

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

STATED MEETING

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November 29, 2011

Start: 2:20 p.m.

Recess: 4:05 p.m.

HELD AT: Emigrant Savings Bank
49-51 Chambers Street

B E F O R E: Joel Rivera
President Pro Tempore

COUNCIL MEMBERS:

Christine C. Quinn
Maria del Carmen Arroyo
Charles Barron
Gale A. Brewer
Fernando Cabrera
Margaret S. Chin
Leroy G. Comrie, Jr.
Elizabeth S. Crowley
Inez E. Dickens
Erik Martin Dilan
Daniel Dromm
Mathieu Eugene
Julissa Ferreras
Lewis A. Fidler
Helen D. Foster
Daniel R. Garodnick

A P P E A R A N C E S

COUNCIL MEMBERS:

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

A P P E A R A N C E S (CONTINUED)

Jessica Bachmann
Center for Economic Opportunity

JoAnne Page
Fortune Society

Daniel Trush
Daniel's Music Foundation

Dr. John M. Palmer

Rev. Jennifer Kottler
Park Avenue Christian Church

Jeff Haberman

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2 SPEAKER QUINN: All right, we have
3 three ceremonials. The first one is Council
4 Member Crowley.

5 [Pause]

6 SPEAKER QUINN: Just as Council
7 Member Crowley comes up for the first one, I just
8 also want to make note for all of my colleagues.
9 I think you've probably seen around the chambers
10 and the lounge, in the press conference rooms,
11 panels from the AIDS memorial quilt. We are
12 hanging them because Thursday is World AIDS Day.
13 As far as we can tell, this is the first time that
14 panels from the AIDS memorial quilt have hung in
15 City Hall or an adjunct thereof. I want to thank
16 Carlos Menchaca and everyone who helped us
17 organize this.

18 Those who are part of Liz's
19 ceremonial, come on up.

20 COUNCIL MEMBER CROWLEY: Good
21 afternoon. I want to thank Council Speaker Quinn
22 and all my colleagues who are here today to join
23 me in giving a big thank you. As we end this
24 month of November and we just celebrated
25 Thanksgiving, we are honoring the Alternative to

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Incarceration programs.

SPEAKER QUINN: Yay.

COUNCIL MEMBER CROWLEY: We are very fortunate to have eight different providers that we work with and that the City Council funds each and every year to help people who are low-level offenders come back to society, whether going through various different programs that helps them get jobs, gives them types of career counseling. The end result is that 80 percent of the people that go through the Alternative to Incarceration programs in the City of New York do not revisit the system.

[Applause]

COUNCIL MEMBER CROWLEY: That means they do not get arrested again. Altogether, the city saves money and reduces crime. These are good programs.

When you look at the other end of it, if you send somebody up to prison, their chances of revisiting the system and continuing to become offenders and commit crimes is 80 percent. So those numbers work here where we know that they have over an 80 percent success rate. We thank

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them for the work that they do.

I'm pleased to join the Speaker and all my colleagues here today in honoring all the Alternatives to Incarceration programs in the City of New York.

SPEAKER QUINN: Yay.

[Applause]

SPEAKER QUINN: We love an ATI at the City Council. Let me ask the clerk to read the proclamation.

CLERK: Council City of New York proclamation. The Council of the City of New York is proud to honor the Alternative to Incarceration Reentry Coalition for providing important alternatives to incarceration and reentry programs for men, women and youth.

And whereas, the ATI Reentry Coalition is comprised of eight organizations: the Center for Alternative Sentencing and Employment Services, the Center for Employment Opportunities, the Center for Community Alternatives, the Osborne Association, the Women's Prison Association, the Legal Action Center, the Fortune Society and the Education Assistance Corporation, NYC TASC and

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Mental Health Programs.

And whereas, the ATI Reentry Coalition represents an integral part of the city's effort to enhance public safety and spend public resources efficiently and wisely. While incarceration has long been the primary response to crime, it is extremely expensive and often fails both to improve public safety and prevent future crimes.

And whereas, every year nearly 250,000 people return from jail and prison to the New York metropolitan area, targeting three phases of reentry: survival, stabilization and self-sufficiency. The ATI Reentry Coalition Program saves city and state correctional systems more than \$100 million and also creates savings through reduced reliance on hospitals, emergency rooms and in-patient care, foster care and homeless shelters.

Now, therefore, be it known that the Council of the City of New York honors the organizations that comprise the Alternative to Incarceration Reentry Coalition and their tremendous impact on the lives of countless New

1
2 Yorkers in our communities. Christine C. Quinn,
3 Speaker for the entire Council; Elizabeth Crowley,
4 chair of Criminal Justice Committee, and many
5 other Council Members.

6 SPEAKER QUINN: Thank you. I know
7 we have two individuals who have successfully
8 completed being part of an ATI program. Just
9 before we hear from them, I just want to thank
10 everyone who is working and running part of these
11 ATI programs, because you have done it for a long
12 time with not nearly as much support as you should
13 get from the City of New York. That support is
14 growing, unfortunately, less and less as budget
15 times are becoming more challenged. Your
16 commitment seems to never shrink, only deepen.

17 So I just want you to know how much
18 we appreciate your work and really recognize how
19 you are doing--you know, I hate when people say
20 "do more with less," it's so tripe--but you guys
21 are just doing it. No matter what the budgets
22 say, you're getting it done. So thank you so much
23 for that. Then we have two success stories. Who
24 are we going to hear from?

25 COUNCIL MEMBER CROWLEY: We're

1
2 going to hear from Jessica Bachmann [phonetic],
3 who is currently employed by the Center for
4 Economic Opportunity, but was a participant in one
5 of the programs before becoming a service
6 provider. Jessica?

7 JESSICA BACHMANN: Hi, good
8 afternoon. Thank all of you for being here. I am
9 a formerly incarcerated woman who was released
10 from prison five years ago. Upon my release, I
11 would like to believe that I wanted to be a member
12 of society and a productive member of society.
13 The only way that I was able to do that was to
14 become a client for Alternatives to Incarceration
15 Program, such as Center for Employment
16 Opportunity.

17 That program was able to show me
18 the right way to live into society, how to find a
19 job, how to keep a job and how to be a taxpayer.
20 Right, isn't that what it's all about is paying
21 taxes? After all the money you spent the years
22 during my incarceration, I have to pay taxes. And
23 without ATI programs, us formerly incarcerated
24 individuals are not able to do that. We're not
25 able to be productive members of society.

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2 I want to personally thank
3 everyone, all other ATI members and Coalition and
4 Council people who support these types of programs
5 because they are needed. We come home. We come
6 back. We're your neighbors. We're the people
7 walking down the street. We're the ones who are
8 ringing you up in the morning when you're buying
9 your coffee or visiting you on the subway. We're
10 real people and we need these programs in order to
11 succeed. So thank you.

12 [Applause]

13 COUNCIL MEMBER CROWLEY: Thank you,
14 Jessica. Now, we have a representative from the
15 Fortune Society. We have JoAnne Page. The
16 Fortune Society has been doing work in New York
17 City for over 40 years. We thank you for your
18 service.

19 JOANNE PAGE: Thank you. I'm
20 actually not the 17-year-old graduate that we
21 expected.

22 SPEAKER QUINN: But you are
23 somebody probably a few mayors have wanted to lock
24 up for being a pain in the neck and an advocate
25 for these programs.

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 JOANNE PAGE: I specialize in that. There is an enormous joy in having somebody who was looking at being incarcerated be pulled out of that, not chewed up by the system, go through an Alternative to Incarceration Program, become somebody who is a positive force in his or her family or community. And then years later, to have that person come back and to know where they could have been and where they are now.

 So this is a thank you to our City Council friends who keep up going. Thank you so much.

 [Applause]

 SPEAKER QUINN: Thank you. JoAnne and Jessica, thank you so, so very, very much. We're going to move on to our second ceremonial, but thank you guys. Happy holidays.

 Council Member Recchia is next. I think Council Member Recchia's ceremonial includes a relative of Jeff Rodus. Is that true? Where's Jeff? Is Jeff here? Jeff Rodus? Come on up and participate, Jeff. The folks who are here for Council Member Recchia's ceremonial can come on up: Daniel's Music Foundation. We're going to be

1
2 joined by our Cultural Affairs Chair Jimmy Van
3 Bramer. Domenic, get in the middle.

4 COUNCIL MEMBER RECCHIA: Daniel's
5 Music Foundation, come on up. We're going to
6 honor you today for the outstanding work.

7 [Pause]

8 COUNCIL MEMBER RECCHIA: Where's
9 Jeffrey Rodus? Jeff, come on up.

10 [Pause]

11 COUNCIL MEMBER RECCHIA: Could I
12 have everyone's attention?

13 SPEAKER QUINN: Can we get quiet?
14 I still see people talking in the back. Thank
15 you.

16 COUNCIL MEMBER RECCHIA: Daniel's
17 Music Foundation teaches children with
18 disabilities music and how to improve their lives
19 through the arts, through music, and it inspires
20 them to make their dreams come true. Many people
21 say that things that cannot be done, but Daniel
22 was at the lead and this foundation was formed
23 because of his remarkable, outstanding
24 accomplishments and what music has done to his
25 life, he wanted to spread it to other children in

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New York City.

So today, we honor Daniel's Music Foundation for their outstanding work and dedication in helping children with disabilities make their dreams come true and make people realize that they can learn music and work for the arts. Congratulations. Speaker Quinn?

SPEAKER QUINN: Just before I call on the clerk to read the proclamation, I just want to thank everyone, Daniel and everyone who is part of the Daniel's Music Foundation. This is an example of how communities and community groups can really come together to make sure everybody out there benefits from the importance that music and culture can bring in our lives.

Let me just, before we hear from the clerk, call on the chair of our Cultural Affairs Committee, Jimmy Van Bramer.

COUNCIL MEMBER VAN BRAMER: First of all, I just want to thank Council Speaker Quinn and Finance Chair Recchia for keeping the importance of the arts for everyone, including the disabled at the forefront at what we do at the Council, despite these difficult times, and thank

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2 this amazing organization and their amazing
3 participants for renewing all of our faith really
4 in the power of the arts and in humanity itself.
5 So thank you very much.

6 SPEAKER QUINN: Thank you. If the
7 clerk could, please read the proclamation, if we
8 could get a little quiet.

9 CLERK: Council City of New York
10 proclamation. The Council of the City of New York
11 is proud to honor Daniel's Music Foundation for
12 its unwavering commitment and outstanding
13 contributions to individuals with developmental
14 disabilities and their loved ones.

15 And whereas, Daniel's Music
16 Foundation conveys all of the contagious passion
17 and positivity of its namesake Daniel Trush. Now
18 in his late 20s, Daniel remains the life force of
19 the organization which has an enormous impact on
20 the lives of so many New Yorkers.

21 When he was 12, Daniel was playing
22 basketball when an aneurism suddenly trapped him
23 in a coma for 30 days. After 341 days in the
24 hospital and two years in a wheelchair, he began
25 to walk on his own once again. During his

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2 recovery, Daniel couldn't speak, but music
3 provided a common language, a vehicle for
4 expression that fostered self-esteem, confidence,
5 creativity and innovation.

6 Witnessing how Daniel's recovery
7 was greatly enhanced by learning to play the
8 keyboard, his parents Ken and Nancy and his
9 brother Michael were compelled to establish the
10 Daniel's Music Foundation.

11 And whereas, today Daniel's Music
12 Foundation provides free musical instruction to
13 all individuals with disabilities in the New York
14 City area. The relationships that Daniel's Music
15 Foundation builds with its members over time
16 extend well beyond music. These programs have
17 been extremely beneficial when the foundation
18 serves its members, but real magic happens when
19 the members serve others.

20 And whereas, since it was founded,
21 Daniel's Music Foundation has been featured in
22 "The New York Times", "Wall Street Journal",
23 Associated Press, "Washington Post" and seen on
24 NBC's "Today Show" and in other media. In July
25 2001, the organization was honored as part of the

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2 New York Yankees' Hope Week, with members
3 performing along with the members of the Yankees
4 at the Brooks Atkinson Theater on Broadway.

5 Now, therefore be it known, that
6 the Council of the City of New York gratefully
7 honors Daniel's Music Foundation for its
8 outstanding service and contributions to the
9 community. Christine C. Quinn, Speaker for the
10 entire Council; Domenic M. Recchia, Jr., Council
11 Member 47 District Brooklyn; Jessica S. Lappin,
12 Chair of the Committee on Aging, Council Member of
13 Manhattan; G. Oliver Koppell, Chair of Committee
14 on Mental Health, Mental Retardation, Alcoholism,
15 Drug Abuse and Disability Services, Council Member
16 of the Bronx; Jimmy Van Bramer, Chair of the
17 Committee on Cultural Affairs, Council Member 26th
18 District Queens.

19 SPEAKER QUINN: Well, let me just
20 say, Broadway and Yankee Stadium, getting to one
21 of those spots would be more than enough for most
22 organizations. But both, and a lot more that's
23 very impressive. So, thank you, guys, and we
24 would call on someone to speak from the
25 Foundation.

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MALE VOICE: Thank you very much.

It was a real great honor. We just wanted to say a couple of things, and I think it was summarized very well. Fifteen years ago, our family would not have imagined starting a music foundation for people with disabilities. We had a very normal life. Then when Daniel was injured--

SPEAKER QUINN: [interposing] I'm sorry. Could we get quiet in the back? Thank you.

MALE VOICE: When Daniel was injured, it brought us into a whole new world. I think Daniel, why don't you tell everyone what happened?

DANIEL TRUSH: Okay. I had a brain aneurism when I was almost 13-years-old, which means a blood vessel popped in my head. I went into a coma and I was in a coma for 30 days and I was in the hospital and rehab for a total of 341 days, but who's counting?

[Laughter]

MALE VOICE: It brought us into a whole new world, the world of disabilities, sometimes over-served, underserved, and a lot of

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times people are invisible. What we realized, after we were brought into the world is that there's a lot of talent. Through talents through the arts, it allows people to express themselves, but also allows them to get the confidence to try other things.

So we started as a music program in 2006 with--

DANIEL TRUSH: With one class and only five members and we've since grown to 42 classes and we have over 100 members.

[Applause]

MALE VOICE: We plan to keep expanding and serving people and the programs are free. So thank you very much. We're really honored and we're going to keep serving people that need to served and are, like I said, oftentimes invisible. Thank you.

SPEAKER QUINN: Thank you guys very much. That's amazing. Thank you. Thank you very much. We're going to ask the folks from this ceremonial to make their way towards the back and thank you guys very much.

Our final ceremonial is one that's

1
2 going to be led by our Deputy Majority Leader Inez
3 Dickens. It's one that's going to thank someone
4 who has served Harlem and the City of New York
5 incredibly well for an incredibly long time as
6 well as been an amazing extended member of the
7 City Council family. So, if we could just ask
8 Council Member Dickens and folks to come on up.

9 [Pause]

10 COUNCIL MEMBER DICKENS: Robert,
11 come on up for John. It gives me great pleasure
12 to present this proclamation to Dr. John Palmer.
13 Dr. Palmer recently retired from an illustrious,
14 wonderful, great 12 and a half years as the
15 executive director at Harlem Hospital Center and
16 the Renaissance Health Care Network.

17 SPEAKER QUINN: Yay.

18 [Applause]

19 COUNCIL MEMBER DICKENS: He has
20 been the longest serving executive director in the
21 history of both institutions. That says a lot.

22 SPEAKER QUINN: Yes, it does.

23 COUNCIL MEMBER DICKENS: Dr. Palmer
24 has been appointed, though, by the Governor Andrew
25 Cuomo to the New York State Public Health Planning

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2 Council. We need you there. We need you on the
3 state. The state's cutting everything, so
4 remember that and remember New York City. They've
5 forgotten New York City, by the way. Well, we
6 know to remember Harlem. Of course, my colleague
7 from Brooklyn said, remember Brooklyn, but I don't
8 know.

9 He will carry on his mission of
10 helping the greatest state and the city with
11 innovations in the field of public health. As
12 always, he will continue to ensure that all men,
13 women and children are provided with decent health
14 care. We say thank you, Dr. Palmer, for the years
15 that you gave us at Harlem Hospital.

16 SPEAKER QUINN: Thank you. Just
17 before the clerk reads the proclamation, I want to
18 thank Dr. Palmer. Whether it was when I was the
19 Health Committee Chair, Health Committee member
20 before that, or Speaker, you have always, anytime
21 we have needed Harlem Hospital, you have been
22 there for us. You have been an amazing partner.

23 When we've had things we thought
24 weren't working perfectly in Harlem, you've been
25 more than willing to come to the table with us,

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roll up your sleeves and work to fix them. If every hospital in the City of New York was run by people as committed and competent as you, they would all be perfect. So I just want to thank you.

Let's not forget, Harlem Hospital, high 90s, 98 on the JCAHO ratings which is really, really hard to get for any hospital, nonetheless a public hospital in a neighborhood that has significant health challenges. That is a credit. That starts at the top.

I just want to thank, Council Member, Palmer, because he knew that you don't just lead by telling, you really created a community at Harlem. I'll never forget once, when I was Health Chair, we reached out to Dr. Palmer's office because there was a broken bathroom. Clerks had told us they found it disrespectful that the bathroom was broken. A lot of hospital chiefs would have said that's not on my docket. Like that, Dr. Palmer got the bathroom fixed. I think that speaks volumes about why you were able to create a team that got a 98, which is amazing.

COUNCIL MEMBER DICKENS: You know,

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2 Dr. Palmer also carried Harlem Hospital through
3 the rehabilitation.

4 SPEAKER QUINN: That's right.

5 COUNCIL MEMBER RIVERA: And he
6 saved the murals, the WPA murals, historic murals
7 that are now for the entire world and our children
8 to see those murals from Malcolm X Boulevard. So
9 we say thank you. Can the clerk read the proc
10 please?

11 SPEAKER QUINN: Or we'll just keep
12 going on and on.

13 CLERK: Council City of New York
14 proclamation. The Council of the City of New York
15 is proud to honor Dr. John M. Palmer for 12 years
16 of outstanding service as the executive director
17 of Harlem Hospital Center and the Renaissance
18 Health Care Network.

19 And whereas, with bold vision,
20 passion and integrity, Dr. Palmer led Harlem
21 Hospital Center and the Renaissance Health Care
22 Network through a phenomenal era of growth.

23 And whereas, during his
24 distinguished tenure, Dr. Palmer exemplified the
25 fiscal and operational responsibility needed to

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2 lead the 2,500 employees of Harlem Hospital
3 Center, 175 employees at the Renaissance Health
4 Care Network, 440 employees of the Physicians
5 Affiliate Group of New York and oversee a combined
6 annual budget of \$365 million.

7 And whereas, Dr. Palmer also
8 established numerous innovative programs exceeding
9 regulatory and accreditation requirements and
10 significantly enhanced existing services.

11 And whereas, to ensure that Harlem
12 Hospital Center and the Renaissance Health Care
13 Network addressed the needs of the largest
14 community of West Africans in New York City, Dr.
15 Palmer effectively implemented clinical, medical
16 and community outreach services to bring this
17 medically underserved population into the
18 continuum of care.

19 And whereas, although Dr. Palmer
20 stepped down over the summer, as the longest
21 serving executive director of Harlem Hospital
22 Center and the Renaissance Health Care Network, he
23 has only reaffirmed his commitment to the
24 wellbeing of the community, as Governor Andrew M.
25 Cuomo appointed him to the New York State Public

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2 Health and Health Planning Council. We wish him
3 continued success.

4 Now, therefore, be it known that
5 the Council of the City of New York gratefully
6 honors Dr. John M. Palmer for his extraordinary
7 leadership to Harlem Hospital Center and the
8 Renaissance Health Care Network, and for his
9 outstanding service to all New Yorkers. Christine
10 C. Quinn, Speaker for the entire Council; Inez E.
11 Dickens, Council Member 9th District Manhattan.

12 [Applause]

13 SPEAKER QUINN: And now, let's hear
14 from the man.

15 DR. JOHN M. PALMER: I certainly
16 would like to thank the Council, Speaker Quinn,
17 Inez Dickens, my councilperson in Harlem, all the
18 people who've joined us today. It's been an honor
19 serving for the Health and Hospital Corporation.
20 Specifically, it's been the best part of my life,
21 professional life in New York City to serve at
22 Harlem Hospital as executive director.

23 I want to thank you for the honor.
24 It reflects all the work that's been done over
25 those years by the employees of the hospital, city

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2 employees who do everything from cleaning toilets
3 to operating on small babies. I want to thank my
4 colleagues Sylvia White and Dr. Lawrence for
5 joining me here.

6 SPEAKER QUINN: Yay.

7 DR. JOHN M. PALMER: I used to boss
8 them around for years. They came just to make
9 sure I got out of town appropriately. Yes, I am
10 retired Steve. Thank you, again, Speaker Quinn,
11 Inez for your real support over the years,
12 partnership, Bob Jackson. Harlem and the elected
13 officials had a partnership with Harlem Hospital
14 that made and will continue to make it successful.
15 Thank you very much.

16 [Applause]

17 SPEAKER QUINN: Thank you very
18 much. Thank you everybody else from Harlem
19 Hospital who's here. That concludes today's
20 ceremonies.

21 I just want to recognize and it, of
22 course, goes with World AIDS Day being Thursday
23 and the quilts we have, Dee Bailey from the
24 Watchful Eye Coalition who's with us today. That
25 concludes ceremonies for the day.

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[Pause]

MALE VOICE: May I have your attention please? At this time, please place all cell phones and pagers to vibrate. Thank you.

[Pause]

COUNCIL MEMBER RIVERA: My colleagues, if you can please take your seats, and silence in the back, we're going to get ready to start today's Stated. Everyone please rise for the Pledge of Allegiance.

[Pledge of Allegiance]

COUNCIL MEMBER RIVERA: Thank you.

Roll call.

CLERK: Arroyo?

COUNCIL MEMBER ARROYO: Here.

CLERK: Barron?

COUNCIL MEMBER BARRON: Here.

CLERK: Brewer?

COUNCIL MEMBER BREWER: Here.

CLERK: Cabrera?

COUNCIL MEMBER CABRERA: [No response].

CLERK: Chin?

COUNCIL MEMBER CHIN: Here.

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CLERK: Comrie?

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COUNCIL MEMBER COMRIE: Here.

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CLERK: Crowley?

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COUNCIL MEMBER CROWLEY: Here.

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CLERK: Dickens?

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COUNCIL MEMBER DICKENS: Here.

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CLERK: Dilan?

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COUNCIL MEMBER DILAN: Here.

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CLERK: Dromm?

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COUNCIL MEMBER DROMM: Here.

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CLERK: Eugene?

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COUNCIL MEMBER EUGENE: Here.

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CLERK: Ferreras?

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COUNCIL MEMBER FERRERAS: Here.

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CLERK: Fidler?

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COUNCIL MEMBER FIDLER: Here.

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CLERK: Foster?

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COUNCIL MEMBER FOSTER: Here.

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CLERK: Garodnick?

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COUNCIL MEMBER GARODNICK: Here.

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CLERK: Gennaro?

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COUNCIL MEMBER GENNARO: [No

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response].

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CLERK: Gentile?

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2 COUNCIL MEMBER GENTILE: Here.
3 CLERK: Gonzalez?
4 COUNCIL MEMBER GONZALEZ: Here.
5 CLERK: Greenfield?
6 COUNCIL MEMBER GREENFIELD: Here.
7 CLERK: Halloran?
8 COUNCIL MEMBER HALLORAN: Here.
9 CLERK: Ignizio?
10 COUNCIL MEMBER IGNIZIO: [No
11 response].
12 CLERK: Jackson?
13 COUNCIL MEMBER JACKSON: Here.
14 CLERK: James?
15 COUNCIL MEMBER JAMES: Here.
16 CLERK: Koo.
17 COUNCIL MEMBER KOO: Present.
18 CLERK: Koppell?
19 COUNCIL MEMBER KOPPELL: [No
20 response].
21 CLERK: Koslowitz?
22 COUNCIL MEMBER KOSLOWITZ: [No
23 response].
24 CLERK: Lander?
25 COUNCIL MEMBER LANDER: Here.

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Thank you.

CLERK: Lappin?

COUNCIL MEMBER LAPPIN: Here.

CLERK: Levin?

COUNCIL MEMBER LEVIN: Here.

CLERK: Mark-Viverito?

COUNCIL MEMBER MARK-VIVERITO:

Here.

CLERK: Mealy?

COUNCIL MEMBER MEALY: Here.

CLERK: Mendez?

COUNCIL MEMBER MENDEZ: Here.

CLERK: Nelson?

COUNCIL MEMBER NELSON: Here.

CLERK: Palma?

COUNCIL MEMBER PALMA: Here.

CLERK: Recchia?

COUNCIL MEMBER RECCHIA: Here.

CLERK: Reyna?

COUNCIL MEMBER REYNA: Here.

CLERK: Rodriguez?

COUNCIL MEMBER RODRIGUEZ: Here.

CLERK: Rose?

COUNCIL MEMBER ROSE: Here.

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response].

Present.

CLERK: Sanders?

COUNCIL MEMBER SANDERS: Present.

CLERK: Seabrook?

COUNCIL MEMBER SEABROOK: [No

CLERK: Ulrich?

COUNCIL MEMBER ULRICH: Present.

CLERK: Vacca?

COUNCIL MEMBER VACCA: Here.

CLERK: Vallone?

COUNCIL MEMBER VALLONE: Here.

CLERK: Van Bramer?

COUNCIL MEMBER VAN BRAMER:

CLERK: Vann?

COUNCIL MEMBER VANN: Here.

CLERK: Weprin?

COUNCIL MEMBER WEPRIN: Here.

CLERK: Williams?

COUNCIL MEMBER WILLIAMS: Here.

CLERK: Wills?

COUNCIL MEMBER WILLS: Here.

CLERK: Oddo?

COUNCIL MEMBER ODDO: Here.

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CLERK: Rivera?

COUNCIL MEMBER RIVERA: Here.

CLERK: Speaker Quinn?

SPEAKER QUINN: Here.

CLERK: We have a quorum.

COUNCIL MEMBER RIVERA: Thank you very much. Quorum is present. My colleagues, please rise for the Invocation, being delivered today by Reverend Jennifer Kottler from Park Avenue Christian Church.

REV. JENNIFER KOTTLER: I invite you to join me in a spirit of prayer in whatever way honors your particular religious tradition.

Let us pray. Creator of the universe, we invoke your spirit here today. May your spirit of justice prevail so that the common good of all might be our highest goal. Help this body in its work to ensure fairness for all of the people of this great city.

Protect her workers so that they might receive fair compensation for a day's work. Protect those who assemble and occupy spaces throughout New York in order to call this city and this nation to live up to its aim of liberty and

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2 justice for all. Protect her police officers and
3 firefighters as they ensure the safety of all of
4 your children. Protect people of all religions
5 and no religion by ensuring the right of all to
6 practice or not practice as they choose. Protect
7 our children and our teachers, reminding us that
8 there is no higher calling than that of those who
9 educate our children.

10 Protect our immigrants and their
11 families. Help them to know justice, tempered
12 with mercy. Protect those who, for whatever
13 reason, find themselves with no place to call home
14 and who are living on our streets. Protect all
15 who suffer from HIV and AIDS around the world, as
16 we seek a cure to end this deadly disease. Allow
17 each and all of them to occupy our hearts and our
18 minds as we seek the good of all.

19 Finally, allow our hearts to break
20 at all the things in this city that break your
21 heart, oh God. Give us the compassion to do what
22 is right and good and just in your sight. We lift
23 these things to you, God of justice and mercy.
24 Amen.

25 COUNCIL MEMBER RIVERA: Thank you

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very much. Council Member Lappin?

COUNCIL MEMBER LAPPIN: I move to spread the Invocation in full upon the record.

COUNCIL MEMBER RIVERA: So ordered.

SPEAKER QUINN: If I could ask my colleagues to please again rise. If everyone could please stand.

On November 16, 2011, Irwin Schneiderman, 88, a lawyer and philanthropic leader who guided the New York City Opera through a decade of ups and downs, passed away due to complications after stroke.

Irwin Schneiderman was the father of a Attorney General Eric Schneiderman and was a well known supporter of NARAL, Brooklyn College, WNYC radio and the Central Park Conservancy, in addition to being a director emeritus of Lincoln Center.

Born in Brooklyn in 1923, he attended Boy's High School, graduated Brooklyn College, served in the Navy during World War II and in 1948, graduated from Harvard Law School under the GI Bill. He always described himself as, quote, "A kid from the Jewish ghetto." But

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2 his philanthropic work extended far beyond his
3 childhood neighborhood. Irwin always acknowledged
4 that everything he accomplished was because of
5 what he got from the people and institutions of
6 New York, and he did everything he could to give
7 it back.

8 In addition to Attorney General
9 Schneiderman, Irwin is survived by his wife
10 Roberta, his brothers Harold and Leonard, his
11 daughter-in-law Jennifer and his granddaughter
12 Cat.

13 On November 19, 2011, former City
14 Council President Sanford Garelik, 93, passed
15 away. He was born in the Bronx in 1918. He was a
16 member of the 1940 Police Academy class. He then
17 served in the Air Force during World War II,
18 before returning to the NYPD, where as a highly
19 decorated officer, he rose to be the youngest and
20 at that time the first Jewish chief inspector,
21 which was then the highest uniform rank.

22 Sanford was elected council
23 president in 1969 and served one term before
24 running unsuccessfully for mayor against John
25 Lindsay in 1973. He then served as chief of the

1
2 Transit Police Department from 1975 to 1979. He
3 is survived by a brother Bernard and four
4 grandchildren.

5 I also want to, as World AIDS Day
6 approaches on Thursday, as I've noted we, for the
7 first time in New York City Hall or an adjunct
8 thereof, as the bank is, for the first time ever
9 we have had panels from the AIDS memorial quilt
10 hanging in this official city building. I want to
11 make note of the names on the panels that are with
12 us today. Adam Corey Balzano, Peter Judge, John
13 Gilbert Pineiro, David Wolff, Bill Jacobson,
14 Benjie Freeman, Darryl Lloyd Butcher, Bobby Gelb,
15 Stephen Brooks, Keith Haring, Jimmy Templeton,
16 John Diamantstein, Richard Kaplan, Jay D.
17 Henrichs, David Miranda, Paul Stewart, Bill Nix,
18 George Doxey, Chuck White, Sharon Redd, Manny
19 Lopez, Stalino Salazar, Jose Diaz, JB Bettis,
20 Phyllis Leto, Vito Russo, Howard Rollins, Jr.,
21 Tony Franklin, Larry Riley, Gene Anthony Ray,
22 Raymond St. Jaque, Michael Bennett, Jimmy Valis,
23 Charlie Hobby, Robert Walden, Jack Custer,
24 Christopher G. Lee.

25 Thank you, Mr. Majority Leader.

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2 COUNCIL MEMBER RIVERA: Thank you,
3 Madame Speaker. Adoption of the minutes, Council
4 Member Ferreras?

5 COUNCIL MEMBER FERRERAS: I make a
6 motion that the minutes of the Stated Meeting of
7 November 3rd, 2011 be adopted and printed.

8 COUNCIL MEMBER RIVERA: So ordered.
9 Messages and papers from the Mayor?

10 CLERK: M 0708, Mayor's Veto and
11 Disapproval of Introductory No. 624-A.

12 SPEAKER QUINN: Contracts.

13 COUNCIL MEMBER RIVERA:
14 Communication from City, County and Borough
15 Offices?

16 CLERK: M 0709 - M 0722, base
17 station licenses.

18 SPEAKER QUINN: Transportation.

19 COUNCIL MEMBER RIVERA: Petitions
20 and communications?

21 CLERK: None.

22 COUNCIL MEMBER RIVERA: Land Use
23 Call-ups?

24 CLERK: M 0723 - M 0729, sidewalk
25 cafes?

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2 SPEAKER QUINN: If we could have a
3 roll call please on the coupled Land Use Call-ups
4 votes. But just before we do that, if I could
5 call on our Deputy Majority Leader Inez Dickens to
6 recognize some friends that we have in the
7 audience today who are helping us commemorate
8 World AIDS Day and remember the work that we need
9 to continue to do. Council Member Dickens?

10 COUNCIL MEMBER DICKENS: Thank you,
11 Madame Speaker.

12 SPEAKER QUINN: Could we get quiet?

13 COUNCIL MEMBER DICKENS: Yes, in
14 recognition of World AIDS Day, one of our most
15 staunchest supporters, organizations that works
16 hard to stamp out HIV/AIDS is Watchful Eye. And
17 today we have Dee Bailey, Carrie Moberly and
18 Oliver Martin here.

19 [Applause]

20 COUNCIL MEMBER DICKENS: Thank you,
21 Madame Speaker.

22 SPEAKER QUINN: Thank you. If we
23 could get a roll call on the coupled Land Use
24 Call-ups please.

25 COUNCIL MEMBER RIVERA: So ordered.

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CLERK: Arroyo?

COUNCIL MEMBER ARROYO: Aye on all.

CLERK: Barron?

COUNCIL MEMBER BARRON: Aye.

CLERK: Brewer?

COUNCIL MEMBER BREWER: Aye.

CLERK: Cabrera?

COUNCIL MEMBER CABRERA: Aye.

CLERK: Chin?

COUNCIL MEMBER CHIN: Aye.

CLERK: Comrie?

COUNCIL MEMBER COMRIE: Aye.

CLERK: Crowley?

COUNCIL MEMBER CROWLEY: I vote
aye, and if I could ask for unanimous consent to
vote aye on all calendar items.

COUNCIL MEMBER RIVERA: Yes.

COUNCIL MEMBER CROWLEY: Thank you.

CLERK: Dickens?

COUNCIL MEMBER DICKENS: Aye.

CLERK: Dilan?

COUNCIL MEMBER DILAN: I vote aye
and I'd also like to request unanimous consent to
vote on all items on today's General Order

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Calendar.

COUNCIL MEMBER RIVERA: Yes.

COUNCIL MEMBER DILAN: I vote aye
on all.

CLERK: Dromm?

COUNCIL MEMBER DROMM: Aye on all.

CLERK: Eugene?

COUNCIL MEMBER EUGENE: Aye.

CLERK: Ferreras?

COUNCIL MEMBER FERRERAS: Aye.

CLERK: Fidler?

COUNCIL MEMBER FIDLER: Aye.

CLERK: Foster?

COUNCIL MEMBER FOSTER: Aye.

CLERK: Garodnick?

COUNCIL MEMBER GARODNICK: I vote
aye and like to ask permission to vote on the
General Order Calendar.

COUNCIL MEMBER RIVERA: Yes.

COUNCIL MEMBER GARODNICK: And I
vote aye. Thank you.

CLERK: Gennaro?

COUNCIL MEMBER GENNARO: Yes.

CLERK: Gentile?

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COUNCIL MEMBER GENTILE: Yes.

CLERK: Gonzalez?

COUNCIL MEMBER GONZALEZ: Yes.

CLERK: Greenfield?

COUNCIL MEMBER GREENFIELD: Aye.

CLERK: Halloran?

COUNCIL MEMBER HALLORAN: I'd like to vote aye and ask unanimous consent to vote on all calendar and general order items on the calendar today.

COUNCIL MEMBER RIVERA: Yes.

COUNCIL MEMBER HALLORAN: I vote aye on all, with the exception of Intro 704-A, to which I vote no.

CLERK: Jackson?

COUNCIL MEMBER JACKSON: Aye on all.

CLERK: James?

COUNCIL MEMBER JAMES: Congratulations to Watchful Eye and Dee Bailey. I vote aye.

CLERK: Koo?

COUNCIL MEMBER KOO: Aye.

CLERK: Koslowitz?

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COUNCIL MEMBER KOSLOWITZ: Aye.

CLERK: Lander?

COUNCIL MEMBER LANDER: Aye.

CLERK: Lappin?

COUNCIL MEMBER LAPPIN: I vote aye
and would like to request permission to vote on
the General Order Calendar.

COUNCIL MEMBER RIVERA: Yes.

COUNCIL MEMBER LAPPIN: I vote yes,
and I would also like to say with World AIDS Day
approaching, that I'd also like to remember my
uncle Edwin Berger.

CLERK: Levin?

COUNCIL MEMBER LEVIN: Aye.

CLERK: Mark-Viverito?

COUNCIL MEMBER MARK-VIVERITO: Aye.

CLERK: Mealy?

COUNCIL MEMBER MEALY: Aye.

CLERK: Mendez?

COUNCIL MEMBER MENDEZ: Aye.

CLERK: Nelson?

COUNCIL MEMBER NELSON: Aye.

COUNCIL MEMBER RIVERA: Yes.

COUNCIL MEMBER NELSON: Aye on all

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General Calendar Orders permission. Thank you.

COUNCIL MEMBER RIVERA: Yes.

COUNCIL MEMBER NELSON: Aye.

CLERK: Palma?

COUNCIL MEMBER PALMA: I vote aye.

CLERK: Recchia?

COUNCIL MEMBER RECCHIA: Aye on

all.

CLERK: Reyna?

COUNCIL MEMBER REYNA: Aye on all.

CLERK: Rodriguez?

COUNCIL MEMBER RODRIGUEZ: Aye.

CLERK: Rose?

COUNCIL MEMBER ROSE: Aye.

CLERK: Sanders?

COUNCIL MEMBER SANDERS: Aye.

CLERK: Ulrich?

COUNCIL MEMBER ULRICH: Aye.

CLERK: Vacca?

COUNCIL MEMBER VACCA: Aye.

CLERK: Vallone?

COUNCIL MEMBER VALLONE: Aye.

CLERK: Van Bramer?

COUNCIL MEMBER VAN BRAMER: Aye.

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CLERK: Vann?

COUNCIL MEMBER VANN: Aye.

CLERK: Weprin?

COUNCIL MEMBER WEPRIN: I vote aye
and I seek unanimous consent to vote on all
General Order Calendar.

COUNCIL MEMBER RIVERA: Yes.

COUNCIL MEMBER WEPRIN: I vote aye
on all.

CLERK: Williams?

COUNCIL MEMBER WILLIAMS: Aye.

CLERK: Wills?

COUNCIL MEMBER WILLS: Aye.

CLERK: Oddo?

COUNCIL MEMBER ODDO: Yes.

CLERK: Rivera?

COUNCIL MEMBER RIVERA: I vote aye.

CLERK: Speaker Quinn?

SPEAKER QUINN: Aye.

COUNCIL MEMBER RIVERA: Today's
Land Use Call-ups were adopted by a vote of 48 in
the affirmative with zero in the negative.
Communications from the Speaker?

SPEAKER QUINN: Thank you very

1
2 much. Today is the last Stated Meeting for Jeff
3 Haberman. Where is Jeff?

4 [Applause]

5 SPEAKER QUINN: Is Jeff not here?
6 Jeff, come up to the front. As Jeff makes his way
7 to the front, let me just make note that Jeff
8 began his tenure with the City Council in October
9 of 1988, when he became part of the attorney staff
10 of what was then called the Government Affairs
11 Division.

12 He eventually was assigned to the
13 Infrastructure Division as Deputy Director in
14 1992. That is the position from which he's
15 retiring. He has overseen the negotiations and
16 drafting of literally hundreds and hundreds of
17 local laws until the bills we're actually voting
18 on today.

19 We just wanted to take a moment to
20 thank Jeff for his incredible service to the
21 Council and to the city. His records of
22 accomplishments include, but are not limited to
23 efforts to green the building codes, the city's
24 energy code, the Housing Alternative Enforcement
25 Program, a small thing called the Solid Waste

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2 Management Plan, the Standards for Clean Air
3 Taxis, the Stormwater Management Plan and a ton of
4 other things. So on behalf of myself and all of
5 my colleagues, before I call on Chair Gennaro and
6 then give the mic to Jeff Haberman, Jeff I just
7 want to thank you so much.

8 [Applause]

9 SPEAKER QUINN: Let me just add,
10 anybody in this room who has ever asked Jeff
11 Haberman a question on a bill, he is thorough and
12 knows the details. When you walk away from
13 getting a question answered by Jeff, you know
14 absolutely everything you need to know. The scary
15 part is, he's only told you one-eighth of what he
16 knows about the bill. That's why we've been able
17 to draft such solid and important legislation.

18 Let me call on Chair Gennaro to
19 embarrass Jeff Haberman further, and then we'll
20 give Jeff a moment himself.

21 COUNCIL MEMBER GENNARO: Thank you,
22 Madame Speaker. Thank you all my colleagues for
23 that great ovation for our good friend Jeff. Just
24 like the Speaker said, he had his hand in
25 everything that this body has done for the last 23

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years.

Something that wasn't mentioned so far is notwithstanding all his dealings with so many people over so many years, he has never raised his voice in anger, never raised his voice at all, never gotten angry. That is a quality I've never been able to emulate but it is really, really terrific.

When you think of all the people who turn to Jeff for his good advice, he goes back to the days of Vice Chairman Vallone who became Speaker Vallone, Speaker Miller, Speaker Quinn, all the chiefs of staff that have served this great body, who have all come to him for his always good advice. He was very close to the late Stan Michaels and all of the good things we did in that committee under Jeff's tutelage.

When I got here in 1990, he mentored me and taught me and taught many others how to turn passion for the issues into real achievement rather than just rhetoric. He taught me how to get things done, a lot of people how to get things done, and more important, how to treat people. I didn't always learn that very well, but

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not for his lack of trying.

On a personal note, Jeff is my friend, my dear friend. Although I didn't have the opportunity to speak with him every day, I'm better for all his years of mentoring and all his years of friendship.

So on behalf of all that you have befriended and mentored, we thank you, Jeff. We wish you and Linda and Evan all the best as you scale new heights. Most important, we hope to see you very, very soon. We thank you, we love you, and good luck and go with God.

[Applause]

SPEAKER QUINN: Thank you, Chair Gennaro. The big question is will Jeff Haberman's office have to be added as a cleanup site as part of the City's Solid Waste Management Plan. It is virtually pristine, Jeff. I think there are some of us who find that hard to believe. I give you, with tremendous gratitude, Jeff Haberman.

[Applause]

JEFF HABERMAN: First, let me say this is quite unexpected. I'm flattered. It's been a very long time. I'm enjoyed most every

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2 minute that I've been here. It's been a really
3 good ride and I hope this is not the end of my
4 working ride, just to do different things in
5 different places. It was for a variety of
6 reasons. It was the right time to make this
7 choice. I will say that I will miss a number of
8 things. I will miss not being able to say "we"
9 when we talk about the Council, when people talk
10 about the Council.

11 SPEAKER QUINN: You could always
12 say "we".

13 JEFF HABERMAN: Thank you. I'll
14 miss the intensity of being here. I'll miss the
15 excitement of doing things that will make the city
16 a better place. And I will miss the people.
17 During my time here, I've worked with, for/with a
18 lot of very smart, thoughtful, creative people who
19 are committed to making the city a better place.
20 I'd like to think I participated in some useful
21 way to doing that. I want to say thank you to you
22 all.

23 [Applause]

24 SPEAKER QUINN: Thank you, Jeff.

25 [Applause]

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2 SPEAKER QUINN: Thank you very
3 much, Jeff. Let me also make note that another
4 member of the Legislative Division, Baaba Halm
5 gave birth last Tuesday to a baby girl, and
6 everybody is doing incredibly, incredibly well.
7 Friday? It was last Friday, not Tuesday. But
8 recently there's a new baby in the Legislative
9 Division. So I want to congratulate Baaba and her
10 family.

11 Let me make note of a couple of
12 different items that we're voting on today.
13 First, Intro 666-A, a piece of legislation
14 introduced at the request of the Mayor and
15 sponsored by Council Member Dilan. I want to
16 thank Jeff and Bob and the other members of
17 Infrastructure who worked on this piece of
18 legislation.

19 This is a piece of legislation that
20 addresses first time landlords who have heat or
21 hot water violations and will allow these
22 individuals, when they have verified that the
23 violations have been addressed, to pay a fine up
24 front. It will save the city from having to go
25 needlessly to court. It also includes a

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2 notification requirement for tenants about the
3 status of their repairs. It's a fair piece of
4 legislation, and that's why we believe it is
5 supported by both landlord and tenant advocates
6 and want to thank everyone who has worked on the
7 bill.

8 We also have two pieces of
9 legislation coming out of the Transportation
10 Committee, Intro 626-A and 671-A, both introduced
11 and sponsored by the chair of the committee, Chair
12 Vacca. I want to thank Lyle Frank, Nivardo Lopez
13 and Terzah Nasser for their work on these bills.
14 If we could get a little quiet.

15 The heart of both of these pieces
16 of legislation is the need to make sure the
17 Department of Transportation around major
18 transportation projects: plazas, bike lanes, et
19 cetera, does a better job working with communities
20 and a better job working with other city agencies.

21 As it relates to 626-A, we heard,
22 for example, from business owners who say that
23 plazas and bike lanes have not been helpful, in
24 fact have been hurtful to their businesses. Yet,
25 there is no requirement that the Department of

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2 Transportation coordinate with the Department of
3 Small Business Services about projects like that.
4 There will now be that requirement of coordination
5 and consultation.

6 We also heard very serious concerns
7 for advocates for the disabled, particularly from
8 the PASS Coalition and others who advocate for
9 people who are visually impaired and for visually
10 impaired people themselves. They raised serious
11 concerns about pedestrian plazas and about the
12 fact that the needs of people with disabilities
13 were never taken into effect in developing those
14 plazas. And how they would go from one side of
15 the plaza to the other safely if they were
16 visually impaired was never part of the
17 discussion.

18 Our legislation will require input
19 from the disabled community and require input from
20 the Mayor's Office of People with Disabilities,
21 making sure we avoid other dangerous situations.

22 As it relates to 671-A, we also
23 heard concern and criticism from neighborhood
24 groups, particularly the Borough Park community
25 about the impact that a recent pedestrian plaza

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2 had in the ability of emergency response vehicles
3 to respond to people in need. The neighborhood
4 there believed that the pedestrian plaza had
5 increased response times. 671-A, among other
6 things, will require that the Department of
7 Transportation consult with Fire and Police before
8 they put in plazas like this.

9 I just want to make note, in my
10 district there was, at one point, a significant
11 major transportation project for 34th Street.
12 When I raised concerns about having St. Vincent's
13 having closed and us needing to get often from the
14 west side to the east side quickly to get to
15 Bellevue and NYU now that we didn't have St.
16 Vincent's and asked for what the data was on
17 response times, the department had no information.
18 So clearly, this is a very important additional
19 requirement of coordination.

20 I want to thank Chair Vacca for his
21 common sense but also in being so open to listen
22 to the concerns of neighborhoods and to listen to
23 the concerns of communities like the disabled
24 community. Let me call on Chair Vacca for a few
25 comments.

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COUNCIL MEMBER VACCA: Thank you.
Thank you, Speaker Quinn. I want to thank my
colleagues and members of the Transportation
Committee for their support and the initiatives
we're taking today through legislation.

Upon adopting the legislation
before us today, we are assuring that at no time
could the Department of Transportation implement
major street reconfiguration projects without
coming to local communities. Upon enacting this
legislation, at no time could the Department of
Transportation ever unilaterally attempt to
reconfigure major streetscapes in any of the five
boroughs.

I think that's important. I think
it's important not only that we require local
community board consultation, which we have in the
past through legislation, but in this case we're
requiring that before those plans are submitted to
a community board, that the Mayor's Office on
Disabilities, the Small Business Administration
here in the City of New York, Fire and Police all
weigh in and that that input be noted in the
recommendation that the DOT gives to the community

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board.

How will major bike paths, how will pedestrian plazas impact on small mom and pop stores en route, how will Police and Fire address public safety issues and what accommodations are being made to assure access for the disabled, the blind, the physical impaired, and other populations.

On the other end, after these improvements are constructed, we then want to know, within a year, how are emergency services impacted relative to the time period it takes Fire and Police and EMS to reach their destination when answering that emergency call.

I think both of these pieces of legislation makes sense. We're codifying something for the future that will assure that what we do is inclusive of all the constituencies reflected in this diverse city, and that once we do it, it's going to be safe and it's going to be something that will improve traffic and pedestrian safety in the City of New York.

So I thank my committee, I thank the staff of the Transportation Committee and my

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2 council staff. I thank the Speaker and I hope the
3 members will vote yes on both of the Committee on
4 Transportation legislation intros before you
5 today. Thank you.

6 SPEAKER QUINN: Thank you very
7 much, Chair Vacca. I also want to make note that
8 we're voting on a piece of legislation at the
9 request of the Mayor, sponsored by Council Member
10 Fidler, that would keep the .875 percent increase
11 in the hotel tax going for two more years. That
12 is about \$30 million that will help us fill the
13 budget gap for Fiscal Year 12 and about \$55
14 million for Fiscal Year 13. Council Member
15 Fidler?

16 Fidler's taking a pass. Thank you
17 very much.

18 On Land Use, we're voting on the
19 rezoning of Admiral's Row in the Brooklyn Navy
20 Yard. I want to thank Leroy Comrie and Gail
21 Benjamin and the members of the Land Use staff for
22 their work on that.

23 I want to remind folks that we're
24 voting on three resolutions today. One
25 particularly important one, authorizing the

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2 Council to move forward with a lawsuit against the
3 Department of Homeless Services. We'll speak more
4 about that in Resolutions, but I just wanted to
5 remind folks about that.

6 Lastly, I wanted to congratulate my
7 colleague Jimmy Van Bramer, who at the end of the-
8 -a lot of great things happened at the weekend but
9 most importantly, Jimmy and his longtime partner
10 Dan Hendricks got engaged. So congratulations and
11 mazel tov, Jimmy.

12 [Applause]

13 SPEAKER QUINN: That concludes
14 communications from the Speaker, unless somebody
15 else got engaged who wants to say something.
16 Apparently not.

17 COUNCIL MEMBER RIVERA: Discussion
18 of General Orders. Seeing none, we'll move right
19 on to Reports of Special Committees.

20 CLERK: None.

21 [Pause]

22 SPEAKER QUINN: Report on the
23 Committee of Finance, Intro 704-A, it's been
24 amended and coupled on general orders.

25 CLERK: Preconsidered LU 523 and

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Reso 1126 through Preconsidered LU 528 and Reso 1131, tax abatements.

SPEAKER QUINN: Coupled on General Orders.

CLERK: Report of the Committee on Housing and Buildings, Intro 666-A, heat and hot water violations.

SPEAKER QUINN: Amended and coupled on General Orders.

CLERK: Report of the Committee on Land Use, LU 447 and Reso 1132 through 467 and Reso 1134, various UDAAPs.

SPEAKER QUINN: Coupled on General Orders.

CLERK: LU 497 and Reso 1135 and 498 and Reso 1136, in rem actions.

SPEAKER QUINN: Coupled on General Orders.

CLERK: LU 508 and Reso 1137 through LU 510 and Reso 1139, sidewalk cafés.

SPEAKER QUINN: Coupled on General Orders.

CLERK: LU 511 and Reso 1140 through LU 518 and Reso 1147, Brooklyn Navy Yard.

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SPEAKER QUINN: Coupled on General Orders.

CLERK: LU 519 and Reso 1148 through LU 521 and Reso 1150, zoning amendments.

SPEAKER QUINN: Coupled on General Orders.

CLERK: LU 522 and Reso 1151, new school facility.

SPEAKER QUINN: Coupled on General Orders.

CLERK: Preconsidered LU 540 and Reso 1152 and Preconsidered LU 541 and Reso 1153, tax exemptions.

SPEAKER QUINN: Coupled on General Orders.

CLERK: Report of the Committee on Transportation. Intro 626-A, interagency coordination.

SPEAKER QUINN: Amended and coupled on General Orders.

CLERK: Intro 671-A, statistics regarding transportation projects.

SPEAKER QUINN: Amended and coupled on General Orders.

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COUNCIL MEMBER RIVERA: General
Order Calendar.

CLERK: Resolution appointing
various persons Commissioner of Deeds.

SPEAKER QUINN: Coupled on General
Orders. At this time, I'd like to ask for a roll
call on all items that have been coupled on the
General Order Calendar please.

COUNCIL MEMBER RIVERA: So ordered.

CLERK: Arroyo?

COUNCIL MEMBER ARROYO: Aye.

CLERK: Barron?

COUNCIL MEMBER BARRON: I vote no
on LU 467 and the accompanying Reso 1134 and aye
on all the rest.

CLERK: Brewer?

COUNCIL MEMBER BREWER: I vote aye.
I want to second everybody's support for Jeff
Haberman's past work and future. I certainly go
back to 1988 with him. I also want to say how
pleasant Irwin Schneiderman was always to me and
everybody else whom he came in contact with, and
add that he did a great job for the New York City
Opera. I also want to state that Lars Compman

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[phonetic] was my cousin and died of AIDS in 1982.

Thank you very much.

CLERK: Cabrera?

COUNCIL MEMBER CABRERA: Aye.

CLERK: Chin?

COUNCIL MEMBER CHIN: Aye.

CLERK: Comrie?

COUNCIL MEMBER COMRIE: Aye on all.

CLERK: Dickens?

COUNCIL MEMBER DICKENS: Aye on

all.

CLERK: Dromm?

COUNCIL MEMBER DROMM: Aye on all.

CLERK: Eugene?

COUNCIL MEMBER EUGENE: Aye.

CLERK: Ferreras?

COUNCIL MEMBER FERRERAS: Aye.

CLERK: Fidler?

COUNCIL MEMBER FIDLER: Pass.

CLERK: Foster?

COUNCIL MEMBER FOSTER: Aye on all.

CLERK: Gennaro?

COUNCIL MEMBER GENNARO: Yes.

CLERK: Gentile?

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COUNCIL MEMBER GENTILE: Aye.

CLERK: Gonzalez?

COUNCIL MEMBER GONZALEZ: Aye.

CLERK: Greenfield?

COUNCIL MEMBER GREENFIELD: Aye.

CLERK: Jackson?

COUNCIL MEMBER JACKSON: [No
response].

CLERK: James?

COUNCIL MEMBER JAMES: I vote aye.

I specifically want to speak just a moment with regards to the Brooklyn Navy Yard. Today, the approval of the public review process for the redevelopment in Admiral's Row is great news.

The project will incorporate historic preservation into a progressive sustainable site plan which will in turn become a huge boost for the local economy, providing jobs to residents of Ingersoll and Whitman. In addition to that, it will provide fresh, affordable food, expanded industrial space, retail shops and hundreds of permanent and construction jobs are coming, obviously to a community that needs it most.

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2 I thank all of you who are voting
3 in support of the Brooklyn Navy Yard. I want to
4 thank my colleague, Council Member Levin. It was
5 an honor to work with you. I vote aye on all.
6 Thank you.

7 CLERK: Jackson?

8 COUNCIL MEMBER JACKSON: I vote aye
9 on all.

10 CLERK: Koo.

11 COUNCIL MEMBER KOO: I vote aye on
12 all except Intro 704 which I vote no.

13 CLERK: Koslowitz?

14 COUNCIL MEMBER KOSLOWITZ: Aye.

15 CLERK: Lander?

16 COUNCIL MEMBER LANDER: Aye on all.
17 Request leave to explain my vote.

18 COUNCIL MEMBER RIVERA: Yes.

19 COUNCIL MEMBER LANDER: First of
20 all, I add my congratulations and sorrow to lose
21 Jeff Haberman and congrats to Jimmy. I also want
22 to commend the Brooklyn Navy Yard, the great
23 balance being struck here for job creation and
24 preservation. I want to give a big shout out to
25 Andrew Kimball and the whole team at the Brooklyn

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2 Navy Yard. Just opened building 92 and really
3 showing America how urban manufacturing can be
4 done. So glad that we're chipping in to help with
5 that.

6 I also say I'm very enthusiastic
7 about the new Fourth Avenue enhanced commercial
8 district that we're passing, to make sure instead
9 of garage, grills and auto pads, we get a vibrant
10 walking district, thanks both to our staff and to
11 City Planning for working with it.

12 Also, I'm very enthusiastic about
13 the new primary and intermediate school that we're
14 approving today for the Kensington neighborhood
15 and want to thank both Community Board 7 for
16 finding the site in the first place and the DOE
17 for working with us to make sure it really serves
18 our community. Aye on all. Thank you very much.

19 CLERK: Levin?

20 COUNCIL MEMBER LEVIN: Permission
21 to explain my vote.

22 COUNCIL MEMBER RIVERA: Yes.

23 COUNCIL MEMBER LEVIN: Thank you
24 very much, Mr. Majority Leader. I just want to
25 join my colleague, Council Member Tish James in

1
2 applauding the rezoning of Admiral's Row at the
3 Brooklyn Navy Yard. This is a project that is a
4 long time in the making. What we have here is a
5 delicate balance that we've struck between
6 preserving our historic resources in Brooklyn and
7 in particular in the Brooklyn Navy Yard with a row
8 of historic buildings, of which we were able to
9 save two and we will work to redevelop those in an
10 appropriate fashion. And balancing that with the
11 great need for economic development and fresh food
12 that will be provided.

13 I do want to acknowledge Speaker
14 Quinn and the Land Use staff, my colleague Council
15 Member Tish James, Andrew Kimball and Richard
16 Drucker and the entire staff at the Navy Yard for
17 their remarkable, remarkable work, the Municipal
18 Art Society, Deputy Mayor Steel and his staff.
19 This has been a labor of love for many of us and a
20 very good result, and this will bring many jobs
21 and a great resource to the community. I thank
22 you very much.

23 CLERK: Mark-Viverito?

24 COUNCIL MEMBER MARK-VIVERITO: Aye
25 on all.

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CLERK: Mealy?

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COUNCIL MEMBER MEALY: Aye on all.

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CLERK: Mendez?

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COUNCIL MEMBER MENDEZ: Aye on all.

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CLERK: Palma?

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COUNCIL MEMBER PALMA: Aye on all.

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CLERK: Recchia?

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COUNCIL MEMBER RECCHIA: Aye on

10 all.

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CLERK: Reyna?

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COUNCIL MEMBER REYNA: Aye on all.

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CLERK: Rodriguez?

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COUNCIL MEMBER RODRIGUEZ: Aye.

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CLERK: Rose?

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COUNCIL MEMBER ROSE: Aye.

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CLERK: Sanders?

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COUNCIL MEMBER SANDERS: Aye on

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all.

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CLERK: Ulrich?

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COUNCIL MEMBER ULRICH: I vote aye

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on all with the exception of Intro 704-A, I vote

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no.

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CLERK: Vacca?

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COUNCIL MEMBER VACCA: Aye on all.

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CLERK: Vallone?

COUNCIL MEMBER VALLONE:

Congratulations to baby Baaba. I want to thank Jeff Haberman, who was instrumental in our passing of the ban on future roll down solid security gates. So the entire city landscape will be changed and that was in large part due to Jeff's help. Aye on all, no on 704-A.

CLERK: Van Bramer?

COUNCIL MEMBER VAN BRAMER: First,

I want to thank the Speaker and all of my colleagues who have offered me congratulations publicly and privately and a special message to Council Member Jimmy Oddo, our minority leader for inaction. It is safe on the other side, Jimmy Oddo, and Dan Hendrick would like to take you ring shopping at an appropriate time.

SPEAKER QUINN: In Puerto Rico.

COUNCIL MEMBER VAN BRAMER: In Puerto Rico.

SPEAKER QUINN: Yes.

COUNCIL MEMBER VAN BRAMER: I vote aye.

CLERK: Vann?

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COUNCIL MEMBER VANN: Aye on all.

CLERK: Williams?

COUNCIL MEMBER WILLIAMS: I wish
Jeff Haberman all the best. Congratulations,
Jimmy Van Bramer. I vote aye on all.

CLERK: Wills?

COUNCIL MEMBER WILLS: Aye on all.

CLERK: Fidler?

COUNCIL MEMBER FIDLER: Permission
to explain my vote please?

COUNCIL MEMBER RIVERA: Yes.

COUNCIL MEMBER FIDLER: Tempting as
it might be, I'm not going there, Jimmy. I want to
thank Speaker Quinn and Chairman Recchia, Preston
and Tanisha and Ray and the entire Finance staff
for their work on the hotel tax issue. Hold your
breath, I want to thank Mayor Bloomberg as well.

I think it takes a lot for someone
to recognize that a policy that the Council had to
fight for, that made tremendous sense, was right
and to come on board and to admit that this was a
tax policy, this was tax that wasn't paid by
anyone in New York whatsoever. It did not hurt
any business in New York and yet generated a

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2 quarter of a billion dollars in revenue from the
3 day that we enacted it here. That's the kind of
4 tax policy that I think that we can get behind.

5 I know that we were in desperate
6 financial straits. None of us like taxes. This
7 one will sunset, so we'll be able to look at it
8 again in the future to make sure that we're still
9 not hurting any businesses. With that, I vote aye
10 on all.

11 CLERK: Oddo?

12 COUNCIL MEMBER ODDO: I'll pass.

13 CLERK: Rivera?

14 COUNCIL MEMBER RIVERA: I vote aye
15 on all.

16 CLERK: Oddo?

17 COUNCIL MEMBER ODDO: I have to get
18 serious here. May I be temporarily excused to
19 explain my vote?

20 SPEAKER QUINN: No.

21 COUNCIL MEMBER RIVERA: No. We
22 don't do that here, Councilman.

23 [Laughter]

24 COUNCIL MEMBER RIVERA: Go ahead.

25 COUNCIL MEMBER ODDO: May I have

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2 the five minutes? I won't take all five minutes.
3 The last time we had a budget oversight hearing
4 where Mark Page testified, I made a joke that
5 there was some young aspiring filmmaker who was
6 going to take the videos of the last ten years of
7 Mark testifying before us and create a film about
8 Mark Page and I called "The Uncontrollables,"
9 because for a decade I've been talking to him
10 about those four things that drive the budget gap:
11 debt service, healthcare costs for our city
12 workers, Medicaid and pensions.

13 Right now, those four things eat up
14 55 percent. They're 55 percent of our expenses.
15 We have to get control of them. I agree with my
16 good friend, whom I respect and love dearly, Lew
17 Fidler, this is not the most egregious tax in the
18 world. I guess these are people outside of New
19 York, for the most part paying it. It's \$2 a
20 night, I guess, extra on a room. At the end of
21 the year, you know \$60 million is a relative term.
22 It's not a lot of money until it's the end of
23 budget time and we're scrambling to fund different
24 programs.

25 The reason why we're scrambling so

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2 badly to fund those programs is because we have
3 four things that continue to eat those tax
4 dollars, and they are growing exponentially.
5 That's the reason why we have gaps in the City of
6 New York. That's the reason why we have to fight
7 back against cuts for homeless youth and
8 firehouses, et cetera, et cetera.

9 So while I don't think this is the
10 most egregious tax and I understand and respect
11 why my colleagues are supporting it. I just think
12 that we have to come to grips that until we fix
13 the leak in the bottom of the glass, it really
14 doesn't matter how creative we get in pouring
15 water into it.

16 So I don't want to say it's a
17 philosophical vote. I just don't want to sort of
18 concede that we have to figure out ways of
19 generating revenue. Unless and until there's a
20 concerted effort on the other side of City Hall to
21 work in conjunction with us to figure out the
22 long-term threats to our fiscal integrity. We
23 could point the finger at Washington, DC all we
24 want for their lack of responsibility, and I agree
25 with the Mayor for calling the out. But that

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doesn't hide the fact that we still have some long-term problems in our own backyard.

So, with a great deal of respect, I will vote no on Intro 704 and yes on all others.

CLERK: Speaker Quinn?

SPEAKER QUINN: Aye on all.

COUNCIL MEMBER RIVERA: All items on today's General Order Calendar were adopted by a vote of 48 in the affirmative, zero in the negative, with zero abstentions, with the exception of Intro 704-A which was adopted by a vote of 43 in the affirmative, 5 in the negative and zero abstentions and LU 467 with Reso 1134, which was adopted by a vote of 47 in the affirmative, 1 in the negative and zero abstentions. Introduced and reading of the bills.

SPEAKER QUINN: All bills are referred to committee, as indicated on the agenda.

COUNCIL MEMBER RIVERA: Thank you. Discussion of resolutions, we'll move on first to Speaker Quinn.

SPEAKER QUINN: Thank you. I want to speak first to Preconsidered Resolution 1124. I want to first thank, and then if she would like,

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2 call on her to speak after me, the chair of
3 General Welfare Committee Annabel Palma. I also
4 want to thank Jeff Metzler, the chief of
5 litigation for the City Council, for his work on
6 the resolution and the lawsuit that this
7 resolution will authorize, as well as Rob Newman
8 and Molly Murphy and the rest of the Legislative
9 team who have been working on this matter.

10 Reso 1124 speaks to two things.

11 One, overall it speaks to the Bloomberg
12 Administration's desire to take a cruel and
13 punitive process that the Giuliani administration
14 had begun for homeless families and extend it to
15 single homeless people in New York City.

16 Let's be clear, everyone agrees
17 that the single population of homeless New Yorkers
18 is a more challenging population than families.
19 It's a population with a much higher of mental
20 illness. A population with a much higher level of
21 substance abuse and addiction issues. This is a
22 policy that is based on the concept of "no room at
23 the inn," that seeks to send people away as the
24 coldest months approach.

25 It's a policy that takes people who

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2 are at the end of their rope and says to them
3 prove to us your homeless, prove to us you have
4 nowhere else to go, prove to us the government of
5 the City of New York which the court has required
6 to homeless people, prove to us now there is no
7 floor, no cot, no piece of earth anywhere that you
8 can go to.

9 It's based on some belief that
10 people would rather be in the city's homeless
11 shelter. It is not that nice a place. People
12 used to say "well, people are entering the
13 homeless system so they can get permanent homes at
14 the end of the day." There are no more permanent
15 homes at the end of the homeless system because of
16 the budget situation. So even if you believed
17 that false assertion, it is simply not true. This
18 is a cruel, mean spirited, punitive policy that we
19 are going to do everything in our power to stop.

20 Now that said, even if you think,
21 which I would clearly disagree with, that this is
22 a good policy, the way the administration has
23 implemented is a clear violation of the city's
24 Administrative and Procedures Act CAPA. CAPA is
25 critically important to this institution. Think

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2 about how many of our bills are passed pursuant to
3 the implementation of rules making. What governs
4 rules making of city agencies? CAPA.

5 The Bloomberg Administration did
6 not notify the Council of this change in policy.
7 They did not notify the Speaker's office. They
8 did not put it in the city record and they did not
9 give the public time to comment. How did Chair
10 Palma and I find out about this policy? Through
11 Melissa Russo at Channel 4. She is not mentioned
12 in the CAPA rules and regulations anywhere.

13 Neither the Council nor the
14 Bloomberg Administration can be above the law.
15 CAPA is a critical part of the infrastructure that
16 allows us to pass laws and gives the framework
17 through which this and every other mayor must
18 operate to implement and change policy.

19 So I urge all of my colleagues,
20 whether you think this is the right or wrong
21 homeless policy, to vote in support of moving the
22 Council forward as it relates to this lawsuit,
23 because you cannot disregard the structure that
24 exists for how policies and laws get implemented
25 and changed in the city.

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2 I lastly want to thank the Legal
3 Aid Society for their lawsuit, which is based on
4 the substance of the question here, and the
5 question of whether or not--and I believe the
6 answer is yes--the city is in violation of the
7 Callahan decision when it moves to put this
8 punitive measure in place.

9 Let me just say, finally, some have
10 said well shouldn't there be a process that people
11 have to go through to prove they need shelter?
12 There is that intake process right now. There's a
13 lot of things you can say are broken about our
14 homeless system. No one has ever claimed to me
15 that the intake process for singles is broken. So
16 let's focus our time and energy where it's needed.

17 Let me next call on Chair Palma, if
18 she'd like to say a few words.

19 COUNCIL MEMBER PALMA: Let me thank
20 you, Speaker Quinn for your leadership on this
21 issue, and my colleagues for being so supportive.
22 I believe that the way this administration tried
23 to deal with this issue was wrong. I agree
24 wholeheartedly this policy is cruel and will
25 actually keep people out of the shelter system.

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2 You put it so eloquently. The shelter system is
3 not a place where people are running to because
4 they want luxury. It's the last resort for many
5 of the people that are seeking shelter. This
6 policy will further increase the homeless
7 population in the street. I don't think this
8 administration thought this through when wanting
9 to implement this policy.

10 I urge my colleagues to support
11 this policy on the principle that this is the
12 right thing to do for people who are in the
13 desperate time, finding themselves in desperation
14 when seeking shelter. Thank you.

15 SPEAKER QUINN: Thank you, Mr.
16 Majority Leader.

17 COUNCIL MEMBER RIVERA: Thank you
18 very much. Council Member Williams?

19 COUNCIL MEMBER WILLIAMS: Thank
20 you. I just want to say congratulations to Chair
21 Palma and Speaker Quinn on their leadership on
22 this issue. Having been a housing advocate long
23 before I was a Council Member, I always thought
24 the policies that were happening with the families
25 were draconian and bad and should have been

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2 abolished, not spread to other parts of the
3 agency. I don't know why this city believes that
4 it has the authority to basically try and
5 commandeer other people's homes and force them to
6 house people who need the services that the city
7 should be providing.

8 So I'm proud to stand with this
9 body today. I'm glad that we are standing up to
10 some terrible policy. I look forward to standing
11 up to the Mayor on other terrible policies that
12 adversely affect the 99 percent of us. Thank you.

13 COUNCIL MEMBER RIVERA: Thank you
14 very much, Council Member. Council Member
15 Vallone, is your comments on Preconsidered Reso
16 1124?

17 COUNCIL MEMBER VALLONE: Yes.

18 COUNCIL MEMBER RIVERA: Okay,
19 perfect. Go ahead.

20 COUNCIL MEMBER VALLONE: We're only
21 speaking on that one reso?

22 SPEAKER QUINN: [off mic]

23 COUNCIL MEMBER VALLONE: I'd like
24 to be for the other one also. On 1124m I'm going
25 to vote no because I don't have a problem in

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2 making sure that people who are asking for
3 taxpayers to pay for their shelter are actually in
4 need of that shelter. That way we can insure we
5 have shelter for everybody who needs it.

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I do agree with the Speaker's
7 institutional issues though on that bill. I'll be
8 heard on the other ones later. Thank you.

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COUNCIL MEMBER RIVERA: Thank you
10 very much. We'll continue on Preconsidered
11 Resolution 1124. The next member is Council
12 Member Sanders. Are your comments on
13 Preconsidered 1124?

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COUNCIL MEMBER SANDERS:
15 Absolutely.

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COUNCIL MEMBER RIVERA: Okay,
17 perfect. Go ahead.

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COUNCIL MEMBER SANDERS: Having
19 briefly worked in the men's shelter on Third
20 Avenue in the Bronx, I can say that you would have
21 to be utterly at the end of your rope to go into
22 the shelter system. To think that anybody would
23 voluntarily go into the shelter system for some
24 perceived gains says that you have not studied the
25 shelter system enough. It is scary to think that

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2 there's an administration that needs to spend more
3 time in the shelter system, otherwise this type of
4 regulations would not come across.

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6 I agree with the Speaker that we
7 should take every action to bring sanity back and
8 to say that there's a reason why we say that a
9 thing needs to be vetted, a policy needs to be
10 vetted. It needs to be looked at by both sides.
11 This is a case in point that there has to be both
12 sides looking at it. Thank you very much.

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13 COUNCIL MEMBER RIVERA: Thank you
14 very much. Next, we move on to Council Member
15 James.

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16 COUNCIL MEMBER JAMES: I have the
17 misfortune of representing Bedford and Atlantic
18 Men's Shelter in my district. It's located at
19 Atlantic and Bedford Avenue. It has been for
20 years and continues to be an embarrassment to all
21 New Yorkers.

21

22 Men, mostly men of color, stand on
23 the corner, dispirited, hopeless, depressed, down
24 on their luck. And if your car ever happens to
25 get stopped at the light at Bedford and Atlantic,
you'll probably meet one of them because they will

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panhandle you.

Men, a significant number of them who have mental challenges. Men, a significant number of them who were recently released from the correctional facility. Men, mostly who have families. But men, unfortunately, who had to leave their circumstances because of their current situation. And yes, men who do not want to stay and/or reside and/or seek shelter at Bedford and Atlantic, but have no other choice.

So, it's with great honor that I support the Speaker in regards to this policy, because having spoken to a significant number of the men--

COUNCIL MEMBER RIVERA:

[interposing] Council Member--

COUNCIL MEMBER JAMES: -there, they tell me if they had other choices, they would never ever seek shelter from Bedford and Atlantic.

COUNCIL MEMBER RIVERA: Council Member--

COUNCIL MEMBER JAMES: I support this resolution and I urge all of my colleagues to do the same.

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2 COUNCIL MEMBER RIVERA: Thank you
3 very much. Next, we'll move on to Council Member
4 Brewer.

5 COUNCIL MEMBER BREWER: I certainly
6 support the resolution but I want to urge us to
7 keep remembering that we don't have a mental
8 health policy in this city. One of the issues
9 mentioned by the Speaker and others is the need
10 for more mental health services. I want to
11 reiterate that because when you are in a family
12 that has mental issues, finding somebody to call
13 when your family member has mental health issues
14 is a challenge.

15 I want to just reiterate that
16 because a lot of families would continue working
17 with family members who have mental health issues
18 if there were high quality, non-judgmental,
19 accessible mental health services. Thank you.

20 COUNCIL MEMBER RIVERA: Thank you
21 very much. Next, we'll move on to Council Member
22 Levin.

23 COUNCIL MEMBER LEVIN: Thank you,
24 Mr. Majority Leader. I just want to add my voice
25 to the chorus in support of Preconsidered

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2 Resolution 1124, and I want to congratulate the
3 Speaker and Chair Palma on moving forward so
4 quickly on this item.

5 In my district last winter, two
6 gentlemen died of hypothermia while sleeping in
7 the park. Both of these men were considered by
8 DHS to be not homeless because they could
9 theoretically have gone back to a home.
10 Nonetheless, both men slept all winter in the park
11 and lost their lives.

12 We're doing the right thing by
13 standing up to this policy change and making sure
14 that we do not as a city further that type of
15 mentality and codify that by making it more and
16 more difficult to access services that under the
17 Callahan Decree individuals in New York City are
18 entitled to. So I want to congratulate the
19 Speaker and Chair Palma. Thank you very much.

20 COUNCIL MEMBER RIVERA: Thank you
21 very much. Council Member Lander?

22 COUNCIL MEMBER LANDER: I'd like to
23 add my thanks to the Speaker and to Council Member
24 Palma for taking leadership on this important
25 issue.

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2 On the family side of the shelter
3 system, during the recession the administration
4 has dramatically increased the percentage of
5 people being rejected from shelter. At the
6 beginning of the recession, we rejected about 55
7 percent of people. That stills mean more than
8 half were already being rejected at the shelter
9 front door, though many of them wound up getting
10 in later on, on an appeal. That's gone up to 65
11 percent, because we've apparently decided a smart
12 way to save money during a recession is to reject
13 more people from shelter, even though more people
14 are losing their homes and facing economic crises.

15 To do this on the single side of
16 the system as well would truly mean that more
17 people would freeze to death in the winter, more
18 people would be sent back to batterers, more
19 people would be denied the services that they
20 need. So again, thank you to the Speaker and
21 Council Member Palma, and let's hope we get this
22 right in between Thanksgiving and the holidays.

23 COUNCIL MEMBER RIVERA: Thank you
24 very much. Next, we have Council Member Barron.

25 COUNCIL MEMBER BARRON: Only Peter

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2 Vallone and Mayor Bloomberg would think that
3 people need to fight and con and get slick to move
4 into a shelter. Peter, this is a shelter where
5 they have cots that's not even fit for human
6 beings to be living in. But only you and the
7 Mayor would think that that's a place where people
8 are going to get slick to try to get in the
9 shelter with a cot.

10 This is absurd. This is
11 oppressive. I want to say that while we pass this
12 resolution, that between prisons and shelters,
13 those are not fit for human beings to be residing
14 in. I do want to say that the influence of
15 Councilman Barron has finally taken on the
16 Speaker. I saw her on the news with a suit like
17 mine, suing the Mayor. I think if I work hard
18 enough, I'll get her not to salute the flag in the
19 Pledge of Allegiance next. Thank you.

20 COUNCIL MEMBER RIVERA: Thank you.

21 SPEAKER QUINN: [off mic]

22 COUNCIL MEMBER RIVERA: We'll have
23 a fashion show here in the Council, and we'll have
24 the Speaker and Charles. Next, we have Council
25 Member Rodriguez.

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2 COUNCIL MEMBER RODRIGUEZ: Like two
3 months, one of a constituent from my community, he
4 came to my office because in his first two trying
5 to get a shelter he was denied because one of the
6 questions was "do you have a house back in the
7 Dominican Republic". And he said yes, we have a
8 house back there. And they say, why don't you go
9 back to your country so that you can get a
10 shelter. So it was the only reason why he was
11 denied twice.

12 Even someone that is a US citizen
13 that needed shelter at that time. I believe, as
14 Speaker Christine Quinn said, going to a shelter
15 is the last option of anyone in need of housing.
16 I congratulate Speaker Quinn and Annabel Palma
17 also for taking this lead. We need to keep the
18 pressure on so that the Mayor understand that he
19 has to be more connected to the average New
20 Yorker, especially to the homeless population.

21 COUNCIL MEMBER RIVERA: Thank you
22 very much, Council Member. Council Member Melissa
23 Mark-Viverito?

24 COUNCIL MEMBER MARK-VIVERITO:
25 Thank you. I really want to say that my district

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2 encompasses Wards Island, which has close to 1,000
3 shelter beds. I have to say that I'm extremely
4 proud of this Council today under the leadership
5 of our Speaker and Chair Palma for the position
6 that we are taking.

7 It is quite appalling and quite
8 disgusting, actually, what this administration is
9 attempting to do. I really want to thank us in
10 signing onto this and encourage everyone to sign
11 on to this reso. But really putting pressure on
12 this administration to really look at humane
13 public policies that affect and impact those of
14 our brothers and sisters in this city that are
15 homeless.

16 So, again, it really would be great
17 everyone to sign onto this reso, but clearly not
18 everyone will. It's a very strong and powerful
19 united message that we're sending, standing up for
20 those that are in need. So thank you, again, to
21 the Speaker and to Chair Palma.

22 COUNCIL MEMBER RIVERA: Thank you
23 very much, Council Member. Seeing no others to
24 talk on Preconsidered Resolution 1124, I will read
25 this item into the record and call for a vote on

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2 it. It's a resolution authorizing the Council of
3 the City of New York to bring or join in an action
4 or proceeding against the New York City Department
5 of Homeless Services and its commissioner to
6 enjoin the adoption, implementation or enforcement
7 of Procedure No. 12-400 which sets forth new
8 standards by which DHS single adult intake
9 facilities would determine whether individuals who
10 apply for temporary housing assistance are
11 eligible for temporary emergency shelter, adopted
12 by the Committee on General Welfare. All in favor
13 say aye.

14 GROUP: Aye.

15 COUNCIL MEMBER RIVERA: All opposed
16 say nay. Any abstentions? The ayes have it.

17 Next, we'll talk about Resolution
18 671-A, a resolution calling on the New York State
19 Legislature to pass and New York State Governor to
20 sign into law legislation that would require that
21 paper ballots be designed in a more user friendly
22 manner. Do we have anyone who wants to speak on
23 this matter? Seeing none, I will call the
24 question on the vote on this item. All in favor,
25 say aye.

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GROUP: Aye.

COUNCIL MEMBER RIVERA: All opposed say nay. Any abstentions? The ayes have it. Reso 671-A is approved.

Next, we have Reso 1067, a resolution supporting the New York State Chief Judge Jonathan Lippman call on the New York State Legislature to pass and the Governor to sign legislation raising the age of criminal responsibility for nonviolent offenses to 18, and permit the cases of 16 and 17-year-olds charged with such offense to be adjudicated in the Family Court rather than the adult criminal justice system, adopted by the Committee on Juvenile Justice. Do we have anyone who wants to speak on this item? Council Member Vallone?

COUNCIL MEMBER VALLONE: Thank you. I'm going to abstain on this. Not on the merits, they may be good, but this is typical Albany. If you're going to mandate that Family Court handles hundreds and hundreds more cases, then you need to establish more Family Court parts. If you speak to the Family Court judges, they will say exactly the same thing. Family Court cannot handle any

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2 more cases right now, but this law would give them
3 more cases without any more resources. So until
4 that's fixed, I can't support it, and I'll be
5 abstaining on that one.

6 COUNCIL MEMBER RIVERA: Thank you.
7 Do we have anyone else wanting to speak on this
8 item? Seeing none, I'll call the question of the
9 vote on Reso 1067. All in favor say aye.

10 GROUP: Aye.

11 COUNCIL MEMBER RIVERA: All
12 opposed, say any. Any abstentions? The ayes have
13 it.

14 Now, we'll move on to general
15 discussion. We have Council Member Barron.

16 COUNCIL MEMBER BARRON: Thank you
17 very much. My colleagues, today is the birthday
18 of Adam Clayton Powell, and I wanted to honor his
19 birthday on this day by calling you to support my
20 Resolution 1120, the Queen Mother Moore
21 Reparations Commission resolution.

22 New York City was one of the
23 largest slave states in the union. From 1625 to
24 1827, New York City had slavery, the largest
25 second to Virginia. And it lasted until around

1
2 1840. The Wall Street name came after the wall
3 that African people built. This building that
4 we're in, beneath the surface, beneath the ground
5 of this building, there's 20,000 remains of
6 African people who built the roads, the bridges,
7 the sawmills, the colonial sawmills. We leveled
8 Queens, Brooklyn and we need to be considered for
9 compensation.

10 This bill calls on us to set up a
11 commission, study the economic impact of the
12 enslavement of African people in New York City.
13 We've been submitting this since I've been here,
14 and we're just calling on a commission. So I'm
15 asking my colleagues to sign on to Resolution
16 1120.

17 We do this in honor of Queen Mother
18 Moore, listed as M-O-R, yeah, we want more
19 reparations, but it's M-O-O-R. Her name is Queen
20 Mother Moore. She submitted over a million
21 petitions to President Kennedy calling for
22 reparations. So I appreciate it if you could
23 support that.

24 Finally, we need to support the
25 CUNY students. They raised the tuition for the

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2 next five years, \$300 a year, and Chancellor
3 Goldstein had the nerve to sick his little
4 security dogs on innocent students that were
5 protesting against the tuition hikes. We're
6 calling for his resignation and the security
7 chief's resignation from CUNY. Support the CUNY
8 students and the Vallone scholarship that they
9 zeroed out.

10 COUNCIL MEMBER RIVERA: Thank you
11 very much, Council Member.

12 COUNCIL MEMBER BARRON: M-O-O-R-E
13 is Moore, Queen Mother Moore, M-O-O-R-E. We want
14 more reparations.

15 COUNCIL MEMBER RIVERA: Okay. Next
16 we have Council Member Melissa Mark-Viverito.

17 COUNCIL MEMBER MARK-VIVERITO: As
18 Puerto Rican Heritage Month comes to a close, I
19 want to take a moment to commend the musical group
20 Calle Treza [phonetic]. As a Puerto Rican, I was
21 extremely proud when earlier this month Calle
22 Treza was recognized by the Latin Grammys, taking
23 home nine awards, include Record, Song and Album
24 of the Year.

25 It is a source of pride that Calle

1
2 Treza is getting the recognition it deserves but
3 I'm even more proud of their consistent
4 outspokenness on issues of social and economic
5 justice in Puerto Rico and beyond. Their music
6 has touched on topics ranging from the repression,
7 corruption and rampant gun violence in Puerto
8 Rico, to the dangers encountered by immigrants
9 crossing the US/Mexico border.

10 Their music also seeks to create a
11 Pan Latin American identity with the incorporation
12 of cultural references and music styles from other
13 Latin America countries. Tackling these themes,
14 Calle Treza has built a strong international fan
15 base and has achieved wide critical acclaim, yet
16 the government or Puerto Rico has done nothing to
17 acknowledge their incredible success and the pride
18 they bring to the island.

19 In fact, because Residente, the
20 lead voice of Calle Treza, has been openly
21 critical of Governor Fortuno, especially in the
22 wake of protests over massive layoffs of public
23 workers. He has received sharp criticism from the
24 Republican governor and his administration.

25 There have even been allegations of

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2 efforts on the part of the government to engage in
3 censorship of their music because of group members
4 [foreign language] saying what they think, which
5 is the subject of one of the songs on their award
6 winning album. The government actually cancelled
7 a Calle Treza concert shortly after Residente, the
8 lead singer publicly criticized the governor on
9 television. No surprise here, unfortunately,
10 since the Fortuno administration has no become
11 infamous for the way in which is has openly sought
12 to silence free speech in protests by University
13 of Puerto Rico students and public workers.

14 Since Calle Treza's incredible
15 achievements are not being recognized by their own
16 government, I wanted to take a moment today to
17 publicly commend them on the floor of the New York
18 City Council for all they are accomplishing, for
19 not being afraid to speak their mind and for being
20 such a source of pride for the Puerto Rican people
21 here in New York City, on the island and beyond.

22 COUNCIL MEMBER RIVERA: Thank you
23 very much. Council Member Williams?

24 COUNCIL MEMBER WILLIAMS: Thank
25 you. I know my colleague Ydanis will speak on it

1
2 later, but encourage everyone to sign on to the
3 Occupy Wall Street reso. Also, I'm asking for
4 everyone to sign on to my reso, also it's listed
5 Melissa Mark-Viverito, it should have also been
6 listed Dan Halloran as one of the co-sponsors.
7 It's Intro 723. Yes, Mr. Halloran is on. We are
8 asking for everyone to support--the intro is
9 basically saying that all city parks that are in
10 commercial areas should be open for 24 hours, in
11 case anyone should decide to go there for a little
12 bit. So we're asking everyone to sign on to that
13 intro so that we can protect our citizens and our
14 residents' right of Fifth Amendment to protest.

15 I also wanted to just take a moment
16 to recognize a couple of losses. I'm not sure if
17 this was said before but Joe Frazier, also known
18 as "Smoking Joe" passed recently. He came to fame
19 with his bouts of Muhammad Ali.

20 I was very surprised to hear the
21 loss of Patrice O'Neal, a very prolific comedian
22 who was on the rise to stardom. I was saddened to
23 hear that.

24 Also, Dwight Arrington Meyers, also
25 known as Heavy D, this really touched my heart as

1
2 a hip hop fan. He was known for his positive
3 music in a time where rap and hip hop was full of
4 misogyny and vulgar lyrics. He was so popular, P
5 Diddy was thinking about him when he had Notorious
6 BIG, also known as Biggie Smalls to kind of
7 fashion his stardom off of Heavy D's. I only wish
8 that some of that music was more on the radio than
9 it was before. So I just wanted to acknowledge
10 that. Thank you.

11 COUNCIL MEMBER RIVERA: Next we
12 have Council Member Rodriguez.

13 COUNCIL MEMBER RODRIGUEZ: Thank
14 you. First, I would like to encourage my
15 colleague to sign the Resolution 1125 that it call
16 for support to the Occupy movement. Basically
17 calling to respect their right on their freedom of
18 speech, the First Amendment, you know, so support
19 the movement and its intention to end the gap that
20 we have between the rich and the poor in this
21 society. So I know that a number of my colleague
22 already has signed, but those of you that has not
23 signed, I hope that you will have the opportunity
24 to add your name and send the message that as
25 other city has passed a resolution in the nation

1
2 that in New York City should also sign an official
3 resolution of support to this peaceful Occupy
4 movement.

5 I also like, besides this, I'd also
6 like to show my solidarity to Melissa Mark-
7 Viverito's call to support and recognize Calle
8 Treza. Those of you that want also to learn in
9 Spanish, if you go to YouTube and you type Calle
10 Treza, the last song is called Latino America and
11 the most important lyric that it has say [foreign
12 language], you cannot buy my happiness, you cannot
13 buy my air. I think it's a strong message that we
14 got to work together as a team. That's a unique
15 group of people, human beings in this society and
16 they're saying that some people they're trying to
17 control, but there's things such as happiness and
18 air that no one should control. So I also add my
19 support on recognizing Calle Treza as an important
20 group that represent not only residents of Latin
21 America but also anyone in this world. Thank you.

22 COUNCIL MEMBER RIVERA: Thank you
23 very much. Next we have Council Member Foster.

24 COUNCIL MEMBER FOSTER: Thank you.
25 Briefly, I just wanted to stand and mention the

1
2 death of Heavy D. When I hear his songs, it's
3 kind of the soundtrack of my early life. I
4 remember where I was on Howard University's
5 campus. He was clearly the overweight lover and
6 he was in the house.

7 I think what most importantly,
8 seeing so many people who are around my age
9 passing away, I just want to remind us, especially
10 as we come to this holiday season, as we pass the
11 resolution dealing with this horrible homeless
12 policy, let's us remember that tomorrow really is
13 not promised and we need to do what we can while
14 we can for people today. And for those that we
15 love, we need to tell them we love them because
16 tomorrow is not promised. I guarantee you when
17 Heavy came to his house and had problems breathing
18 and they rushed him to the hospital, he really did
19 not think it would be the last time that he would
20 be alive.

21 So if nothing else, if you don't
22 like rap or whatever, just take away that tomorrow
23 is not promised and we need to do what we can
24 while we can, which is today. Thank you.

25 COUNCIL MEMBER RIVERA: Thank you.

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Next, we have Council Member James.

COUNCIL MEMBER JAMES: I urge all of you to join the NAACP and 1199 on December 10th as we gather at the UN to stand for freedom. As the nation gears up for the 2012 presidential election, Republican officials have launched an unprecedented centrally coordinated campaign to suppress the elements of the democratic vote. All told, 12 states have approved new obstacles to voting.

Kansas and Alabama now require would-be voters to provide proof of citizenship before registering. Florida and Texas has made it more difficult for organizations to register new voters. Maine repealed the Election Day voter registration. Florida, Georgia, Ohio, Tennessee and West Virginia have cut short their early voting periods. Florida and Iowa have barred all ex-felons from the polls. Alabama, Kansas, South Carolina, Tennessee, Texas and Wisconsin will require voters to produce a government issued ID before casting ballots.

And although you may say there's nothing wrong with that, the reality is that 10

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2 percent of all US citizens lack identification,
3 principally African Americans who unfortunately
4 were born before black people were allowed to get
5 identifications, do not have proper government
6 issued identification. Taken together, such
7 measures would significantly damper the democratic
8 turnout next year. Please join me in standing for
9 freedom December 10th, Human Rights Day, outside
10 of the UN with the NAACP, 1199 and UFT. Thank
11 you.

12 COUNCIL MEMBER RIVERA: Thank you
13 very much. Next, we have Council Member Mealy.

14 COUNCIL MEMBER MEALY: I want to
15 salute Dee Bailey, the CEO of Watchful Eye in
16 regards to HIV and AIDS Awareness Week and it's
17 every day. And as a proud sponsor of Intro 624-A,
18 the amended Local Law 35, the Outsourcing
19 Accountability Act that the Mayor has vetoed, and
20 by the next Stated Meeting, I hope all my
21 colleagues will vote that we override his veto.

22 Now is a tough economic times, and
23 it is important that the city save money whenever,
24 wherever and however it can. We cannot afford to
25 just sit back and hope or assure that agencies

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2 consider potential cost savings when they enter
3 into contracts. We need to ensure that city
4 agencies regularly weigh cost efficiencies when
5 they make procurement decisions.

6 Intro 624-A is designed to make
7 sure that they do just that. I am excited about
8 this legislation and I am hopeful about the cost
9 saving that it might bring to this city. I hope
10 all my colleagues vote yes by the next meeting to
11 override our Mayor's veto. Thank you.

12 COUNCIL MEMBER RIVERA: Thank you
13 very much. Seeing no others, this meeting is
14 adjourned.

C E R T I F I C A T E

I, Donna Hintze 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.

Signature *Donna Hintze*

Date December 29, 2011