMITTEE CLERK: Vann.

19 COUNCIL MEMBER VANN: Aye.

20 COMMITTEE CLERK: Weprin.

21 COUNCIL MEMBER WEPRIN: Aye.

22 COMMITTEE CLERK: Williams.

23 COUNCIL MEMBER WILLIAMS: Aye.

24 COMMITTEE CLERK: Wills.

25 COUNCIL MEMBER WILLS: Aye.

2 COMMITTEE CLERK: Oddo.

3 COUNCIL MEMBER ODDO: Yes.

4 COMMITTEE CLERK: Speaker Quinn.

5 SPEAKER QUINN: [No audible  
6 response]

7 COUNCIL MEMBER COMRIE: Today's  
8 Land Use call ups were adopted by a vote of 47 in  
9 the affirmative, with 0 negative. Communication  
10 from the Speaker.

11 SPEAKER QUINN: Thank you. Before  
12 I talk about the legislation that we're voting on  
13 today I want to make two announcements related to  
14 the City Council family. One a very happy  
15 announcements and one a sad announcement. I will  
16 start with the happy announcement which is that  
17 Council Member Dan Garodnick and his lovely wife  
18 Zoë because parents to a beautiful baby boy,  
19 Asher. So...

20 [Applause]

21 SPEAKER QUINN: He has an iPad full  
22 of pictures so go see him later but Asher is  
23 beautiful and Zoë is doing well and so  
24 congratulations and give everybody our best.

25 I also wanted to share, I think

2 many of our colleagues I know this but Council  
3 Member Melissa Mark-Viverito's grandfather,  
4 Patrick Viverito who was a United States Naval vet  
5 passed away since our last Stated Meeting and we  
6 all just wanted to extend Melissa and her family  
7 our deepest condolences. So Melissa, actually  
8 just arrived back from Puerto Rico so thank you  
9 for that as well Melissa.

Today we are voting on one piece of legislation, Intro 332-A in the Health Committee. We're also voting on appointments to the Rules Committee. And I want to thank the Acting Chair of that Committee Leroy Comrie and Chuck Davis for their work on the 2 HHC appointees we are voting on today. As it related to Intro 332-A I want to thank Rob Newman, Lacey Clark, a former staff member here Adira Simon, Joe Mancino and Terza Nasser for all of their work on this important piece of legislation.

21 I want to thank Maria Arroyo, the  
22 Chair of our Health Committee for her work.  
23 Melissa Mark-Viverito the Chair of the Parks  
24 Committee which it went through Health but  
25 obviously it is a park-related matter for her work

2 and support, and most importantly Council Member  
3 Brewer who is the sponsor of the bill whom we will  
4 hear from in a few minutes.

5 332-A is a piece of legislation  
6 that expands New York City's Smoke-Free Air Act  
7 Law. It's a piece of legislation that would make  
8 New York City the third city and I think the  
9 fourth jurisdiction in the United States to ban  
10 smoking in public parks and public beaches. Now  
11 some might ask why do we need to do this in New  
12 York City. We've already prohibited smoking in  
13 restaurants and bars. We don't allow smoking at  
14 our baseball stadia or Madison Square Gardens or  
15 other arenas. We don't allow smoking in  
16 playgrounds.

17 And smoking rates are going down in  
18 New York City. We need to do it because in the  
19 face of all of that, New York City residents, non-  
20 smokers who were tested by the Department of  
21 Health, 57% of New York City non-smokers have a  
22 chemical in their body which indicates they have  
23 been exposed to second-hand smoke. Compare that  
24 to 45% of Americans, non-smokers, who have that  
25 same chemical in their blood. So we have banned

2 many places where--in public where you can smoke.  
3 We have gotten in large part through the efforts  
4 of this Council, with the Department of Health,  
5 smoking rates to go down.

6                   But still, New Yorkers at a rate  
7 12% higher than the rest of the country, although  
8 we smoke at a rate less than the rest of the  
9 country. Still have non-smokers impacted 12% more  
10 than non-smokers in the rest of the country. That  
11 data clearly indicates that if we want to do  
12 everything we can in a responsible way to keep  
13 non-smokers safe from second-hand smoke and its  
14 deadly health impacts we have to do more.

15                  That is what this piece of  
16 legislation is about. It's about a doing more to  
17 make sure New York City is as healthy as a place  
18 as it can possibly be. Add on to what I just  
19 said, the skyrocketing rates of asthma in many of  
20 our neighborhoods and other health-related  
21 matters, this bill is of particularly urgency.

22                  Now I know this is not a piece of  
23 legislation where there will be a 51 to 0 vote and  
24 that is okay. And some folks who in the past have  
25 voted for other smoke-free act provisions are not

2 supportive of this bill today. That said, I want  
3 to thank everyone who has participated in the  
4 discussion, the debate, and the dialog. I know  
5 myself when this issue was first raised, I wasn't  
6 sure. The data that shows New Yorkers 12% higher  
7 even though we smoke less is so--of such great  
8 concern to me after learning the facts I believe  
9 this is the right thing to do.

10                   But I think the hearing that we had  
11 on this bill was an outstanding hearing. And  
12 everyone has conducted the discussion and the  
13 debate in a respectful and dignified way so  
14 regardless of how people end up voting today, I  
15 want to thank everyone for giving this matter  
16 important attention. And although we weren't able  
17 to include any compromises for proposing  
18 compromises, they were all given attention and  
19 though. When we did the Smoke-free Air Act the  
20 last time in 2002 we were able to include  
21 compromises around smoking rooms. Those were  
22 indoors. The specifications of those rooms were  
23 really scientifically driven around levels and  
24 types of seals around the doors, around  
25 ventilation systems.

2                   Obviously that is not possible to  
3 do or create in a park or on a beach. But again I  
4 want to thank everyone who has participated in  
5 this. I believe this bill will not only make New  
6 York City healthier, will not only keep New  
7 Yorkers alive longer, will not only protect non-  
8 smokers from second-hand smoke, will be something  
9 that is noteworthy not only to the rest of the  
10 country but in fact to the rest of the world.

11                  And I say that because in 2002 when  
12 we expanded the Smoke-Free Air Act to include all  
13 restaurants and all bars, we almost immediately  
14 saw the State of New York do the same. We almost  
15 immediately say entire other countries such as  
16 Ireland do the exact same thing. We are a city  
17 where the rest of the country and the rest of the  
18 world watches our leadership around public health  
19 and particularly around smoking issues. And I  
20 want to thank everyone for giving this matter such  
21 great thought and taking this important step  
22 today. Let me call on the Chair--I'm sorry, the  
23 sponsor of this piece of legislation, Council  
24 Member Gale Brewer.

2 very much Speaker Quinn. That was a--

3 [Applause]

4 COUNCIL MEMBER BREWER: --

5 wonderful--

6 COUNCIL MEMBER COMRIE:

7 [Interposing] Quiet please.

8 COUNCIL MEMBER BREWER: --heartfelt  
9 and intelligent discussion of public health which  
10 is exactly what this bill, in my opinion, is all  
11 about. I too want to thank Council Member Mark-  
12 Viverito, Council Member Maria Arroyo and Council  
13 Member Domenic Recchia for describing the  
14 situation at Coney Island beaches, and Council  
15 Member Peter Vallone who has always had a very  
16 strong interest and shares our values and concerns  
17 about smoking.

18 This is a health bill. At the  
19 well-run hearing on the topic on October, many  
20 parents came and they talked specifically about  
21 the challenges they face when they have a child  
22 who is asthmatic. They literally on a park or a  
23 beach or even on the streets, dodge anybody who's  
24 smoking because one involvement, so to speak, with  
25 second-hand smoke could send a child to the

2 hospital.

3 We also heard from disabled New  
4 Yorkers who go to work every day with their  
5 disability but if they see somebody who's smoking  
6 and they inhale it depending on their disability,  
7 that too can send them to the hospital. These are  
8 very, very strong arguments for making our City  
9 healthier. Other cities have done the same.

10 We talked to an older woman in  
11 Chicago today, Mary Ann Smith. Chicago has no  
12 smoking in parks and beaches. There were some  
13 complaints at the beginning but it passed a couple  
14 of years ago and there have been no complaints  
15 since. In the County of Los Angeles which  
16 includes the City, there were--a study done  
17 indicating that second-hand smoke kills 3,000  
18 persons a year just from the lung cancer and  
19 52,000 second-hand smoke deaths per year in LA  
20 County.

21 So this is also, I want to be very  
22 clear, not a penalty program. This is not a  
23 revenue program. This legislation when passed  
24 will have as an enforcer, not the Police  
25 Department but the people from the Parks

2 Department. And that will mean that this is  
3 basically a bill in which we say to our neighbors  
4 or to our community residents or other New  
5 Yorkers, please don't smoke, my family is here,  
6 and we want to remind you that it's the law. It  
7 is not a penalty. It is not revenue. It's person  
8 to person.

9                   And I think it'll make a big  
10 difference both in person to person negotiations  
11 and discussions and as Domenic Recchia indicated  
12 perhaps less fights on the beaches. But more  
13 importantly it will be a healthier City and I  
14 think one in which neighbor to neighbor, community  
15 person to community person, New Yorkers to New  
16 Yorker, it will be very positive. Tourists came  
17 back in droves. There was no diminishment of  
18 tourists. More tourists came after the no smoking  
19 in restaurants and bars. And I think the same  
20 will be true of this legislation. Thank you.

21                   SPEAKER QUINN: Thank you very much  
22 Council Member Brewer. And I also just want to  
23 thank a long list of advocates who worked and  
24 helped on this piece of legislation.

25                   I just wanted to give one other

piece of Council news, related to Council Member Jim Gennaro, our Environmental Chair, and wanted to--folks will remember a documentary Jim was a part of in the past, went to Sundance and was highly nominated but now, again, Jim Gennaro's documentary, he is in Gas Land about hydro-fracking that was shot in part in the Council Chambers and features the work of the Council and our Environmental Protection Committee and the Chairman Jim Gennaro has not only bee nominated for--forget Sundance, it has been nominated for an Academy Award. So...

[Applause]

SPEAKER QUINN: Jim if you need a date to the Academy Awards, I am good to go. So just let me know. But congratulations Jim. And more importantly thank you for being our leader in stating clearly and strongly and early that we should not have hydraulic fracturing in the State of New York. So thank you very much. And that concludes Communications from the Speaker.

COUNCIL MEMBER COMRIE: Discussion of general orders. Robert, Council Member Jackson.

2 COUNCIL MEMBER JACKSON: Thank you  
3 Majority Leader, Deputy Majority Leader Comrie.  
4 My colleagues I rise today to speak on Intro 332-  
5 A, the only piece of legislation we're voting on  
6 today. But first before I get my specific  
7 opinion, I'd like to thank our Speaker Christine  
8 Quinn as a true leader in democracy, in moving  
9 this bill forwards, along with my colleague Gale  
10 Brewer and all the other sponsors. Because truly  
11 if you follow the process that this bill has had,  
12 it is truly democracy at work.

13 And as the Speaker indicated,  
14 everyone had the opportunity to be heard during  
15 the hearing process. Those in favor, those who  
16 are against it, and those that didn't have an  
17 opinion one way or the other, everyone, lobbyists  
18 and other people had the opportunity to talk to  
19 people. And I say to all of you, that that is  
20 true democracy and I appreciate and applaud all of  
21 you for that.

22 I, as an individual, as you know  
23 I've run three New York City Marathons and I've  
24 climbed Mount Kilimanjaro and I've walked to  
25 Albany. I am a non-smoker. No member of my

2 immediate family is a smoker. And I support the  
3 position that all New Yorkers, no matter what your  
4 age, should be able to breathe clean air outdoors  
5 and indoors, especially in schools. In saying  
6 that I truly believe that government in this  
7 particular matter is being too intrusive into the  
8 daily lives of New Yorkers.

9 And as such I do believe that we're  
10 moving towards a totalitarian society if in fact  
11 we're going to have those types of restrictions on  
12 New Yorkers. For that reason I must say to you  
13 that I will be voting no on this particular matter  
14 because I truly believe that government is being  
15 too restrictive in this particular matter. I  
16 thank you for the opportunity to hear my opinions  
17 on this matter. Thank you.

18 COUNCIL MEMBER COMRIE: Council  
19 Member Ignizio.

20 COUNCIL MEMBER IGNIZIO: Yes thank  
21 you very much. Let me start off by saying I don't  
22 question the motives of the proponents or the  
23 opponents of 332. I just need to make my opinion  
24 clear as well. I believe this bill is an  
25 unenforceable overreach of governmental powers.

2 With the basis in questionable science and the  
3 rejection of the compromise bills which many of us  
4 would have supported. Good is not the enemy of  
5 perfect but clearly here and the fact that this is  
6 the only bill before us, that is where we're at.

7                   I also need to point out the  
8 hypocrisy of the administration. While supporting  
9 this bill, they are also engaging in allowing PCBs  
10 in our classrooms for 4-year olds to be in an  
11 enclosed environment in a school where potentially  
12 cancer-causing agent is leaking in and around the  
13 school. That they have a problem with making the  
14 corrections right away, but this sweeping,  
15 unenforceable legislation with questionable  
16 science behind it, they have no problem with that.  
17 It is a textbook definition of hypocrisy.

18                   And to anybody listening or  
19 watching the City Council, this body debated it,  
20 this body is talking about it, this body is trying  
21 to bring that to the fore. But clearly when  
22 you're talking about outside air and smoking with  
23 questionable basis in science, you need to be  
24 consistent in your argument and remove potentially  
25 cancer-causing agents from our classrooms. I

2 really believe there was a compromise bill that  
3 would have received 51 votes in this body.

4 And the fact that we didn't take it  
5 up, I believe, is irresponsible. I think we  
6 should have. And I encourage my colleagues to  
7 vote this bill down and let's take up a bill that  
8 we could all get behind and one that is actually  
9 enforceable. You will not see a Parks enforcement  
10 personnel in the thousands of acres that I  
11 represent of parkland. You just won't see it.  
12 And to say that they're out there, they're not  
13 going to be out there. They're going to be maybe  
14 in Central Park, maybe they'll be in Coney Island  
15 and some of the marquee parks. They are not going  
16 to be in and around this community. So I  
17 encourage my colleagues to vote no. Thank you.

18 COUNCIL MEMBER COMRIE: Council  
19 Member Lander.

20 COUNCIL MEMBER LANDER: Thank you  
21 Deputy Majority Leader. Thank you Madam Speaker.  
22 I'm not a smoker. I hate smoking. I don't like  
23 being around smoking. And I especially don't want  
24 my kids near smokers. And I strongly believe in  
25 the steps that the City has taken in recent years

2 to improve public health, including the workplace  
3 smoking ban. And I believe that government has  
4 the power to restrict freedoms when there is a  
5 significant demonstrated public health benefit.

6 I know I don't have the reputation  
7 as the primary defender of individual liberties in  
8 the City Council. But in my opinion the length to  
9 which this bill curtails the freedom of  
10 individuals is not matched by demonstrated public  
11 health gains. I have great respect for the work  
12 of Commissioner Farley and especially of Speaker  
13 Quinn and Council Member Brewer and the advocates  
14 here to advance public health but as I've examined  
15 the relevant studies provided to us on this issue,  
16 I don't believe they show there'll be a  
17 significant public health benefit commensurate to  
18 the freedoms being impinged.

19 I agree that there is plenty of  
20 room for compromise on the issue. In my opinion  
21 playground, small neighborhood parks, ball fields,  
22 concert venues and a significant majority of most  
23 beaches and larger parks should all be smoke-free  
24 but I do believe there should be some place in the  
25 City where a smoker can walk their dog late at

2 night or a few feet of sand where a constituent of  
3 mine can relax, watch the sunset and poison  
4 themselves in peace. I don't take any joy in it  
5 but I will be voting no on Intro 332-A.

6 COUNCIL MEMBER COMRIE: Council  
7 Member Oddo, Minority Leader Oddo.

8 COUNCIL MEMBER ODDO: Thank you Mr.  
9 Chair. In 2002 when Mike Bloomberg became Mayor  
10 and took office, his then Department of Health  
11 Commissioner Tom Friedens had this novel and  
12 controversial idea of banning cigarette smoking in  
13 bars and taverns. And he was told at the time if  
14 you have any chance of getting that legislation  
15 passed through the City Council, you have to  
16 enlist the support of the two biggest anti-smoking  
17 zealots in the Council at the time. They were  
18 Council Members Christine Quinn and Council Member  
19 Jimmy Oddo.

20 Speaker Quinn and I in the 1990's  
21 were staffers. And we vividly recall when then  
22 Speaker Peter Vallone was introducing a stronger  
23 smoking bill and Philip Morris packed the City  
24 Council chambers with its employees who they  
25 claimed were small business owners. And we heard

2 hours and hours of testimony on how this  
3 legislation would end the restaurant industry in  
4 New York City. I remember vividly and fondly  
5 standing next to Al Lighter in 2002 at the City  
6 Hall Park where we were heckled when we announced  
7 the first piece of legislation under the Bloomberg  
8 Administration.

9 I also remember walking down a  
10 corridor in Staten Island at a parade after that  
11 bill with the Mayor and being heckled mercilessly  
12 with that. And I dealt with it and I accepted it  
13 because I believed my vote at the time was the  
14 right thing. And I think we were proven that that  
15 in fact was the right thing to do. So when a guy  
16 with that history, a guy who has accepted the  
17 mantle of anti-smoking zealot stands up today and  
18 says I can't support this legislation, I think  
19 that we've gone too far.

20 I think Gale Brewer is one of the  
21 best--not only best Council Members, I think she's  
22 one of the best elected officials in this State.  
23 I know her intentions are good. And it pains me  
24 to be on the other side 'cause I've been on your  
25 side every other time we've had a smoking bill. I

2 just think that, you know, I've got a jewel in my  
3 district, it's untapped.

4 I go there on Sundays, Von Briesen  
5 Park. And if I'm reading a novel and I'm smoking  
6 a cigar and the nearest person is 2,000 feet away  
7 or 3,000 feet away, it shows that this bill isn't  
8 narrowly tailored enough. And I wish there was a  
9 compromise bill to be voted on. I think there was  
10 and unfortunately despite the years of battling  
11 together to do the right thing, I think we've  
12 actually passed the line for me and I'll be voting  
13 no.

14 COUNCIL MEMBER COMRIE: Council  
15 Member Gennaro.

16 COUNCIL MEMBER GENNARO: Thank you.  
17 I wasn't planning on speaking today. I didn't  
18 think there was going to be a need to but I feel  
19 compelled to. I also started here as a staff  
20 member of the Council back in 1990. And I had a  
21 difficult time getting a smoke-free workplace. I  
22 didn't have a smoke-free workplace here in 1990.  
23 And it wasn't a happy experience for me and, you  
24 know, trying to be a crusader and trying to get  
25 the right to a smoke-free workplace and to see how

2 far we've come.

3                   And there have been a lot of talk  
4 about lines drawing and like where the line should  
5 be drawn and the science, is it there, is it not  
6 there, and, you know, speaking as a scientist I  
7 don't really want to belabor this but I believe  
8 the science is clear. And I, you know, absolutely  
9 support Gale and I support the Speaker and I  
10 support the Mayor and I support Mr. Farley and  
11 what they're trying to do here. But I do want to  
12 go, you know, beyond the science which I do think  
13 is very solid.

14                   And that is the, you know, message  
15 that this action sends. You know smoking is  
16 aberrant behavior. It kills you. And I think one  
17 of the best things that government can do is send  
18 a message that this is not normal behavior. This  
19 is killer behavior. And so I believe it's not  
20 only good on the science but on the message that  
21 it sends that we have to do everything we can to,  
22 you know, de-normalize this activity. And I think  
23 this clearly sends that message. And I very  
24 strongly support this and I urge my colleagues to  
25 support it as well.

2 COUNCIL MEMBER COMRIE: Council  
3 Member Halloran.

4 COUNCIL MEMBER HALLORAN: I will  
5 join the Minority Leader and my good friend Robert  
6 Jackson in saying I'm opposed to this bill. First  
7 let me point out that the Commissioner inflated  
8 numbers on beach garbage intentionally to make it  
9 appear as though there was more smoke debris on  
10 the beaches. They counted each articulate piece  
11 of cigarette as one component in order to inflate  
12 the volume numbers to demonstrate a need to clean  
13 up the beaches based on this.

14 In addition, contrary to my good  
15 friend Jim Gennaro who I know is working very  
16 hard, I don't agree with him, as someone with a  
17 social sciences background that the science is in  
18 on this. In fact neither does the AMA and nor do  
19 several other prominent research groups who have  
20 also pointed out that second-hand smoke from the  
21 trucks in our City cause far more damage. So if  
22 we're going to be outlawing them next I'd like to  
23 know about it now.

24 Second there's an issue of trusting  
25 your government. In 2002 when this law came into

2 effect, the citizens were promised that it would  
3 go no further. That we would not continue down a  
4 slippery slope of invading our personal privacy  
5 and getting to any other issues of restrictions.

6 Once we pass this we will next be  
7 banning smoking on sidewalks. And then in the  
8 cars of the people who are driving minors. And  
9 then in the homes in which people live because  
10 other people might be there in public housing  
11 units. And then after that it will be private  
12 homes and individuals who have children. So the  
13 end is the government telling us what to do.

14 And while normally I do agree with  
15 my good friend Jim Gennaro about things like this,  
16 on this one I will disagree with him. And I will  
17 also say that it is not the business of  
18 government, ever, to coerce behaviors from us.  
19 100 years ago there were many behaviors which were  
20 considered aberrant at that time which are now  
21 normal, everyday, accepted facts of life. And I  
22 don't think it should be the government who  
23 decides what behaviors its citizens should engage  
24 in as long as they're not criminal. Thank you.

2 Member Koppell.

3 COUNCIL MEMBER KOPPELL: Thank you.

4 I've heard two basic arguments against this. The  
5 first in my opinion is totally without merit and  
6 that is that it's not enforceable. I have not  
7 seen any enforcement officer come into any  
8 enclosed space, office, restaurant, this chamber,  
9 having to enforce the no-smoking ban.

10 It's self-enforcing, partly because  
11 people generally speaking obey the law and  
12 secondly because if you forget to obey the law  
13 your neighbor will remind you. And certainly in  
14 law offices or business offices and so on people,  
15 number one, know they shouldn't be smoking there  
16 and they don't, number two, if they do smoke  
17 there, their neighbor or the office mate will say  
18 hey wait a minute, you're not supposed to smoke  
19 here.

20 This is something that will enforce  
21 itself. There's no doubt about it. Will some  
22 people violate it occasionally? I'm sure they  
23 will. Just like people violate the anti-littering  
24 law. And I don't think that laws against  
25 littering are enforced primarily because people

2 get tickets 'cause I've rarely seen anyone get a  
3 ticket for littering and yet most law-abiding New  
4 Yorkers don't litter. So the enforcement idea  
5 doesn't make a difference.

6                   Freedom of speech ends, if you  
7 will, where my arm can hit somebody else in the  
8 nose. The second-hand smoke hits people in the  
9 nose. The cigarette butts on the beach which I  
10 can tell you I don't know how they count them,  
11 someone may have mentioned they over counted, I  
12 can tell you, I worked on a beach. I've been a  
13 lifeguard. And those cigarette buts are awful,  
14 all over the beach. So the fact of the matter is  
15 that this, freedoms do have to end when you strike  
16 someone else's nose, whether you strike them with  
17 your fist or you strike them with noxious,  
18 dangerous chemicals.

19                   The fact is that I paused before I  
20 supported this bill. But overwhelmingly I think  
21 the balance goes in favor of limiting smoking  
22 wherever it can affect someone else. I'm happy to  
23 support the bill. I think it's a good step  
24 forward.

25                   COUNCIL MEMBER COMRIE: Council

2 Member Jumaane Williams.

3 COUNCIL MEMBER WILLIAMS: Thank you  
4 very much. And, you know, I want to thank the  
5 Speaker for her leadership on the smoking issues  
6 to begin with. And Council Member Brewer for her  
7 leadership. And I'm not a smoker as well. I  
8 think it's a terrible, terrible and nasty  
9 addiction. So by far I'm not trying to encourage  
10 anyone to smoke. I do think the main problem I  
11 have is I do not feel we try at all to compromise  
12 between two sets of taxpayers, one of which  
13 exercise their legal right to smoke a cigarette.

14 And I think as a Council, we should  
15 try to weigh everybody's right to do what is  
16 legal. And I feel we absolutely did not even try  
17 to do that. I would have been inclined actually  
18 to support this bill if we had tried to make a  
19 compromise and for some reason it didn't work.  
20 But I think in every instance, we should give  
21 everyone the right to do what they legally are  
22 allowed to do. If you want to have a different  
23 discussion about legality, I think we should do  
24 that at some point but as far as I know now,  
25 people can smoke. They should have the right to

2 smoke.

3                   And we could have tried to come up  
4 with some compromise. And I hope in the future  
5 when we have two sets of competing interests we do  
6 our best to take all taxpayers into consideration.  
7 Thank you. So I won't be supporting the bill.

8                   COUNCIL MEMBER COMRIE: Council  
9 Member Tish James followed by Council Member James  
10 Sanders.

11                  COUNCIL MEMBER JAMES: I do not  
12 want to compromise the health of children in New  
13 York City. Children who have no say in the matter  
14 today. Children who cannot breathe today because  
15 they suffer from asthma. Children who are dying  
16 today because they are living and because they  
17 have asthma and because we are sitting here  
18 debating freedom and liberties and personal  
19 privacy. On my desk I have the pictures of two  
20 young ladies who live in my District who died  
21 because they could not breathe.

22                  So as hopefully as we move closer  
23 and closer to a smoke-free society, I stand here  
24 today voting in support of this bill because I'm  
25 doing it because it's in the best interests of

children. And I hope that all of you, all of you, would take into consideration the harmful effects of smoking in our society. Particularly people of color who are dying at alarming rates of cancer. We can sit back on our laurels and talk about the Constitution. But when you go home today, when you go to your Districts today, just think about all the funerals that you've had to attend for individuals who have died a premature death as a result of smoking. I vote yes.

COUNCIL MEMBER COMRIE: Council Member Sanders?

COUNCIL MEMBER SANDERS: As a former--thank you Sir, as a former smoker who has smoked two packs a day, I--no one is against smoking more than former smokers. It is a disgusting habit. I only quit when I started coughing blood. I arguably have more parkland than anyone in the City. And I know that our beaches are littered with cigarette butts. It is further disgusting. And if my children decide that they want to smoke, we are going to have some problems here. We're got some conversations that we have to do.

2                   However I am pained to be against  
3 something that so many of the people that I  
4 respect greatly are for. And therefore this  
5 particular ban. And I sad that a compromise could  
6 not be achieved. That we really needed a  
7 compromise. And I trust that this will come back  
8 to us for compromise.

9                   I do have a word for the  
10 Commissioner however. I trust that he will put  
11 the same energy into here that he is putting into  
12 getting rid of PCBs that he is putting into the  
13 cigarettes. There it is a clear and present  
14 danger in our classrooms. We need to do something  
15 about it Commissioner. May I encourage you that  
16 this may be the best way to go about it.

17                  The civil libertarian in me tells  
18 me that we are cutting down on the rights of  
19 people too much. And under those conditions, I  
20 have to vote no on this one, although I look  
21 forward to the compromise coming back. Thank you  
22 very much.

23                  COUNCIL MEMBER COMRIE: Council  
24 Member Rodriguez.

25                  COUNCIL MEMBER RODRIGUEZ: Thank

2 you. Protecting our children, our children, our  
3 youth and our seniors should be one of our  
4 priorities. And parks and beaches are mainly used  
5 by our families. Therefore I applaud Council  
6 Member Gale Brewer, Speaker Quinn and Mayor  
7 Bloomberg for the leadership on this bill and for  
8 all their hard work bringing it to a vote today.  
9 Our public parks and plazas are one of the few  
10 places in the City where we can still go to enjoy  
11 fresh air.

12 Multiple studies have shown that  
13 smoking outdoors can lead to very high levels of  
14 outdoor tobacco smoke pollution especially in  
15 windy areas. And we all know how dangerous  
16 second-hand smoke is. Therefore I call to all my  
17 other Council Members to vote yes on this bill.

18 COUNCIL MEMBER COMRIE: Council  
19 Member Ulrich.

20 COUNCIL MEMBER ULRICH: Thank you  
21 Mr. Deputy Majority Leader. Today I rise as a  
22 representative for the Rockaway Community and  
23 other communities in Southwest Queens that would  
24 be negatively impacted by the passage of this  
25 bill. While I certainly understand and I can

2 appreciate the health concerns that prompted the  
3 introduction of this bill and the health concerns  
4 that Gale Brewer I believe has genuinely has, I do  
5 have to agree with many of my colleagues that this  
6 is nothing more than just another infringement  
7 upon individual rights of law-abiding New Yorkers.

8                   And whether we like it or not,  
9 smokers have rights too. They pay taxes. And we  
10 are harassing them every time we pass laws like  
11 this that restrict their right to smoke. If  
12 you're against smoking and you're concerned about  
13 the publics' health, then we should ban all  
14 smoking. But the City won't do that because on  
15 one hand it says we don't want the tax revenue  
16 from the sale of cigarettes but on the other hand  
17 we accept it and we'll use it to pay our bills.  
18 That's not right.

19                   The City should be less concerned  
20 with correcting people's bad habits and more  
21 focused on solving the problems that are facing  
22 this City: unemployment, crime, improving public  
23 education. The message to City Hall from my  
24 constituents is get off our backs.

25                   COUNCIL MEMBER COMIRE: Council

2 Member Mendez.

3 COUNCIL MEMBER MENDEZ: Thank you.

4 I mentioned earlier that today is a perfect day to  
5 vote for this legislation 'cause we are heading  
6 down a slippery slope. I have issues first with  
7 the enforcement of this bill and why I've been  
8 told that the Police Department will have nothing  
9 to do with enforcement of the bill. My experience  
10 and my fear is that they will use this as a  
11 pretext to stop our young men of color who they  
12 already profile and use this to find some criminal  
13 charges to charge them with.

14 And in terms of the bill while I  
15 firmly understand the negative health consequences  
16 of second-hand smoke in enclosed places and I  
17 share the opinion that smoking is a very ill-  
18 advised decision that all too many New Yorkers  
19 have made over the years, I believe that the  
20 current legislation is overall broad. Because  
21 outdoor spaces affected by this legislation are so  
22 public and generally open, banning smoking so  
23 comprehensively, I believe, infringes on the civil  
24 liberties of people who choose to smoke.

25 This City is rife with both public

2 annoyances and social vices. But living in New  
3 York City and embracing its open culture requires  
4 accommodation and compromise. It is our  
5 legislative responsibility to carefully balance  
6 the prohibitions we impose on a free people with  
7 the social benefits that we believe would result.  
8 I ask my colleagues to vote no. thank you.

9 COUNCIL MEMBER COMRIE: Council  
10 Member Viverito, sorry.

11 COUNCIL MEMBER MARK-VIVERITO:  
12 Thank you. I did not expect to speak either but I  
13 have to just comment as Chair of Parks and  
14 Recreation, you know, similar to what Council  
15 Member Koppell indicated. I didn't arrive at this  
16 decision easily either. My initial inclination as  
17 maybe most of us, there's a level of discomfort.  
18 But you know what as Tish James said I'm not going  
19 to compromise on the health of my constituents, on  
20 the health of our children. I have a District  
21 that has an incredibly high incidence of asthma.  
22 There are many of us whose Districts are very  
23 limited in terms of the open space that we have  
24 available.

25 And so we must do--and despite the

fact that it's great to hear that Council Member Oddo has a park in which maybe the closest park-goer will be 2,000 feet away, some of our Districts don't have that luxury. Our spaces are very, very constricted and very limited.

Taking all of that into account, yes, there may be inconsistencies with what this Administration prioritizes. But on this one, again, we should not compromise on the health of children. I believe the science is sound. I don't believe it's unfounded in terms of what has been reported. And on behalf of my constituents and on behalf of all of those families, individuals, children that are impacted by asthma or any other ailments that could be exacerbated by second-hand smoke, I really think that this is a strong message that we're sending about what kind of city we want to live in.

And with that I am glad to have signed onto this legislation. I am glad for the active engaged dialog that has happened in this Council. The debate, the listening to all voices, and I will proudly support and vote yes and I would urge my colleagues to do the same.

2

COUNCIL MEMBER COMRIE: Council

3

Member Van Bramer.

4

COUNCIL MEMBER VAN BRAMER: Thank

5

you. On June 8<sup>th</sup>, 2009 my step-father James Marcum died of lung cancer. He was a janitor at Junior High School 10 in Astoria for over 30 years, worked very hard for very little and at 60 the man who raised me since I was 7 was dead because he smoked far too much for far too long.

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25

A few days before, as he lay dying in the hospital, he worried aloud about us kids, my mother, and others he had exposed to second-hand smoke in his lifetime. It was my sister and I who had the awful task of informing him that he had but a short time to live, even as he grasped at treatment options we knew were no longer possible.

Less than three months later I won my race for City Council. My step-father did not live to see me win. But one of the last things he read in his hospital bed was my first piece of campaign literature. One that told the story of him taking me to work with him as we both cleaned the school floors. Actually he was too weak to

2 read it himself, so his sister read it to him. I  
3 think he was quite proud.

4 I'm voting for Intro 332 today  
5 because I don't want anyone to suffer like I saw  
6 my step-father suffer. And I want to do all I can  
7 to make our City safer for everyone, smokers and  
8 non-smokers alike. My step-father wasn't famous,  
9 rich or fancy. He just worked hard every day of  
10 his too short life. Today I cast my vote in his  
11 memory, so in honor of James Edward Marcum, my  
12 step-dad, I vote aye.

13 [Applause]

14 COUNCIL MEMBER COMRIE: Council  
15 Member Vallone.

16 COUNCIL MEMBER VALLONE: Thank you.  
17 As the sponsor of the compromise bill, I'd like to  
18 say that I support the goals of the Speaker and  
19 the Mayor and Gale Brewer. I've supported every  
20 anti-smoking bill before this. I wrote the bill  
21 that banned trans fats. I was made fun of for  
22 that. The French fries are going to be gone and  
23 taste different. They were al lies. I'm fighting  
24 now to take the fluoride out of water. So I have  
25 no problem legislating to protect the public

2 health.

3                             However in this case I am  
4 disappointed that my compromise bill which would  
5 have still banned smoking on the vast majority of  
6 our beaches and parks is not the one that we're  
7 voting on today. Smoking sections indoors don't  
8 work. Outdoors I think we could have made them  
9 work. Without that compromise however we're faced  
10 with an all or nothing choice. And in this case I  
11 do believe all is better than nothing.

12                             The goal of protecting the health  
13 of New Yorkers as they enjoy our beaches and our  
14 parks, I believe overrides my concerns about the  
15 parameters of this bill. I completely respect  
16 those who are opposing this bill, Jimmy Oddo and  
17 others. I do believe liberty and freedom are  
18 things worth debating and fighting for. And I do  
19 believe as Council Member Ignizio said that the  
20 compromise bill would have passed pretty much--  
21 well almost unanimously. But we're not voting on  
22 that today.

23                             But I do want to thank the Speaker,  
24 she did give the compromise bill a full hearing  
25 and did work with me on this and I want to

2 congratulate her for her fervent defense of the  
3 health of the public and for getting this bill  
4 passed and I vote aye.

5 COUNCIL MEMBER COMRIE: Council  
6 Member Fidler.

7 COUNCIL MEMBER FIDLER: You know I  
8 also voted in favor of the restaurant and bar ban  
9 and I voted actually enthusiastically to raise  
10 taxes on cigarettes because we all know that that  
11 is the single thing that is most likely to keep  
12 someone from smoking or from starting to smoke.  
13 Don't say that about raising taxes very often. I  
14 would even thing that Congress would be justified  
15 in declaring tobacco as a controlled substance.  
16 And I wouldn't be upset about that.

17 But the fact of the matter is that  
18 smoking, for better or worse, is a legal activity.  
19 And the taxes paid by smokers also goes to support  
20 our public beaches and parks. And Councilman  
21 Gennaro is right, the science is valid. Second-  
22 hand smoke is damaging to the health of others.  
23 But the science also says that in an open space  
24 there is a certain distance at which second-hand  
25 smoke does not affect others. And so if this bill

2                   were crafted upon that science and we had  
3                   restricted areas based upon that science I'd  
4                   support it enthusiastically.

5                   Now I'm interested in the issue of  
6                   how enforceable it is because frankly in the outer  
7                   Boroughs that's a joke. Council Member Koppell on  
8                   one hand raises the litter example as a self-  
9                   enforcing bill but then complains that the beaches  
10                  are littered with cigarette butts. The fact of  
11                  the matter is in restaurants, in bars, in movie  
12                  theaters with cell phones, there is some one to  
13                  complain to who can come in and say you're not,  
14                  you know, I'm not going to serve you any more food  
15                  if you don't put that cigarette out.

16                  We don't have that in the parks.  
17                  And frankly as to the argument that there'll be  
18                  fewer arguments and fights, quite frankly the  
19                  absence of enforcement personnel, I think there  
20                  may be more arguments and fights.

21                  I do believe we should have come to  
22                  a compromise. I do believe that we could have  
23                  made that work. It would have been more difficult  
24                  to do. And in the small parks it may have meant  
25                  an absolute ban in that park but a bill based on

2 the science would have made sense. I can't  
3 support this bill.

4 COUNCIL MEMBER COMRIE: Council  
5 Member Koslowitz.

6 COUNCIL MEMBER KOSLOWITZ: Thank  
7 you. Well I'm going to take a different course.  
8 I'm going to thank government. I am a former  
9 smoker. And if you would come here in the 1990's  
10 you would see me standing on the steps of City  
11 Hall, smoking my cigarettes.

12 OFF MIC: You set your hair on  
13 fire.

14 COUNCIL MEMBER KOSLOWITZ: Right, I  
15 set my hair on fire too.

16 [Laughter, background comments]

17 COUNCIL MEMBER KOSLOWITZ: However  
18 after--and I also lost my sister to lung cancer  
19 and that did not stop me. And I voted against the  
20 smoking bill in the 1990's. In 2002 I got  
21 disgusted. I didn't want to go out with my cup of  
22 coffee in a restaurant in the freezing cold  
23 weather to have a cigarette.

24 I didn't want to be restricted on  
25 where I could smoke. So I said I am going to stop

2 smoking. Everybody took bets and said you will  
3 never stop smoking. My grandson used to tell me,  
4 Grandma you're going to die, every time he saw me  
5 light a cigarette. Well I stopped smoking and I'm  
6 going to be celebrating--

7 [Applause]

8 COUNCIL MEMBER KOSLOWITZ: --nine  
9 years of not smoking. And I have to tell you I  
10 feel much, much better and I am really happy to  
11 vote for this bill.

12 [Applause]

13 COUNCIL MEMBER COMRIE: Okay, okay.  
14 Council Member Dilan.

15 COUNCIL MEMBER DILAN: And I feel  
16 funny following that one but I--

17 [Laughter]

18 COUNCIL MEMBER DILAN: I want to  
19 add my voice to the opposition of this bill. And  
20 I'll use many of the arguments that they used  
21 towards the end of my comments. But I want to  
22 focus on something that no one has yet discussed  
23 and that's the prohibition of smoking at these  
24 newly created pedestrian plazas by the Department  
25 of Transportation.

2                    You know before these pedestrian  
3 plazas were installed in our streets, no one was  
4 actually smoking there because there were cars  
5 that were going through these pedestrian plazas.  
6 Now my colleague mentioned something about  
7 hypocrisy with the PCBs. I think this is another  
8 measure of hypocrisy because they haven't come to  
9 anyone in this chamber or in this house to ask for  
10 permission to install those pedestrian plazas.

11                  And now they have the audacity to  
12 come to us and say hey, we need you guys to  
13 legislatively prohibit smoking in these pedestrian  
14 plazas. I think that's the height of hypocrisy.  
15 Regardless of your opinion on the pedestrian  
16 plazas and mine's not that strong. So I guess if  
17 somebody wants to have a cigarette they have to  
18 smoke in the bike lane.

19                  [Laughter]

20                  COUNCIL MEMBER DILAN: So... so  
21 that's fine. That's one of the reasons why I will  
22 oppose. I'm not a smoker. I've supported every  
23 other anti-smoking ordinance and I think the most  
24 effective one was the tax increase 'cause I know  
25 many of my constituents as a result of the tax

2 increase have quit. And that's a good sign.

3                   And everybody knows every now and  
4 then I've been known to frequent a public golf  
5 course. I don't think there's anything wrong with  
6 that. But now I can't have my customary cigar.  
7 And that's fine. I'll comply with the law. I  
8 won't smoke the cigar on the golf course. But  
9 there's going to be plenty of golfers upset with  
10 us this summer and I'm going to say, you know,  
11 what could I do.

12                  So with that I voted no. I'm going  
13 to vote no. I do believe with my colleagues that  
14 this is an infringement on the rights of people  
15 but I do respect the process here and I would say  
16 that this is one of the few bills that we've  
17 debated where the argument has been about  
18 substance. The process here has been totally fine  
19 and I want to credit everybody for their hard  
20 work. Thank you.

21                  SPEAKER QUINN: Thank you.

22                  [Pause]

23                  COUNCIL MEMBER COMRIE: Yeah and I  
24 was trying to do something. Council Member  
25 Arroyo. I was actually trying to give, if it's

2 all right with the body, a point of personal  
3 privilege so that Council Member Foster could vote  
4 on the general order calendar and leave if that's  
5 all right with everybody?

6 MANY VOICES: Yes.

7 COUNCIL MEMBER COMRIE: 'Cause I  
8 see she's suffering and she needs to go home.

9 COUNCIL MEMBER FOSTER: Thank you  
10 very much. I vote aye. Thank you.

11 COUNCIL MEMBER COMRIE: Thank you.  
12 Thank you Members. Council Member Arroyo.

13 COUNCIL MEMBER ARROYO: Thank you.  
14 Like Council Member Viverito I also did not plan  
15 to speak this afternoon on this legislation  
16 although as Chair of the Committee on October 14<sup>th</sup>,  
17 we sat through just about five hours of testimony.  
18 And as Chair I have to tell you I'm not sure that  
19 I was any less conflicted than many of you on this  
20 issue and the implications that we have all  
21 discussed privately and here on the floor.

22 But that conflict for me gets  
23 reconciled very, very easily. And that is weighed  
24 against the benefit that this legislation once  
25 enacted would bring to our City. Like Council

2 Member Viverito I represent a District seriously  
3 affected by asthma. And all of the ills that poor  
4 health conditions can affect the community. I  
5 want to thank the Speaker for her leadership on  
6 this issue because going into this vote we knew  
7 that we were not all in the same basket.

8                   But thank God for democracy and for  
9 the debate that we are able to have here today  
10 where we can hear each others' thoughts,  
11 respectfully. But I think at the end of the day  
12 the responsibility that we have as a Council is to  
13 do everything we possibly can to protect the  
14 health and wellbeing of the people that sent us to  
15 represent them here. My colleagues, this is a  
16 very simple vote. Yes. It's quite that simple.  
17 Thank you.

18                   COUNCIL MEMBER COMRIE: Council  
19 Member Levin--no clapping please. I only allowed  
20 it because Council Member Van Bramer had a very  
21 personal message. But you guys are slipping. I'm  
22 going to tighten back up the noose. No clapping.  
23 Council Member Levin.

24                   COUNCIL MEMBER LEVIN: Thank you  
25 very much. I just wanted to speak. I didn't plan

2 to speak either myself today. And this was a  
3 decision that I didn't reach until late last night  
4 actually. And I'd put a lot of thought into this  
5 issue and had though long and hard about the data  
6 and the research that was going into this.

7                   And while I remain unconvinced  
8 about the data regarding cancer rates and how this  
9 would affect the overall cancer rates in our City,  
10 the other day I met somebody who informed me that  
11 they were asthmatic. And they had actually gone  
12 into an asthmatic episode as a result of being  
13 adjacent to somebody smoking in a park. This just  
14 came up in the course of conversation.

15                  And that anecdotal story struck me  
16 that this happens all too often. And it happens  
17 to the most vulnerable citizens in our City which  
18 are our kids. So that I think needs to be  
19 recognized. That this is the kind of thing that  
20 can actually trigger an asthma attack for those  
21 people that are predisposed to it. And so this  
22 type of action that we're taking today will  
23 benefit the overall health of the citizens of our  
24 City.

25                  One thing I just want to follow up

on, what Council Member Ignizio has brought up and others, regarding PCBs in our schools. I think that if we are going to take such strong measures as we are taking today, we need to continue to apply pressure to this Administration to address this issue forcefully. And we should not be nickel and diming it and worrying about the cost. We should be doing everything we can to eradicate those carcinogenic substances from our school rooms. Thank you very much.

COUNCIL MEMBER COMRIE: Council Member Greenfield.

COUNCIL MEMBER GREENFIELD: Thank you Mr. Chairman. You know I too have concerns about this bill, specifically as it relates to enforcement and whether this will give officers an excuse to harass otherwise law-abiding citizens. And I will be keeping a cautious eye on that issue. And having led the fight in the Council against naked body scanners at our airports I'm concerned as anyone is about the civil liberties of our citizens.

However I also believe that the government has an obligation to protect its most

vulnerable. And as a Council Member who  
represents more children than perhaps any other  
Council Member in a District with probably less  
parks, I'm inclined to protect our children from  
second-hand smoke. I wish I could tell you that I  
haven't seen anyone smoking in front of children  
in the parks.

19 COUNCIL MEMBER COMRIE: Council  
20 Member Vann.

21 COUNCIL MEMBER VANN: Thank you Mr.  
22 Chairman. I hold dearly the concept of freedom  
23 and our liberties, given how my people were  
24 brought to this country and we were enslaved here  
25 and the Jim Crow-ism, and the ongoing

2 institutional racism which we are still affected.  
3 You know that I do not take a restriction of  
4 freedoms lightly.

5                         Nonetheless I'm more concerned  
6 about the most important thing on the planet which  
7 is life and secondarily the quality of that life.  
8 Life and health. And I think this bill will  
9 affect both of those which is why I am supporting  
10 it.

11                         It does raises the question of does  
12 a legislative body have the right to try and  
13 protect society against itself. I thought long  
14 and hard about that as I sat here. And I come up  
15 with the answer yes. That if we believe in our  
16 heart, in our knowledge and information that  
17 something is better for society even though it may  
18 not be popular, that we ought to take that  
19 position. And this is such a case. And I'm  
20 prepared to take that position.

21                         I'm a little, not disturbed, but  
22 interested in those who believe that a compromise  
23 would have been better. And perhaps they would  
24 have been but that is not the bill that we're  
25 dealing with now. There's an issue about health.

2 And whether or not your bill or a better bill may  
3 have passed is passé. If you think that this  
4 legislation will help save life, here, retain life  
5 and good health, it seems to me we ought to be for  
6 that even if a better bill is not before us today.

7 I was moved by the argument  
8 relative to how the perhaps the administration of  
9 this bill might work against black and browns  
10 because of the discrimination that exists in the  
11 Police Department. And it raises a tenor but then  
12 I recognized we can't legislation through a  
13 discriminatory body. We can't let them determine  
14 what is in the best interest of the citizens of  
15 New York City. Given those arguments I vote aye.  
16 I thin it's good legislation. It will save lives  
17 for our people in New York City.

18 COUNCIL MEMBER COMRIE: Council  
19 Member Recchia.

20 COUNCIL MEMBER RECCHIA: Thank you.  
21 Today I'd like to thank my colleague Gale Brewer  
22 for introducing this legislation. And I support  
23 it. As someone who represents the beaches of  
24 Coney Island I just have to disagree with many of  
25 my colleagues who say, talk about people's rights.

2 What about the kids' rights on the beach? What  
3 about the parents' rights on the beach when they  
4 ask somebody to put out cigarettes and they say no  
5 and they throw a cigarette butt at them or they  
6 throw the cigarette at them?

7                   My office gets literally hundreds  
8 of complaints every year because my office is two  
9 blocks from the beaches. And we get many  
10 complaints about cigarettes. And when they talk  
11 about cigarette butts, I could tell you when we  
12 walk the beaches of Coney Island there are  
13 literally hundreds of cigarette butts in the sand.

14                   So this legislation is doing  
15 something that I've been dying to do for many,  
16 many years and that is to give people an  
17 opportunity to go to the beach and to enjoy their  
18 family activities. To go to the beach as a family  
19 and not have to worry about someone smoking or  
20 someone throwing cigarettes at you or someone, you  
21 have to move your blanket because they won't stop  
22 smoking. You asked them nicely. That's what this  
23 legislation is about. It's about giving people an  
24 opportunity to enjoy the parks, to enjoy the  
25 beaches without having to be aggravated and to

2 keep our beaches cleaner. So I hope all my  
3 colleagues could vote aye and I just want to thank  
4 and just tell my colleague Jimmy Van Bramer your  
5 story really touched my heart. Thank you very  
6 much.

7 COUNCIL MEMBER COMRIE: Council  
8 Member Chin.

9 COUNCIL MEMBER CHIN: Thank you. I  
10 also wanted to add my voice to support this  
11 legislation. As someone who's a strong advocate  
12 before I become a City Council Member for a smoke-  
13 free New York, I see that this bill will help save  
14 more lives and will also help us save money on  
15 health care costs.

16 I also lost a father at a very, not  
17 quite young age, but I was already married with a  
18 kid. But he couldn't see my son grow up because  
19 he died of illness was related to smoking. When  
20 the City passed the smoke-free law a couple of  
21 years back I was so thankful that a lot of the  
22 associations in Chinatown, that used to be like a  
23 smokestack, and you go to a meeting and you leave  
24 there stinking on your clothes and hair. They had  
25 to post up those no smoking signs. And some of

2 the elders there quit smoking or at least cut  
3 back.

4 So I urge my colleagues to  
5 reconsider. To think about the lives of children  
6 and seniors and adults that we will be able to  
7 save. And the health costs that we will be able  
8 to cut down by passing this bill. Thank you.

9 COUNCIL MEMBER COMRIE: Council  
10 Member Mealy.

11 COUNCIL MEMBER MEALY: Yes I also  
12 was not expected to speak but thinking about life  
13 and liberty, I know I'm for life, but we have to  
14 also think about people's liberty. Freedom. I'm  
15 very much inclined to echo the sentiments of my  
16 colleagues against this bill. When we opened up  
17 the door too wide for government to dictate our  
18 actions it's very hard to close that door. And I  
19 wish there was a better compromise in regards to  
20 this bill.

21 I think about someone said at the  
22 beach, the same way people come to the beach  
23 intoxicated. And before anything goes wrong I  
24 would say let's move. The same way if people are  
25 smoking on the beach, we have an option to move.

1                   And I think about... when I did a poll in my  
2 District in regards to this do you know what my  
3 people said? Imagine the bus shelters, when I'm  
4 standing at the bus, when somebody light up a  
5 cigarette, I leave the bus shelter and be in the  
6 rain when this one person is in the bus shelter  
7 smoking a cigarette and I'm outside. A majority  
8 of people are outside.

10                  If we're going to do a law such as  
11 this we should do it across the board, no  
12 piecemeal-ly. So also I am concerned about the  
13 enforcement of this bill. In my District  
14 particularly. Though this bill may say no smoking  
15 in the park or the beaches, I find that this bill  
16 can easily be another tactic in which police can  
17 easy ticket it, not--the Parks Department but  
18 harass, frisk and look up and see in the system if  
19 someone have a ticket or something. And I feel  
20 that it's too much. And we're giving society and  
21 government too much power. So I will vote no on  
22 this bill.

23                  COUNCIL MEMBER COMRIE: Council  
24 Member Wills.

25                  COUNCIL MEMBER WILLS: It's funny

2 because, you know, Council Member Van Bramer and  
3 Koslowitz had stories of people that they lost but  
4 this chamber lost someone and because of that loss  
5 is why I'm here today because of his battle with  
6 cancer because of a long term of smoking  
7 cigarettes. And my first interview when I got  
8 elected, the first thing a reporter asked me was  
9 about the smoking ban. And I told him I think  
10 that government was getting too big and that this  
11 wasn't something that I would be voting for.

12 But I have looked at the research  
13 that states that Southeast Queens has one of the  
14 largest juvenile asthmatic rates. And I can't in  
15 good conscience vote against something that's  
16 going to be able to mitigate a substance that is  
17 so addictive and the secondary effects of  
18 something in a way that is in relation to the  
19 sicknesses or the illnesses that are going to  
20 affect the community such as mine which has a lack  
21 of affordable health care in the beginning.

22 So in good conscience now I vote  
23 aye on this bill.

24 COUNCIL MEMBER COMRIE: Council  
25 Member Koo.

2 COUNCIL MEMBER KOO: Thank you Mr.  
3 Chairman. Usually [mic goes off] Oh. Thank you  
4 Mr. Chairman. Usually I'm against government  
5 interfering too much of citizens' private life.  
6 But in this instance I urge all my colleagues to  
7 vote yes for this bill.

8 As an elected official our primary  
9 responsibility is to take care of our  
10 constituents' health. I too have a father died  
11 because of cancer. In the old days, they don't  
12 have information about the health and the risks  
13 and benefits of smoking. But right now research  
14 has indicated that smoking is bad for you.

15 So as City Council representatives,  
16 we should try our best to protect our citizens.  
17 Actually I don't think this bill goes far enough.  
18 I want to echo my previous speakers say we should  
19 urge banning smoking even on public streets.  
20 Because a lot of times there is in the bus shelter  
21 or other places, you know, we get offended and we  
22 have to get this second-hand smoke.

23 And I also have incidents while I'm  
24 walking I get burned by pedestrians because they  
25 have a cigarette in their hands and I didn't see

2 it. They burned my clothes once. They burned my  
3 hand once. So I urge Speaker Quinn and next time  
4 we should do a bill banning smoking in the public  
5 streets too while they are walking. Thank you.

6 COUNCIL MEMBER COMRIE: Council  
7 Member Rose.

8 COUNCIL MEMBER ROSE: I like my  
9 colleagues, I came here this morning very  
10 conflicted and not quite sure how I wanted to vote  
11 on this bill. And as the Civil Rights Chair, I  
12 really took into consideration the fact that the  
13 rights of our New York City residents are really  
14 being compromised. And that at some point we're  
15 going to push people into dark basements,  
16 reminiscent of opium dens because there'll be no  
17 place for them to smoke.

18 I just really believe that because  
19 of the fact that our children are so adversely  
20 affected by second-hand smoke that I then  
21 rethought my vote and I will be voting in favor of  
22 this bill today.

23 [Applause]

24 COUNCIL MEMBER COMRIE: I saw that  
25 Tish, I saw that. Last member to speak on this,

2 Council Member Nelson.

3 COUNCIL MEMBER NELSON: Okay. As  
4 the Waterfront Chair, [off mic] oh you good? Oh  
5 okay. Lay off the private boats. I thought of  
6 it, through the years, the only complaints I'd  
7 ever heard from people were that they were on the  
8 beach and smoke was just wafting across them. And  
9 I never heard anybody really complain that, hey,  
10 you know, I won't be able to smoke on the sand.  
11 And I've been there too. I've had people blowing  
12 smoke, coming into my mouth as well.

13 And you know their probably let  
14 them move doesn't really work. If you're going to  
15 the beach and you're carrying a couple of chairs  
16 and a blanket and skin protection 1, 2, 7, 10, 50,  
17 ad infinitum. It's not easy to move. You want to  
18 stay there and have the right of people not  
19 smoking into your face. But and then if you move  
20 by the way you can wind up next to a smoker again.

21 So let's stop the smoking on the  
22 beach. I agree with my friend Domenic who has the  
23 beachside of my District, well he's got the  
24 Boardwalk too. But over-regulation, if you go  
25 towards people and their apartments, let me tell

2 you, into their castles, that's drawing the real  
3 line into the sand. And I hope that never gets  
4 close to being on this floor. Of course with that  
5 I'm going to vote for this bill. Thank you.

6 COUNCIL MEMBER COMRIE: Thank you  
7 members. Report of Special Committees.

8 COMMITTEE CLERK: None. None.

9 COUNCIL MEMBER COMRIE: Reports of  
10 Standing Committees.

11 COMMITTEE CLERK: Report of the  
12 Committee on Finance, Preconsidered LU 304 and  
13 Reso 650 through LU 308 and Reso 657.

14 SPEAKER QUINN: Coupled on general  
15 orders. I forgot we still had to do this part of  
16 the meeting.

17 [Laughter]

18 SPEAKER QUINN: I can't imagine  
19 anyone needs to explain their vote. I'm just  
20 saying. Go ahead.

21 COUNCIL MEMBER COMRIE: General  
22 order calendar. Not yet, not yet, not yet?

23 SPEAKER QUINN: The report on the  
24 Committee on Health, right?

25 COUNCIL MEMBER COMRIE: Report on--

2 oh sorry.

3 COMMITTEE CLERK: Report on the  
4 Committee on Health, Intro 332-A, Smoke-Free Act.

5 SPEAKER QUINN: Amended and coupled  
6 on general orders.

7 COMMITTEE CLERK: Report of the  
8 Committee on Land Use LU 280 and Reso 658,  
9 unenclosed sidewalk café.

10 SPEAKER QUINN: Coupled on general  
11 orders.

12 COMMITTEE CLERK: LU 291 and Reso  
13 659 through LU 294 and Reso 662, Landmark  
14 designations.

15 SPEAKER QUINN: Coupled on general  
16 orders.

17 COMMITTEE CLERK: Lu 302 and Reso  
18 663, Zoning Amendment.

19 SPEAKER QUINN: Coupled on general  
20 orders.

21 COMMITTEE CLERK: Report of the  
22 Community on Rules, Privileges and Elections,  
23 Preconsidered M 383 and Reso 664, approving the  
24 re-designation of Reverend Lacey, Health and  
25 Hospitals Board of Directors.

2 SPEAKER QUINN: Coupled on general  
3 orders.

4 COMMITTEE CLERK: Preconsidered M  
5 384 and Reso 665 approving the re-designation of  
6 Josephine Bolus, Health and Hospitals Board of  
7 Directors.

8 SPEAKER QUINN: Coupled on general  
9 orders.

10 COUNCIL MEMBER COMRIE: General  
11 order calendar.

12 COMMITTEE CLERK: Resolution  
13 appointing various persons, Commissioner of Deeds.

14 SPEAKER QUINN: Coupled on general  
15 orders. And at this time I'd like to ask for a  
16 roll call on all items that have been coupled on  
17 the general order calendar please.

18 COUNCIL MEMBER CLERK: Vacca.

19 COUNCIL MEMBER VACCA: Aye. I  
20 thank you for allowing me to vote first. I would  
21 like to explain my vote briefly. I'm going to  
22 vote yes on all, aye on all. I'm doing so because  
23 voting the way I'm voting today gives me an  
24 opportunity to discourage people from smoking.  
25 And if I have that opportunities to discourage

2 them, I want to do that.

3 I think most of us feel that we've  
4 attended too many wakes, we've gone to too many  
5 funerals. We know too many people that we spent  
6 months praying for and hoping that they would  
7 survive only to see that they did not. These are  
8 people of all ages. These are people that run the  
9 spectrum of residence of our City.

10 Lung cancer is a killer. Too often  
11 it kills. Once it's diagnosed, it's often too  
12 late. I understand that this bill has  
13 difficulties. And I understand it's not perfect.  
14 But very honestly, if it saves people's lives and  
15 makes it more difficult for them to smoke, I want  
16 to vote yes. So I do so and I urge my colleagues  
17 to join me. I thank you.

18 COMMITTEE CLERK: Crowley.

19 COUNCIL MEMBER CROWLEY: Thank you  
20 for permission to vote out of order. I vote aye.  
21 Thank you.

22 COMMITTEE CLERK: Arroyo.

23 COUNCIL MEMBER ARROYO: Aye on all.

24 COMMITTEE CLERK: Brewer.

25 COUNCIL MEMBER BREWER: I vote aye

2 and thank my colleagues for an excellent  
3 discussion. It's all been webcast which I also  
4 think is great for the public. And I am delighted  
5 that Diane Lacey will continue her very esteemed  
6 tenure on the HHC Board. Thank you very much.  
7 Thank you all very, very much.

8 COMMITTEE CLERK: Cabrera.

9 COUNCIL MEMBER CABRERA: Aye.

10 COMMITTEE CLERK: Chin.

11 COUNCIL MEMBER CHIN: Aye.

12 COMMITTEE CLERK: Comrie.

13 COUNCIL MEMBER COMRIE: Permission-  
14 -well I don't need to ask myself for permission.

15 [Laughter]

16 COUNCIL MEMBER COMRIE: I'm so  
17 engrained. No I'm going to speak now. I listened  
18 so I want to say I enjoyed the discussion of all  
19 the members. And I think that this has been a  
20 great example of what we can do as a deliberative  
21 body to deliberate and come to a decision on a  
22 difficult bill.

23 I also am conflicted on this bill.  
24 I believe in personal liberty. I think that the  
25 poem Crystal Nut [phonetic] keeps coming to my

2 mind where we start going after individual  
3 personal liberties on certain things and we go  
4 after the person, Crystal Not poem was you go  
5 after the person with no legs and then you go  
6 after the person with one leg and then you--it's a  
7 bad paraphrasing of the poem. But I would suggest  
8 you look it up.

9                   I also have a son with asthma. He  
10 has exercise-induced asthma. I also have a  
11 District with high rates of asthma. You know I  
12 also know that this body, I think, could have done  
13 a collaborative bill. I'm concerned about the  
14 focus on personal liberties. But when I went home  
15 last night after I beat up the Smoke-Free  
16 Coalition, I had fun with them yesterday. We went  
17 at for about an hour and a half and we talked  
18 about it. I went home and I remembered that and I  
19 spoke with it to my 13-year old son and my 16-year  
20 old daughter. And they told me dad you have to  
21 vote yes for this bill.

22                   [Applause]

23                   COUNCIL MEMBER COMRIE: I still  
24 think it's an injunction on personal liberties.  
25 But since I have to go home and face my family and

2 you know but I think that I'm proud of this body.  
3 I think we've deliberated this bill. And I think  
4 we've opened the door for a compromise in the  
5 future. I vote aye on all.

6 COMMITTEE CLERK: Dickens.

7 COUNCIL MEMBER DICKENS: Aye.

8 COMMITTEE CLERK: Dilan.

9 COUNCIL MEMBER DILAN: I vote aye  
10 on all except for Intro 332-A which I vote no.

11 COMMITTEE CLERK: Dromm.

12 COUNCIL MEMBER DROMM: Aye on all.

13 COMMITTEE CLERK: Eugene.

14 COUNCIL MEMBER EUGENE: I vote aye.

15 COMMITTEE CLERK: Ferreras.

16 COUNCIL MEMBER FERRERAS: I vote  
17 aye on all.

18 COMMITTEE CLERK: Fidler.

19 COUNCIL MEMBER FIDLER: Deputy  
20 Majority Leader may I be briefly excused to  
21 explain my vote?

22 COUNCIL MEMBER COMRIE: You already  
23 spoke on this and you can't speak on it again.

24 COUNCIL MEMBER FIDLER: I really  
25 just wanted to comment on the deliberation of the

2 body.

3 COUNCIL MEMBER COMRIE: Oh okay.

4 All right. We'll watch that slippery slope.

5 COUNCIL MEMBER FIDLER: Yeah.

6 [Laughter]

7 COUNCIL MEMBER FIDLER: You know

8 here I was about to complement you all. And I

9 actually did want to speak on the bill but...

10 [Laughter]

11 COUNCIL MEMBER FIDLER: But the  
12 part that you will permit me, I do want to say,  
13 which I think even though the point of view that I  
14 hold on this bill is clearly not going to prevail,  
15 I'm very proud of this body today. I think that  
16 we engaged in a substantive debate in a very, very  
17 professional way.

18 And clearly the fact that this body  
19 can debate, discuss and dissent in this fashion  
20 speaks very, very well of this, you know, this  
21 legislative body. And clearly is a tone that is  
22 set by the Speaker of the Council. And I just  
23 want to say that I will--I'm going to lose today  
24 on the substance but I think we all won today on  
25 the process.

2

COUNCIL MEMBER COMRIE: Amen.

3

Next.

4

COUNCIL MEMBER FIDLER: And I vote no on the smoking bill and aye on the rest.

6

COUNCIL MEMBER COMRIE: Oh all right.

8

COMMITTEE CLERK: Garodnick.

9

COUNCIL MEMBER GARODNICK: Thank you. I vote aye.

11

COMMITTEE CLERK: Gennaro.

12

COUNCIL MEMBER GENNARO: [No audible response]

14

COMMITTEE CLERK: Gentile.

15

COUNCIL MEMBER GENTILE: Aye.

16

COMMITTEE CLERK: Gonzalez.

17

COUNCIL MEMBER GONZALEZ: Aye.

18

COMMITTEE CLERK: Greenfield.

19

COUNCIL MEMBER GREENFIELD: Aye on all.

21

COMMITTEE CLERK: Halloran.

22

COUNCIL MEMBER HALLORAN: I vote no on 332-A, aye to the rest.

24

COMMITTEE CLERK: Ignizio.

25

COUNCIL MEMBER IGNIZIO: Yes thank

2 you. Just to briefly explain some of the comments  
3 that were made in regards to the opponents of this  
4 bill. What I was referring to when I was talking  
5 about my original speech is I have a park in my  
6 District which is 2,600 acres. You can smoke on  
7 one side of the 2,600 acres and smoke on the other  
8 side of the 2,600 acres and everybody in between  
9 can be totally safe.

10 So to kind of put it to, you know,  
11 a child debate of child health or whatnot I think  
12 is too simplistic and almost Simpson-esque when  
13 every time they say, you know, and if you know the  
14 Simpson's you know what I'm talking about, so that  
15 is what I'm talking about.

16 You want to ban it at beaches, you  
17 want to ban it in playgrounds. You want to ban it  
18 in overall parks, have a certain acreage. That's  
19 a fair debate. But 2,600 acres, show me the signs  
20 there where one guy is smoking a cigar on one end  
21 is going to affect the child on the other. I vote  
22 no on Land Use 292, no on 332-A and aye on all  
23 others. Thank you.

24 COMMITTEE CLERK: Jackson.

25 COUNCIL MEMBER JACKSON: Thank you

2 for democracy. I vote no on Intro 332-A and I  
3 vote aye on all the rest.

4 COMMITTEE CLERK: James.

5 COUNCIL MEMBER JAMES: Council  
6 Member Comrie, our faith teaches us that children  
7 will lead us going forward. I vote aye on all.

8 COUNCIL MEMBER COMRIE: Don't start  
9 with that James.

10 COMMITTEE CLERK: Koo.

11 COUNCIL MEMBER KOO: I vote aye on  
12 all.

13 COMMITTEE CLERK: Koppell.

14 COUNCIL MEMBER KOPPELL: On the  
15 process Mr. Acting Majority Leader, I want to  
16 complement the body on the process. And I think  
17 it teaches us a lesson of the wisdom of taking one  
18 measure and debating that, not bring up all  
19 different things. Today of course we only had one  
20 on the agenda. And I hope--because I think this  
21 is the best debate I've heard in nine years in  
22 this body that there'll be many more. I think  
23 it's both instructive and in addition I think an  
24 excellent way of moving legislation forward. And  
25 I want to complement everyone, the Speaker and

2 everyone for the conduct of this debate. I  
3 withdraw my request and vote aye on all.

4 COMMITTEE CLERK: Koslowitz.

5 COUNCIL MEMBER KOSLOWITZ: I vote  
6 aye.

7 COMMITTEE CLERK: Lander.

8 COUNCIL MEMBER LANDER: I want to  
9 echo the praise for the process and than the  
10 Speaker and the Acting Majority Leader and the  
11 sponsors for the bill. I vote no on 332-A and aye  
12 on the rest.

13 COMMITTEE CLERK: Levin.

14 COUNCIL MEMBER LEVIN: With  
15 recognition to my friend and colleague Gale Brewer  
16 I vote aye on all.

17 COMMITTEE CLERK: Mark-Viverito.

18 COUNCIL MEMBER MARK-VIVERITO: Aye  
19 on all.

20 COMMITTEE CLERK: Mealy.

21 COUNCIL MEMBER MEALY: I vote no on  
22 Intro 332-A and aye on all.

23 COMMITTEE CLERK: Mendez.

24 COUNCIL MEMBER MENDEZ: I vote no  
25 on Intro 332-A, all on the rest and Madam Speaker,

2 Charles Barron is not here. I fear he might have  
3 gotten arrested again and they may have thrown  
4 away the key this time. So we should look into  
5 that.

6 COUNCIL MEMBER ODDO: I'd be happy  
7 to go get him.

8 COMMITTEE CLERK: Nelson.

9 COUNCIL MEMBER NELSON: With the  
10 respect to my colleagues who are voting no, I vote  
11 aye.

12 COMMITTEE CLERK: Recchia.

13 COUNCIL MEMBER RECCHIA: [No  
14 audible response]

15 COMMITTEE CLERK: Reyna.

16 COUNCIL MEMBER REYNA: I vote aye  
17 on all.

18 COMMITTEE CLERK: Rodriguez.

19 COUNCIL MEMBER RODRIGUEZ: Aye.

20 COMMITTEE CLERK: Rose.

21 COUNCIL MEMBER ROSE: Aye.

22 COMMITTEE CLERK: Sanders.

23 COUNCIL MEMBER SANDERS: Permission  
24 to vote on previous Land Use items?

25 COUNCIL MEMBER COMRIE: Denied.

2 No, so ordered.

3 COUNCIL MEMBER SANDERS: I accept  
4 that Sir. I vote aye on previous Land Use items.  
5 I vote aye on everything except Intro 332-A and  
6 then that I vote no.

7 COMMITTEE CLERK: Seabrook.

8 COUNCIL MEMBER SEABROOK: Aye on  
9 all.

10 COMMITTEE CLERK: Ulrich.

11 COUNCIL MEMBER ULRICH: No on Intro  
12 332-A and aye on all others.

13 COMMITTEE CLERK: Vallone.

14 COUNCIL MEMBER VALLONE: After what  
15 Council Member Nelson said I briefly reconsidered  
16 my vote. But I still vote aye.

17 COMMITTEE CLERK: Van Bramer.

18 COUNCIL MEMBER VAN BRAMER: Aye on  
19 all.

20 COMMITTEE CLERK: Vann.

21 COUNCIL MEMBER VANN: I, excuse me,  
22 aye on all.

23 COMMITTEE CLERK: Weprin.

24 COUNCIL MEMBER WEPRIN: Aye.

25 COMMITTEE CLERK: Williams.

2 COUNCIL MEMBER WILLIAMS: May I be  
3 excused to explain my vote?

4 COUNCIL MEMBER COMRIE: So moved.

5 COUNCIL MEMBER WILLIAMS: Thank  
6 you. Just to the brush of the broad stroke of one  
7 of the compromises on our babies, I just wanted to  
8 say that I think that we could have gotten a bill  
9 that would have taken the science into effect so  
10 that the second-hand smoke would not have affected  
11 parents and our children and our babies. So all  
12 of that was taken into my consideration. And I  
13 would like to say congratulations to Josephine  
14 Bolus. I vote aye on all except Intro 332-A which  
15 I vote no.

16 COMMITTEE CLERK: Wills.

17 COUNCIL MEMBER WILLS: Aye on all.

18 COMMITTEE CLERK: Oddo.

19 COUNCIL MEMBER ODDO: I vote no on  
20 332-A, yes on all others, and starting tomorrow  
21 I'm committed to finding all these people who are  
22 kicking sand and flicking cigarettes at Domenic  
23 Recchia.

24 [Laughter]

25 COMMITTEE CLERK: Speaker Quinn.

2                   COUNCIL MEMBER JAMES: They're his  
3 clients.

4                   [Laughter]

5                   SPEAKER QUINN: I vote aye on all.

6                   [Pause]

7                   COUNCIL MEMBER COMRIE: All right,  
8 all right. Quiet. Speaker Quinn. Quiet, quiet  
9 please. It's 4:30, folks are getting a little...  
10 quiet please.

11                  SPEAKER QUINN: I vote aye on all.

12                  [Pause]

13                  COUNCIL MEMBER COMRIE: Okay.

14 Today's Stated Meeting of February 2<sup>nd</sup>, all items  
15 on today's general order calendar were adopted by  
16 a vote of 48 in the affirmative, 0 in the negative  
17 and 0 abstentions with the exception Intro 332-A  
18 which was adopted by a vote of 37 in the  
19 affirmative, 11 negative and 0 abstentions and  
20 Land Use Item 292 combined with Resolution 660  
21 which was adopted by 47 affirmative, 1 negative, 0  
22 abstentions.

23                  The Revised Land Use call ups were  
24 adopted by a vote of 48 affirmative and 0 in the  
25 negative. We have to make an alteration. Hold on

2 one second please. Nobody, you voted, we got your  
3 no vote on the... yeah. Okay? Sorry. The Intro  
4 332-A was 36 affirmative, 12 negative, updated.  
5 Introduction and reading of bills.

6 SPEAKER QUINN: All bills are  
7 referred to committees as indicated on the agenda.

8 COUNCIL MEMBER COMRIE: No  
9 Resolutions. General discussion? Council Member  
10 Jackson, please. We have three members that have  
11 General discussion items. Please be still. If you  
12 have to leave be quiet.

13 COUNCIL MEMBER JACKSON: My  
14 colleagues, tomorrow, the Panel for Educational  
15 Policy will be meeting at Brooklyn Tech High  
16 School to vote on the remaining schools that are  
17 on their list for closure. I ask you to consider  
18 this particular issue and appear like some of my  
19 colleagues last night, State Senator Bill Perkins,  
20 Steve Levin, Jumaane Williams, Gale Brewer and  
21 others came to give testimony basically opposing  
22 the closure of these schools and the collocation  
23 of a charter school at Brandeis High School.

24 And I say to all of you this is an  
25 issue even though you may not have a school--

2 SPEAKER QUINN: [Interposing] Hang  
3 on one second. If we could give a little time on  
4 the clock back to the Council Member and if we  
5 could get some quiet in the chambers. If you're  
6 exiting, do it quietly. If you're working on  
7 paperwork with the Clerk in the front, please wait  
8 until the three Council Members who have comments  
9 at this time have finished unless you can do it  
10 silently. Thank you.

11 COUNCIL MEMBER JACKSON: Thank you  
12 Speaker Quinn. This is an issue that will be with  
13 us for several years based on Mayor Bloomberg's  
14 commitment at a conference he made in Washington  
15 D. C. to close approximately 10% of the lowest  
16 performing schools in the City of New York which  
17 equally approximately 160 schools. So I ask you,  
18 if you're not involved, to get involved because  
19 this is a critical area for the future of our  
20 children. Thank you.

21 COUNCIL MEMBER COMRIE: Council  
22 Member Garodnick?

23 COUNCIL MEMBER GARODNICK: Thank  
24 you very much Mr. Deputy Majority Leader. I want  
25 to draw the attention of my colleagues to three

bills that I'm introducing today, two of which relate to pedicabs and a third that would require the use of bar codes in parking placards to take aim at their fraudulent use.

In 2009 this body passed broad safety and consumer reforms of the pedicab industry which was then completely unregulated. Now that we've given those laws some time to work and now that we've seen enforcement sweeps that rack up 115 pedicab violations in a single day in a single neighborhood, we see where we must strengthen the law. To target repeat offenders I'm introducing Intro 466 which would impose a greater risk of license suspension and/or revocation on both pedicab drivers and pedicab business owners. Additionally the conditions on the streets today make it clear that we must better address safety concerns before we allow even more pedicabs to operate.

The second bill, Intro 467 would repeal the sunset provision of the 2009 restrictions on licensing and limit pedicab registration plates to their current number.

SPEAKER QUINN: Could we get a

2 little more quiet for Dan please?

3 COUNCIL MEMBER COMRIE: Quiet  
4 please. Come on.

5 COUNCIL MEMBER GARODNICK: These  
6 two bills along with two others I've introduced,  
7 Intro 334 which would subject pedicabs to parking  
8 rules and 345 which would require a posting of a  
9 pedicab bill of rights will all be heard in the  
10 Consumer Affairs Committee on February 18<sup>th</sup>. I ask  
11 you to join me in signing on to each of these  
12 bills.

13 The third bill I'm introducing  
14 today takes one fundamental step to address the  
15 abuse of parking placards. Intro 465 would  
16 require the use of a bar code on each government  
17 issued parking placard so that traffic enforcement  
18 agents can easily scan it to determine whether it  
19 is legitimate. There is no excuse for fraudulent  
20 placards to continue to get a free pass. And  
21 enforcement agents should not fear ticketing them.

22 I urge my colleagues to join on  
23 this legislation as well. And finally on a  
24 personal note I want to thank my colleagues for  
25 all of their good wishes on the birth of my son

2 Asher Bennett Garodnick.

3 [Cheering, applause]

4 COUNCIL MEMBER COMRIE: Shameless  
5 plug after your time is up.

6 COUNCIL MEMBER GARODNICK: HE is,  
7 he and his mom, my wife Zoë, are doing great and  
8 of course I sure am a proud father today. So  
9 thank you very much.

10 COUNCIL MEMBER WILLIAMS: And he  
11 got two Google hits.

12 COUNCIL MEMBER COMRIE: Proud papa.  
13 I'd like to co-sponsor the parking placard bill  
14 with you so Council Member Koo.

15 COUNCIL MEMBER KOO: Thank you Mr.  
16 Chair and Speaker. As all of you know tomorrow is  
17 the beginning of the Chinese New Year of the  
18 Rabbit. And the Chinese New Year tradition is a  
19 great way to reconcile. Forget all grudges. And  
20 sincerely with peace and happiness for everyone.  
21 The Lunar New Year provides a chance for a clean  
22 slate, fresh start and new opportunities for  
23 progress.

24 I am confident that in 2011 we will  
25 use our combined wisdom and steadfastness to

2 create a better New York where residents can find  
3 peace, success, health and prosperity. Thank you.

4 COUNCIL MEMBER COMRIE: Council  
5 Member Williams.

6 COUNCIL MEMBER WILLIAMS: Thank you.  
7 I'm asking my colleagues to support my bill, Intro  
8 474. In this day and age when we're looking for  
9 money and there are just way too many contracts  
10 out there, this bill is requiring that the City do  
11 a cost-benefit analysis prior to contracting out  
12 any professional and standard services. And I  
13 implore my colleagues to sign on.

14 COUNCIL MEMBER COMRIE: Okay.  
15 Council Member Comrie. Ah. I am asking members  
16 today to support a Resolution you've already  
17 supported, Introduction to call upon the New York  
18 State Legislature to permit New York City to  
19 provide applicants who pass the firefighter civil  
20 service exam with a 5-point credit on their exam  
21 score if they graduate from a New York City high  
22 school.

23 As many of you know and you've  
24 signed onto it, we have legislation in process  
25 which would give applicants an additional bonus if

2       they graduate from a New York high school. And  
3       along with the Vulcan Society, we have been  
4       advocating for these points. We live in the  
5       largest city and one of the most diverse  
6       municipalities in the world, yet the racial makeup  
7       of our Fire Department hovers less than 10%.

8                  In major cities like Los Angeles,  
9       the Fire Department minority makeup is more than  
10      44%. These bonus points will be a useful tool in  
11      recruiting minorities to take the firefighters  
12      civil service exam and ensure that the FDNY is as  
13      ethnically diverse as the City it protects.

14                  Currently bonus points are awarded  
15      on an applicant's residency which have been easily  
16      forged. If the City and State adopt this credit  
17      based on a high school diploma, we can assure that  
18      the applicant pool is a closer representation of  
19      the racial diversity of our City.

20                  And also I want to speak to the  
21      fact that the Administration is now telling people  
22      that they're going to lose their vacation day if  
23      they did not show up to work on Thursday after  
24      they closed it down. Shame on the Administration  
25      for trying to hurt our civil service workers.

2 Shame on them. And they should not--

3 [Applause]

4 COUNCIL MEMBER COMRIE: --be

5 allowed to get away with that. Thank you.

6 Council Member Greenfield.

7 COUNCIL MEMBER GREENFIELD: Thank

8 you Mr. Chairman. I'm excited to introduce

9 legislation today that would create a vehicle

10 parking permit that would give limited parking

11 privileges to women experiencing difficult or

12 complicated pregnancies. After the infamous

13 December blizzard and the thousands of complaints

14 that my office received, it only reinforced the

15 concept that many women with difficult pregnancies

16 were stuck in their homes and had a tough time

17 getting around.

18 My personal experience proves the

19 same. My wife had two difficult pregnancies. And

20 while I was in a unique position to be able to

21 take the time during the day to take her to work

22 and to the doctor, the reality is that many New

23 Yorkers, especially single mothers, don't have

24 that luxury. That's why today I'm introducing

25 Intro 468 and encourage my colleagues to support

2 the legislation.

The legislation would allow women who are having difficult pregnancies to get a note from their physician certifying that they are having mobility-related issues because of their difficult pregnancy. They could then apply for an entry level parking permit that would allow them to park in no parking zones and stand in no standing zones. The permit would be issued within 30 days of application and expire 30 days after a woman's anticipated due date.

This is a commonsense courtesy, no  
different than offering a pregnant woman your seat  
on the train. After all New York City already  
hands out tens of thousands of permits as a  
courtesy to elected officials, to doctors, to  
clergy, and to teachers. It's time to give the  
same courtesy to women with difficult pregnancies.

20 And finally I want to address some  
21 of the ridiculous critics of this legislation who  
22 have said that if a woman is experiencing a  
23 difficult pregnancy, she shouldn't drive. That's  
24 the same kind of sexist and discriminatory  
25 attitude that pregnant women have had to face for

2 years and that we are seeking to combat.

3 Pregnancy is not a disability. It's a condition.

4 A condition that we should embrace, celebrate and  
5 assist with a common courtesy parking permit.

6 Thank you very much.

7 COUNCIL MEMBER COMRIE: Council  
8 Member Rodriguez.

9 COUNCIL MEMBER RODRIGUEZ: Thank  
10 you. I would like to call all my colleagues to go  
11 tomorrow to the hearing on the Panel of Education  
12 where they're going to be voting on bringing two  
13 charter schools at JFK. And all elected officials  
14 from that area, from Cappel [phonetic], State  
15 Senator Espaya [phonetic], Leonedes [phonetic] and  
16 Denowitz [phonetic] and others has expressed our  
17 frustration on how the DOE has been dealing with  
18 us.

19 We met back in December. They were  
20 supposed to follow up with another meeting. We  
21 were supposed to be playing a role in getting the  
22 parents involved, on getting the feedback. They  
23 never did it. It is a done deal that they just  
24 want to bring New Visions, to bring two charter  
25 schools. Nothing against New Vision, nothing

2 against being open to a charter school if that's  
3 the best for a student but it was a fair decision.

4                   It was not a fair decision to get  
5 the DOE following what we believe Joel Kline did  
6 it which was making decision without the parents'  
7 participation. So we hope that tomorrow, where  
8 the decision on JFK and Norma Thomas has also  
9 been--we'll be making some more tomorrow, I hope  
10 that as many Council Members and my colleagues  
11 will be present. I think I will bring a strong  
12 message to the DOE that they should get the  
13 parents involved before making decisions that will  
14 affect the education of our students. Thank you.

15                   COUNCIL MEMBER COMRIE: Council  
16 Member Reyna.

17                   COUNCIL MEMBER REYNA: Thank you so  
18 much. I just wanted to call upon my colleagues  
19 urging their vote, their support for Reso 652,  
20 calling upon the New York State Legislature to  
21 pass legislation that would bring early voting to  
22 the State.

23                   We have seen cases throughout the  
24 country where voting results are increased due to  
25 early voting. And the case of New York City

2 during the 2010 primary election where delays,  
3 unintended delays of polling locations were  
4 plagued by late openings, broken voting machines  
5 and long lines. Voting up to 14 business days in  
6 advance of any primary, general, or special  
7 election will enfranchise registered voters. And  
8 I call upon my colleagues to support this  
9 Resolution calling upon the State of New York and  
10 fall in line with nearly two-thirds of the country  
11 and contribute to more representative elections in  
12 the future. Thank you.

13 COUNCIL MEMBER COMRIE: Finally  
14 Council Member Levin.

15 COUNCIL MEMBER LEVIN: Thank you  
16 Council Member Comrie. I do want to encourage my  
17 colleagues to sign on to Intro 472 which I'm  
18 introducing today. This will amend the  
19 Administrative Code of the City of New York in  
20 relation to requiring the Police Department to  
21 submit reports concerning CPR and AED  
22 certification to this body, the New York City  
23 Council.

24 I began working on this issue as a  
25 result of the death of Briana Ojeda [phonetic]

2           this past summer in August of 2010. Ms. Ojeda was  
3           a 10-year old girl who passed away in the  
4           emergency room at Long Island College Hospital  
5           after she was stopped by an NYPD officer as her  
6           mother was going the wrong way down a one-way  
7           street. The officer did not provide CPR to the  
8           girl.

9                         And as a result of that incident we  
10          have inquired about CPR certification and AED  
11          certification within the Police Department. We  
12          believe that it is appropriate and germane for the  
13          Police department to provide that data to this  
14          body for oversight. So I do encourage my  
15          colleagues to join me in signing on to Intro 472.  
16          Thank you very much.

17                         COUNCIL MEMBER COMRIE: Being no  
18          others, I declare this Stated Meeting of February  
19          2<sup>nd</sup>, 2011 adjourned. I want to thank all the  
20          members for their thorough, intelligent and  
21          thought-provoking discussions. And I want to  
22          thank all of the--and so thereby the meeting is  
23          now adjourned. Thank you.

24                         [Gavel banging]

C E R T I F I C A T E

I, Laura L. Springate certify that the foregoing transcript is a true and accurate record of the proceedings. I further certify that I am not related to any of the parties to this action by blood or marriage, and that I am in no way interested in the outcome of this matter.

A handwritten signature in cursive script that reads "Laura L. Springate". The signature is written over a light gray rectangular background.

Signature Laura L. Springate

Date February 12, 2011