

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

STATED COUNCIL MEETING

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July 23, 2008
Start: 1:30pm
Recess: N/A

HELD AT: Council Chambers
City Hall

B E F O R E: CHRISTINE C. QUINN, SPEAKER
Chairperson

COUNCIL MEMBERS:
Madam Public Advocate
Joseph P. Addabbo, Jr.
Maria del Carmen Arroyo
Tony Avella
Charles Barron
Gale A. Brewer
Anthony Como
Leroy G. Comrie, Jr.
Bill de Blasio
Inez E. Dickens
Erik Martin Dilan
Mathieu Eugene
Simcha Felder
Lewis A. Fidler

A P P E A R A N C E S

COUNCIL MEMBERS:

Helen D. Foster
Daniel R. Garodnick
Alan J. Gerson
Eric N. Gioia
Vincent Ignizio
Robert Jackson
Letitia James
Melinda R. Katz
G. Oliver Koppell
Jessica S. Lappin
John C. Liu
Melissa Mark-Viverito
Michael E. McMahon
Darlene Mealy
Rosie Mendez
Hiram Monserrate
Michael C. Nelson
James S. Oddo
Annabel Palma
Domenic M. Recchia, Jr.
Diana Reyna
Joel Rivera
James Sanders, Jr.
Larry Seabrook
Helen Sears
Kendall Stewart
Peter F. Vallone, Jr.
Albert Vann
David I. Weprin
Thomas White, Jr.
David Yassky

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

Endri Brahimaj
Doorman
Level Club

Izet Neljkovic
Porter
Level Club

Emma Ellman Gowen
Intern
Office of the Second Council District

Scott
Brooklyn Botanic Gardens

Elizabeth Scholtz
Director Emeritus
Brooklyn Botanic Gardens

Pastor Joseph Tultan

1
2 EVA MARLENA: Testing. Today's
3 date is July 23, 2008. This is a stated hearing
4 and it's recorded by Eva Marlana.

5 SPEAKER CHRISTINE C. QUINN: Hello,
6 it's on. We're going to get started first with
7 Council Member Gale Brewer who has a couple of New
8 York City heroes we want to honor today and thank
9 them for their constant daily service. But their
10 particular heroism on one day they were serving
11 New York. So let me give the mic to Council
12 Member Brewer.

13 COUNCIL MEMBER GALE A. BREWER:
14 Thank you very much Madam Speaker. On Sunday,
15 July 13 a fire began in a top floor apartment of
16 an Upper West Side brownstone building on West
17 73rd Street between Westin and Broadway. By noon
18 the fire had spread to the roof. The fire is
19 still under investigation. These two fabulous
20 individuals, Endri Brahimaj and Izet Neljkovic, a
21 doorman and porter, respectively, at the Level
22 Club, which is located at 253 West 73rd Street,
23 responded to the fire.

24 Upon seeing the flames both men
25 bravely entered the building, banged on doors and

1
2 escorted residents to safety. Despite the debris
3 and glass from the building, they were both able
4 to save all residents. Only one resident had
5 minor burns thanks to these two heroes. I also
6 want to thank the individuals from Ladder 22 and
7 Engine 76. We should know that Izet is from
8 Montenegro, he moved to the United States in 1995.
9 He has wonderful children, we'll hear more about
10 them. Lives in Astoria, Queens. And Endri is a
11 19 year old who is from Albania. He's been with
12 the Club since '07 working there. He lives in
13 Glendale and hopes to go to college.

14 I want you to know the neighborhood
15 is so pleased. What they said about you in the
16 neighborhood is two individuals came to the United
17 States, came to New York and now you're our
18 heroes. We welcome you City Hall and we thank
19 you.

20 [Applause]

21 SPEAKER QUINN: Before we hear from
22 our heroes, if we could have the clerk please read
23 the proclamation.

24 MALE VOICE 1: New York City
25 Proclamation whereas, the Council of the City of

1

2 New York is proud to honor two of New York City
3 heroes, Endri Brahimaj and Izet Neljkovic, for
4 their tremendous service to the community of the
5 Upper West Side.

6

7 And whereas, originally from
8 Montenegro, Izet Neljkovic moved to the United
9 States in 1995. And is the proud father of his
10 17-year old and 7-year old daughter. Currently
11 residing in Astoria, Queens, Mr. Neljkovic has
12 been employed at the Upper West Side as a porter
13 at the Level Club for 11 years.

13

14 And Endri Brahimaj, a 19-year old
15 who had family in Tirana, Albania now residing in
16 Glendale and plans to enroll in college in the
17 near future. He has been a doorman for the Level
18 Club since the summer of 2007.

18

19 Whereas on July 13, 2008, Mr.
20 Neljkovic and Mr. Brahimaj were at work, a fire
21 had broken out in the top floor apartment and the
22 blaze quickly spread to the building's roof. As
23 the heat engulfed the upper floors, glass from the
24 windows began raining into the street. Yet both
25 men valiantly rushed into the building, banging on
doors yelling fire, fire and ushering the

1

2 residents to safety.

3

4 And whereas, Mr. Brahimaj and Mr.
5 Neljkovic are to be commended for saving the lives
6 of many residents with their quick, courageous
7 service and their selfless act are worthy of the
8 esteem of all New Yorkers. Now therefore be it
9 known that Gale A. Brewer, Council Member of the
10 Sixth District gratefully honors Izet Neljkovic
11 and Endri Brahimaj for their heroism on July 13,
12 2008. Signed this 23rd day of July, the year
13 2008, Gale Brewer, Council Member.

14

[Applause]

15

16 SPEAKER QUINN: Just before I hand
17 the mic over to you guys, I also want to thank and
18 recognize our brothers and sisters from 32BJ who
19 are here with us today. I had a similar story
20 when I first got elected to the City Council in
21 1999 about a doorman on West 23rd Street who did a
22 similar thing and went door to door and cleared
23 this very large building out the day there was a
24 fire. I think you two are just two other very
25 valiant examples of how our doorpeople and porters
and building staff are really part of our front
line security in this City of New York. So thank

1
2 you and 32 BJ for all of your service. We will
3 hold these and you guys, thank you so much.

4 [Applause]

5 ENDRI BRAHIMAJ: I'm just happy to
6 see the people were okay, safe. It's nice to help
7 people out in the community and it's a good day
8 for New York City.

9 [Applause]

10 IZET NELJKOVIC: I'm glad to be
11 here today in this building. I'm happy and we're
12 supposed to everybody, help each other in this
13 situation. Thanks.

14 [Applause]

15 MALE VOICE 1: I just say that 32BJ
16 is very proud of its members, their selflessness,
17 their heroism, their bravery. We're very proud to
18 have such valiant members as part of our
19 organization, servicing the people and tenants of
20 New York.

21 [Applause]

22 SPEAKER QUINN: Thanks you guys.
23 The next proclamation or ceremonial is Council
24 Member Rosie Mendez. And if the family could come
25 on up, that would be great.

1
2 COUNCIL MEMBER ROSIE MENDEZ: Thank
3 you. Thank you Madam Speaker. I think we all
4 know as council members that when we have people
5 working with us, great people, we're blessed
6 because they're a reflection of us. I've been
7 blessed in many ways with my staff but also with
8 one young woman here who's been a volunteer since
9 I've been in office and she's a high school
10 student. So for two and a half years, she's been
11 volunteering in my office. During the summers we
12 were able to scrape enough money to hire her. Now
13 she's going off to college, imagine that,
14 University of Pennsylvania.

15 It's a wonderful moment as she
16 leaves to go to college. But for me and for the
17 rest of the staff, it's a sad moment because we
18 will miss you, your intelligence, your dedication
19 and your commitment to my district. She actually
20 lives in Bill de Blasio's district but goes to
21 school in my district and volunteered everyday. I
22 am proud here today to take this moment to honor
23 Emma Ellman Gowen.

24 [Applause]

25 SPEAKER QUINN: If the clerk could

1

2 read the proclamation please.

3

MALE VOICE 1: New York City

4

Council Proclamation. Whereas Emma Ellman Gowen,

5

a native New Yorker, was already determined to

6

give back to the community and local government by

7

the time she was in the early years of high

8

school. She reached out to her school district

9

council elect and offered her time as a volunteer.

10

For the past two and a half years,

11

she has served countless hours in the Second

12

Council District Office. And became a valued

13

member of the staff, working largely as a

14

volunteer while keeping up with highly vigorous

15

studies.

16

Whereas, since the day Council

17

Member Rosie Mendez began her term in January

18

2006, Emma has provided exemplary service as a

19

vivrant member of the Office. Not long after she

20

began as an intern while she was a student at Bart

21

High School, she was quickly recognized for her

22

dedication, intelligence, strong work ethics and

23

was soon hired as a full time staff during her

24

three summers vacation.

25

And whereas Emma's dedication and

1
2 skills had had an enormous impact in the Office of
3 the Second Council District and will continue to
4 serve her well in the future at the University of
5 Pennsylvania. Now, therefore be it known that
6 Rosie Mendez, Council Member, Second Council
7 District is honored and proud to honor Emma Ellman
8 Gowen for her outstanding service to New York
9 City. Signed this 23rd day of July in the year
10 2008.

11 [Applause]

12 SPEAKER QUINN: Congratulations.
13 Thank you for your service. And I don't know if
14 you want to say a few words.

15 EMMA ELLMAN GOWEN: Rosie it's been
16 really an honor working for you. So thank you for
17 this wonderful experience and good luck with the
18 rest of your term.

19 [Applause]

20 COUNCIL MEMBER MENDEZ: Thank you
21 very much. Congratulations.

22 SPEAKER QUINN: Okay. Our next
23 ceremonial, is Council Member James here? Give us
24 two seconds because we're just finding Council
25 Member James. I'm sure she'll be up here in a

1

2 sec. All right. So we are now going to start our
3 final ceremonial. If I could ask Elizabeth and
4 all her friends from the Brooklyn Botanic Garden
5 to join us.

6

COUNCIL MEMBER LETITIA JAMES: If
7 you love the Group of Botanical Gardens, make some
8 noise.

9

[Applause and Cheers]

10

SPEAKER QUINN: Tish and I were
11 recently invited by our friends at the Brooklyn
12 Botanic Gardens to be part of their Cherry Blossom
13 day. I couldn't remember the exact flower. And
14 it was a lovely day for a whole host of reasons.
15 Not the least of which is when we were out and
16 about before the event started I met Elizabeth.
17 And Elizabeth was wearing a button that day
18 relevant to your litter pick up efforts, right?
19 What did the button say?

20

SCOTT: I-B-O-T-P-U-L.

21

SPEAKER QUINN: Which means?

22

23

SCOTT: I Bend Over To Pick Up
Litter.

24

25

SPEAKER QUINN: And Elizabeth
explained to me their anti-litter campaign. But I

1

2 also learned that Elizabeth is a tremendous
3 trailblazer. She was the first woman to head a
4 botanical garden anywhere in North America, is
5 that right? The first one, which is really-- we
6 talk about first women this and that. And
7 sometimes you forget there was a time when
8 something like a botanical garden had never even
9 been run by a woman.

10 Having somebody like Elizabeth
11 blaze that trail in an area that had been
12 dominated by men, not only opened up the world
13 botanical gardens and cultural institutions for
14 women leadership. So many of them are run by
15 great women and great men in the City of New York.
16 But also in doing that, you opened up so many
17 other areas for myself and Tish and Gale and other
18 people to serve. So we just wanted to take a
19 moment today to thank you so much for your service
20 and for continuing to serve the Brooklyn Botanic
21 Garden in such a terrific way.

22 Let me ask Tish if she has a few
23 things to say. Then we'll read the proc and then
24 we most importantly, will hear from you Elizabeth.

25

COUNCIL MEMBER JAMES:

1
2 Congratulations Ms. Scholtz. They say that
3 there's nothing more powerful than a woman with a
4 made up mind. And clearly this woman, this
5 trailblazer has opened up the doors for all of us.
6 We stand on her shoulders, particularly all of the
7 women of the Women's Committee and I just want to
8 thank you. I know you are responsible for a
9 number of tours and I know that you are in love
10 with our planet. You think green. You thought
11 green before anyone even coined the phrase. I
12 just want to congratulate you for all that you do.
13 I want to congratulate you and thank you on behalf
14 of all the constituents in the City of New York.

15 [Applause]

16 SPEAKER QUINN: And if our clerk
17 could read the proclamation please.

18 MALE VOICE 1: City Council
19 Proclamation whereas the Council of the City of
20 New York is proud to honor Elizabeth Scholtz for
21 48 years of outstanding service.

22 SPEAKER QUINN: If we can get a
23 little quiet, please. Thanks.

24 MALE VOICE 1: For 48 years of
25 outstanding service to the Brooklyn Botanic

1
2 Gardens and for her tremendous contributions to
3 the art, science, education of horticulture. And
4 whereas, in 1972 Ms. Scholtz became the first
5 woman to head a major North American botanical
6 gardens when she was appointed Director of the
7 Brooklyn Botanic Gardens.

8 During this tenure, she was also
9 responsible for administering three other
10 properties, totaling more than 650 acres in
11 addition to the 52-acre botanical garden in
12 Brooklyn.

13 And whereas, since becoming
14 Brooklyn Botanic Gardens' Director Emeritus in
15 1987, Ms. Scholtz has continued to work daily
16 serving as garden's official historian and
17 managing the tour office. Over the years, she has
18 led 100 tour groups to the Brooklyn Botanic
19 Gardens for 46 countries. Ms. Scholtz continues
20 to write and lecture widely on a variety of
21 botanical subjects. She currently serves on the
22 Board of the Horticulture Society of New York on
23 the Screening Committee of the Garden Conservancy
24 whereas Ms. Scholtz has fostered a greater
25 appreciation of our nature world as well as

1
2 greater awareness of its fragility. She has
3 created an incredible legacy at the Brooklyn
4 Botanic Garden. We know that the seeds that she
5 has planted there, both in the garden and in the
6 minds of countless visitors, will continue to
7 blossom for years to come.

8 Now therefore be it known that the
9 City Council of the City of New York most
10 gratefully honors Elizabeth Scholtz for her
11 distinguished contribution in the field of
12 horticulture, both locally and globally. Signed
13 this 23rd day of July in the year 2008, Christine
14 C. Quinn Speaker for the entire Council and
15 Letitia James, Council Member 35th Council
16 District.

17 [Applause]

18 SPEAKER QUINN: Thank you. And
19 give the mic to you.

20 ELIZABETH SCHOLTZ: What an elegant
21 proclamation. I love the word indelible because
22 it was associated with dye plants but I've got
23 another word for dye plants. You know there are
24 fugitive dye plants and one thing that I haven't
25 been since I hit Brooklyn Botanic Garden is

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2 fugitive. I have so enjoyed working there because
3 I've been challenged every day of my 48 years.

4

5 Been challenged by people who
6 succeeded me, Donald Moore, our beloved Judy Zuk
7 and now Scott. With each of them I've said, do
8 you want me to take my marbles and go and play
9 somewhere else? And each of them said, no, please
10 stay. So I am still there and I hope to continue
11 to be there. But I go on the first day of the
12 year each year and go and check to see whether I
13 have to go take my marbles and go play somewhere
14 else.

14

SCOTT: Never going to happen.

15

16 MS. SCHOLTZ: Apart from all the
17 excitement that we're leading up to for our 100th
18 anniversary in a year and a half, Scott is very
19 busy with that. But one of the things that he
20 does and our Speaker mentioned this, he's another
21 person that picks up litter. You've seen him to
22 it.

22

23 But I would like to present the
24 Speaker with a button of her own.

24

SPEAKER QUINN: Oh, thank you.

25

MS. SCHOLTZ: And thank you for

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this wonderful occasion.

[Applause]

SPEAKER QUINN: Let me put it on.
Thank you very much and congratulations. And that
concludes our ceremonials.

COUNCIL MEMBER RIVERA: Ladies and
gentleman, at this time please turn all cell
phones and pagers to vibrate. Will all non-
Council employees and lobbyists please leave the
main floor of the chambers? Thank you.

MALE VOICE: Ladies and gentlemen
please rise for the pledge of allegiance. I
pledge allegiance to the flag of the United States
of America and to the Republic, for which it
stands one nation under God, indivisible with
liberty and justice for all. Roll call.

MALE VOICE: Addabbo.

COUNCIL MEMBER JOSEPH P. ADDABBO,
JR.: Here.

MALE VOICE: Arroyo.

COUNCIL MEMBER MARIA DEL CARMEN
ARROYO: Here.

MALE VOICE: Avella, Baez, Barron.

COUNCIL MEMBER CHARLES BARRON:

1

2 Here.

3

MALE VOICE: Brewer, Como.

4

COUNCIL MEMBER ANTHONY COMO: Here.

5

MALE VOICE: Comrie, de Blasio,

6

Dickens, Dilan, Eugene.

7

COUNCIL MEMBER MATHIEU EUGENE:

8

Yes.

9

MALE VOICE: Felder

10

COUNCIL MEMBER SIMCHA FELDER: Yes.

11

MALE VOICE: Fidler.

12

COUNCIL MEMBER LEWIS A. FIDLER:

13

Here.

14

MALE VOICE: Foster.

15

COUNCIL MEMBER HELEN D. FOSTER:

16

Here.

17

MALE VOICE: Garodnick.

18

COUNCIL MEMBER DANIEL R. GARODNICK:

19

Here.

20

MALE VOICE: Gennaro, Gentile,

21

Gerson.

22

COUNCIL MEMBER ALAN J. GERSON:

23

Here.

24

MALE VOICE: Gioia, Gonzalez,

25

Ignizio.

1

COUNCIL MEMBER VINCENT IGNIZIO:

2

Here.

3

MALE VOICE: Jackson.

4

COUNCIL MEMBER ROBERT JACKSON:

5

Here.

6

MALE VOICE: James.

7

MS. JAMES: Here.

8

MALE VOICE: Katz.

9

COUNCIL MEMBER MELINDA R. KATZ:

10

Here.

11

MALE VOICE: Koppell, Lappin, Liu,

12

Mark-Viverito.

13

COUNCIL MEMBER MELISSA MARK-

14

VIVERITO: Here.

15

MALE VOICE: Martinez, McMahon.

16

COUNCIL MEMBER MICHAEL E. MCMAHON:

17

Here.

18

MALE VOICE: Mealy, Mendez,

19

Monserrate, Nelson.

20

COUNCIL MEMBER MICHAEL C. NELSON:

21

Here.

22

MALE VOICE: Palma, Recchia.

23

COUNCIL MEMBER DOMENIC M. RECCHIA,

24

JR.: Here.

25

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2

MALE VOICE: Reyna, Sanders,

3

Seabrook.

4

COUNCIL MEMBER LARRY B. SEABROOK:

5

Here.

6

MALE VOICE: Sears.

7

COUNCIL MEMBER HELEN SEARS: Here.

8

MALE VOICE: Stewart.

9

COUNCIL MEMBER KENDALL STEWART:

10

Present.

11

MALE VOICE: Vacca, Vallone, Vann,

12

Weprin.

13

COUNCIL MEMBER DAVID I. WEPRIN:

14

Here.

15

MALE VOICE: White, Yassky, Oddo.

16

COUNCIL MEMBER JAMES S. ODDO:

17

Here.

18

MALE VOICE: Rivera.

19

COUNCIL MEMBER JOEL RIVERA: Here.

20

MALE VOICE: Speaker Quinn.

21

SPEAKER QUINN: Here.

22

COUNCIL MEMBER RIVERA: Quorum is

23

present. Ladies and gentlemen please rise for the

24

invocation being delivered by Pastor Joseph

25

Tultan.

1
2 PASTOR JOSEPH TULTAN: Grace and
3 peace be unto you. I am equally humbled as I am
4 riveted to stand before this afternoon. Let us
5 pray. Oh wise and wonderful God, we acknowledge
6 you as the host of the universe. And it is with
7 reverence that we approach the throne of grace.
8 We pray, God, that wisdom will guide these women
9 and men as they convene to legislate in the
10 interest of creating laws that will optimize the
11 resources of this great city. Without question,
12 you have given us all of the raw material
13 necessary to solve our problems, now guide us as
14 we harness and distribute those resources.

15 We pray, God, that mercy will guide
16 these women and men as they convene to legislate
17 in the interest in creating laws that are just and
18 equitable. Without question, the righteousness of
19 a people can not be judged by how we embrace the
20 most disenfranchised and those that have been
21 historically denied.

22 We pray, God, that courage will
23 guide these women and men as they convene to
24 legislate in the interest of creating laws that
25 may be unpopular but that chart a bold, new

1
2 direction. Without question, these servants must
3 be held accountable to a moral compass that at
4 times even may escape their own constituents.

5 We pray, God, that temperance will
6 guide these women and men as they negotiate
7 amongst themselves in the interest of crafting
8 legislation. Without question, there are
9 reasonable differences between them but God we
10 pray that Your spirit will lay gently upon their
11 egos that they may be compelled to stay focused on
12 good policy and eschew unproductive politics.

13 We pray, God, that comfort will
14 envelope the family, friends and colleagues of
15 Councilman Davis as we commemorate his death. And
16 in his honor we will further causes that were dear
17 to his heart. By faith now we receive the benefit
18 of Your wisdom, Your mercy, Your courage, Your
19 temperance and Your comfort. These blessings we
20 affirm in the name of the God of our individual
21 understanding and those who agreed said amen.

22 COUNCIL MEMBER RIVERA: Thank you
23 very much. At this point in time there are two
24 council members that will spread the invocation.
25 First Council Member Jackson.

1
2 COUNCIL MEMBER JACKSON: Mr. Chair,
3 motion to spread the invocation in full upon the
4 record.

5 COUNCIL MEMBER RIVERA: Okay.
6 Thank you. The other council member is Inez
7 Dickens, who is now the council member for the
8 district the Pastor is at. But she will be
9 joining us momentarily. At this point I'm going
10 to ask for the adoption of the minutes.

11 SPEAKER QUINN: Mr. Majority
12 Leader, if I could just interrupt for one second.
13 We're going to just break into the agenda at this
14 moment. Folks might remember we swore in our new
15 colleague, Council Member Anthony Como, when we
16 voted on the budget. But it was, as we all
17 probably recall, a little bit late at night and
18 just a slightly unorthodox meeting to do that.

19 So we're going to do a do over, as
20 they say today. And with his friends and family
21 here today, take this moment in our stated to
22 welcome our new colleague from Queens, a member of
23 the Republican delegation, Council Member Anthony
24 Como. And again, swear him in as a member of the
25 New York City Council.

1

[Applause]

2

3

So if our Majority Leader and our
Minority Leader could welcome in Council Member
Como I would appreciate that.

4

5

6

[Applause]

7

MALE VOICE: Oath of Office. I.

8

COUNCIL MEMBER ANTHONY COMO: I.

9

MALE VOICE: Anthony Como.

10

COUNCIL MEMBER COMO: Anthony Como.

11

MALE VOICE: Do solemnly swear.

12

COUNCIL MEMBER COMO: Do solemnly

13

swear.

14

MALE VOICE: That I will support

15

the Constitution of the United States of America.

16

COUNCIL MEMBER COMO: That I will

17

support the Constitution of the United States of

18

America.

19

MALE VOICE: And the Constitution

20

of the State of New York.

21

COUNCIL MEMBER COMO: And the

22

Constitution of the State of New York.

23

MALE VOICE: And the Charter of the

24

City of New York.

25

COUNCIL MEMBER COMO: And the

1

2 Charter of the City of New York.

3 MALE VOICE: And that I will
4 faithfully discharge the duties of.

5 COUNCIL MEMBER COMO: And that I
6 will faithfully discharge the duties of.

7 MALE VOICE: Council Member.

8 COUNCIL MEMBER COMO: Council
9 Member.

10 MALE VOICE: 30th District.

11 COUNCIL MEMBER COMO: 30th
12 District.

13 MALE VOICE: In the Borough of
14 Queens.

15 COUNCIL MEMBER COMO: In the great
16 Borough of Queens.

17 MALE VOICE: Of the great City of
18 New York.

19 COUNCIL MEMBER COMO: Of the great
20 City of New York.

21 MALE VOICE: According to the best
22 of my ability.

23 COUNCIL MEMBER COMO: According to
24 the best of my ability.

25 MALE VOICE: So help me God.

1

2

COUNCIL MEMBER COMO: So help me

3

God.

4

MALE VOICE: Congratulations.

5

[Applause]

6

SPEAKER QUINN: And as he moves

7

over to his new seat, if we could call on-- Let's

8

jump ahead and let you use the Minority Leader's

9

podium, Jimmy if that's all right. And if you

10

want to have a few welcoming comments.

11

COUNCIL MEMBER COMO: Thank you

12

Madam Speaker, thank you Jimmy, Minority Leader.

13

I just want to take a brief few moments to say

14

thank you, not only to all the members of the City

15

Council that I am honored to be working with to

16

move this great City into the great step of moving

17

forward. And to continue to make it the best city

18

it is in this country and in this world. But as

19

many of you see here, this ladies and gentleman is

20

the close family in this section over here. But

21

there's a lot of people who I would not be here

22

were it not for them, my beautiful wife, my

23

beautiful parents, my sister, my in-laws and all

24

my family.

25

[Applause]

1
2 Including my grandmother who,
3 together with my parents and my in-laws, came to
4 this country for a better day and a better day.
5 And allowing me and my sisters and my wife and
6 family to be born here and to allow me to be here.
7 I thank them very much and I love them very much.
8 Thank you for allowing me to be part of this
9 special day. Again, we look forward to the future
10 of this great city. Thank you Madam Speaker.

11 [Applause]

12 SPEAKER QUINN: Just before we
13 return to the rest of the agenda, if I could ask
14 my colleagues to stand for a moment for a few
15 moments of silence. First, we have a couple of
16 moments of silence today and then we're going to
17 have some remembrances of our colleague, Council
18 Member James Davis, today. This stated meeting
19 marks the fifth anniversary of the assassination
20 of Council Member James E. Davis. In addition to
21 our moment of silence and some comments from
22 colleagues, we will also adjourn today's stated
23 meeting in the memory of Council Member Davis.

24 But let me first start with a
25 moment of silence for Sergeant First Class Joseph

1
2 McKay. On June 26, 2008, Sergeant First Class
3 Joseph McKay, 51, of Cambria Heights, Queens in
4 Council Member Comrie's district was killed along
5 with two fellow soldiers in Afghanistan of wounds
6 suffered when their convoy encountered an
7 improvised explosive device, small arms fire and
8 rocket propelled grenades.

9 Sergeant McKay was assigned to the
10 Second Squadron 101st Calvary Regiment New York
11 Army National Guard based out of Jamestown, New
12 York. Sergeant McKay was born in Guyana but was
13 also proud to be born on the Fourth of July. He
14 loved his adopted country and served most of the
15 last 31 years in the military, having last
16 rejoined after 9-11. His daughter, Tiffany, is
17 currently in her second tour in Iraq.

18 In a period of ten days in late
19 June, five members of Sergeant McKay's New York
20 unit were killed in action in Afghanistan.

21 Sergeant McKay is survived by his wife, Rose, four
22 children, his parents and 15 brothers and sisters.

23 We also remember today, at the
24 request of our Majority Whip Council Member Inez
25 Dickens, Dr. Barbara Ann Teer. Dr. Teer was the

1

2 founder and visionary leader of the Harlem
3 Landmark Institution of the National Black
4 Theatre. She passed away on Monday, July 21. She
5 was a very special friend to Council Member Inez
6 Dickens, who fondly called her, her Samurai
7 Warrior. Her vision and tireless dedication to
8 the preservation and growth of Black culture,
9 helped make Harlem internationally known as the
10 Black arts capital of the world. She will long be
11 remembered by the Village of Harlem, in the arts
12 community and in the minds of creative spirits
13 around the world.

14 We also pause for a moment in
15 memory of retired police detective, Dave Walker.
16 He was a detective in the 32nd Precinct in Harlem.
17 Dave Walker was a community leader who devoted his
18 time to helping young people. Mr. Walker was the
19 founder of Harlem's Double Dutch Tournament, now
20 an annual citywide event and also a founder of the
21 Father's Day Bicycle Classic. He will be
22 remembered for his selfless dedication to youth.

23 We also want to take a moment today
24 to keep in our thoughts and prayers Reverend
25 Timothy Wright. I think many of us read over the

1

2 July 4th weekend with great sadness about the
3 horrible car accident that he and his family were
4 in. In that car accident, his wife was killed as
5 was his grandson. Reverend Wright is still in the
6 hospital in intensive care, suffering from very,
7 very serious injuries. There are services next
8 week for his family. You can see Carey Mobley if
9 you'd like any of the details. But I think we all
10 need to keep that entire family in our thoughts
11 and prayers.

12

13 As I said a moment ago, today's
14 stated meeting marks the fifth anniversary of the
15 assassination of Council Member James E. Davis.
16 For those of us, many of us on the Council and the
17 staff who were here that day, it's both a day that
18 on some days seems quite just like yesterday. And
19 some days it seems a very long time ago. It's a
20 day I know, for myself and I'm sure for anyone who
21 was here that day, every moment of that day is so
22 clear in our minds. Everything that happened from
23 the moment when we entered the Chambers.
24 Everything that happened in the hours and minutes
25 afterwards up until we found out exactly what had
occurred. And everything that happened in the

1

2 days that followed. I think in some ways it's
3 very fair to say that this Chambers has never been
4 exactly the same since that day five years ago.

5 Having had the opportunity and the
6 honor to serve with Council Member Davis, I know
7 that the thing he would have wanted most over
8 these past five years and in the years ahead, is
9 for all of us to do what we have done: to
10 continue to serve and to try to remember the
11 issues that he cared most about.

12 Sadly, this is a summer that has
13 been marred with gun violence. We've seen many
14 children be victims of that gun violence in our
15 city. There is no issue, which James Davis was
16 more active, more vocal about, more committed to
17 than stopping the violence and protecting children
18 in our city.

19 He was and very much would have
20 loved us honoring the Brooklyn Botanic Gardens
21 today. It's kind of a fitting tribute. He was a
22 vocal and aggressive advocate for the cultural
23 institutions in his district and across the city.
24 He was an active supporter of tenants rights.
25 Just personally, I was very honored to get to

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2 march with him in our LGBT Pride Parade, to stand
3 with him, to fight for the LGBT community. He's a
4 particular inspiration to the African American
5 LGBT community. He was someone who stood with
6 that community long before he had been elected to
7 office.

8 As we recommit ourselves, I hope to
9 all of those and the many, many other issues that
10 James worked for and believed in, we will make
11 sure that his life didn't end that day and that
12 his legacy and his life's works continues.

13 Let me now call on the co-chair of
14 our Black Latino and Asian Caucus, Council Member
15 Robert Jackson, for a few words and then we'll
16 hear from Council Member Tish James.

17 COUNCIL MEMBER JACKSON: Thank you
18 Speaker Quinn. Let me just say that this is the
19 fifth anniversary of his death, his murder here in
20 the Chambers. And as you said, everyone who was
21 here will remember that for the rest of their
22 lives. In fact, immediately thereafter many of us
23 were crying. I remember walking out of 250
24 Broadway and a CBS reporter came right up to me
25 and asked me some thoughts about what occurred and

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2 I started crying right on live TV. I continue to
3 cry and to speak knowing that one of our
4 colleagues has been murdered here. I say to all
5 of you that life is precious. Don't put off what
6 you can do today. Love your family.

7

8 James Davis had a big smile, a big
9 personality and he loved everyone. And as you
10 said Speaker Quinn, he constantly preached about
11 stopping the violence. So if it's anything, what
12 we need to do is continue his legacy of stopping
13 the violence in New York City and around the
14 world. I think that that's what we all should
15 commit ourselves to doing.

16

17 In fact, the James E. Davis
18 Foundation headed up by his brother and his
19 mother, they have a foundation that continuously
20 speaks out against violence in the community. So
21 I ask all of you to recommit yourself to stopping
22 the violence anywhere. Thank you.

23

24 SPEAKER QUINN: Thank you Council
25 Member Jackson. Council Member James.

26

27 COUNCIL MEMBER JAMES: Five years
28 ago on this date, a man of God, a public servant,
29 a prince of peace, was silenced by an assassin's

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2 bullet. But his legacy, his dream, his ministry
3 to stop the violence will never die. It will live
4 on in the hearts and minds of each and every one
5 of us.

6 James E. Davis, let's never forget
7 the E, can never be replaced. I could never fill
8 his shoes. But you and I and we can all work to
9 increase the peace in our respective districts and
10 throughout the City of New York. And on this
11 occasion as we pause in our deliberations and in
12 our busy schedules, each of us must teach one
13 another to respect ourselves and to stop the
14 violence.

15 James E. Davis served in this house
16 and now he serves with our God in the most
17 heavenly house. Let him rest in peace. Thank
18 you.

19 SPEAKER QUINN: Adoption of the
20 minutes to be spread by Council Member Michael
21 Nelson.

22 COUNCIL MEMBER NELSON: I make a
23 motion that the minutes of the stated meeting of
24 May 28, 2008 be adopted as printed.

25 MADAM PUBLIC ADVOCATE: So ordered.

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2 Mrs. Speaker?

3 SPEAKER QUINN: Yes.

4 MADAM PUBLIC ADVOCATE: Before we
5 started, I just wanted to say that we are joined
6 today--7 SPEAKER QUINN: If we could just
8 get a little quiet for the public advocate, thank
9 you.10 MADAM PUBLIC ADVOCATE: We're
11 joined today by seven college interns from all
12 over the country who have come to New York for the
13 summer to work for the Citizens Union. We're also
14 joined by the interns from the Public Advocate's
15 office. They're all up there. Would you all
16 stand up, please? We can see you.

17 [Applause]

18 MADAM PUBLIC ADVOCATE: Thank you.

19 Messages and Papers from the Mayor.

20 MALE VOICE: None.

21 MADAM PUBLIC ADVOCATE:
22 Communication from the city, county and borough
23 offices.

24 MALE VOICE: None.

25 MADAM PUBLIC ADVOCATE: Petitions

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and communications.

MALE VOICE: None.

MADAM PUBLIC ADVOCATE: Land Use
call ups.

MALE VOICE: Ms 1104 and 1105.

SPEAKER QUINN: Please have a vote
on the two coupled Land Use call ups. Please if
we could have a roll call on those.

MALE VOICE: Addabbo.

COUNCIL MEMBER ADDABBO, JR.: Yes.

MALE VOICE: Arroyo.

COUNCIL MEMBER ARROYO: Aye.

MALE VOICE: Avella.

COUNCIL MEMBER TONY AVELLA: Aye.

MALE VOICE: Baez, Barron.

COUNCIL MEMBER BARRON: Aye.

MALE VOICE: Brewer.

COUNCIL MEMBER GALE A. BREWER:
Aye.

MALE VOICE: Como.

COUNCIL MEMBER COMO: Aye.

MALE VOICE: Comrie.

COUNCIL MEMBER LEROY G. COMRIE,
JR.: Permission to vote on all items on today's

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2 Land Use calendar and the General Order calendar.

3 MADAM PUBLIC ADVOCATE: So ordered.

4 COUNCIL MEMBER COMRIE: Aye on all,

5 thank you.

6 SPEAKER QUINN: Quiet please.

7 MALE VOICE: De Blasio, Dickens.

8 COUNCIL MEMBER INEZ E. DICKENS:

9 Present and aye.

10 MALE VOICE: Dilan, Eugene.

11 COUNCIL MEMBER EUGENE: Aye.

12 MALE VOICE: Felder

13 COUNCIL MEMBER FELDER: Yes.

14 MALE VOICE: Fidler.

15 COUNCIL MEMBER FIDLER: Aye.

16 MALE VOICE: Foster.

17 COUNCIL MEMBER FOSTER: Aye.

18 MALE VOICE: Garodnick.

19 COUNCIL MEMBER GARODNICK: Aye.

20 MALE VOICE: Gennaro.

21 COUNCIL MEMBER JAMES F. GENNARO:

22 Yes.

23 MALE VOICE: Gentile.

24 COUNCIL MEMBER VINCENT J. GENTILE:

25 Aye.

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MALE VOICE: Gerson.

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COUNCIL MEMBER GERSON: Aye on all
Land Use Call Ups. And Madam Public Advocate,
with the permission of my colleagues, I vote aye
on all matters before us at today's session.

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MALE VOICE: Gioia, Gonzalez.

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COUNCIL MEMBER GERSON: I guess
that was so ordered.

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MALE VOICE: Ignizio.

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COUNCIL MEMBER IGNIZIO: Yes.

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MALE VOICE: Jackson.

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COUNCIL MEMBER JACKSON: Aye.

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MALE VOICE: James.

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COUNCIL MEMBER JAMES: Aye.

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MALE VOICE: Katz.

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COUNCIL MEMBER KATZ: Aye.

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MALE VOICE: Koppell.

19

COUNCIL MEMBER G. OLIVIER KOPPELL:

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Aye.

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MALE VOICE: Lappin, Liu.

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COUNCIL MEMBER JOHN C. LIU: Yes.

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MALE VOICE: Mark-Viverito.

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COUNCIL MEMBER MARK-VIVERITO: Yes.

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MALE VOICE: Martinez, McMahon.

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2 COUNCIL MEMBER MCMAHON: I vote aye
3 on the land use call ups and request permission of
4 my colleagues with a unanimous consent to vote aye
5 on all coupled orders. Thank you.

6 MALE VOICE: Mealy.

7 COUNCIL MEMBER DARLENE MEALY: Aye.

8 MALE VOICE: Mendez.

9 COUNCIL MEMBER MENDEZ: Aye on all.

10 MALE VOICE: Monserrate.

11 COUNCIL MEMBER HIRAM MONSERRATE:

12 Aye on all.

13 MALE VOICE: Nelson.

14 COUNCIL MEMBER NELSON: Aye on all.

15 MALE VOICE: Palma.

16 COUNCIL MEMBER ANNABEL PALMA: Aye
17 on all Land Use call ups. And Madam Public
18 Advocate, may I be excused to vote on all matters
19 on today's calendar?

20 MADAM PUBLIC ADVOCATE: So ordered.

21 COUNCIL MEMBER PALMA: Aye.

22 MALE VOICE: Recchia.

23 COUNCIL MEMBER RECCHIA: Aye.

24 MALE VOICE: Reyna.

25 COUNCIL MEMBER DIANA REYNA: I vote

1

2 aye.

3 MALE VOICE: Sanders.

4 COUNCIL MEMBER JAMES SANDERS, JR.:

5 Aye.

6 MALE VOICE: Seabrook.

7 COUNCIL MEMBER SEABROOK: Here.

8 MALE VOICE: Sears.

9 COUNCIL MEMBER SEARS: Here.

10 MALE VOICE: Stewart.

11 COUNCIL MEMBER STEWART: Aye.

12 MALE VOICE: Vacca, Vallone.

13 COUNCIL MEMBER PETER F. VALLONE,

14 JR.: Aye.

15 MALE VOICE: Vann, Weprin.

16 COUNCIL MEMBER WEPRIN: Aye.

17 MALE VOICE: White.

18 COUNCIL MEMBER THOMAS WHITE, JR.:

19 Aye. Madam Public Advocate, may I kindly be
20 excused to vote on all Land Use items, all coupled
21 general orders?

22 MADAM PUBLIC ADVOCATE: So ordered.

23 COUNCIL MEMBER WHITE: I vote aye

24 on all.

25 MALE VOICE: Yassky.

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COUNCIL MEMBER DAVID YASSKY: Aye.

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MALE VOICE: Gioia.

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COUNCIL MEMBER ERIC N. GIOIA:

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Thank you. I vote yes.

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MALE VOICE: Oddo.

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COUNCIL MEMBER ODDO: Yes.

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MALE VOICE: Rivera.

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COUNCIL MEMBER RIVERA: Yes.

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MALE VOICE: Speaker Quinn.

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SPEAKER QUINN: Yes.

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MADAM PUBLIC ADVOCATE: Today's

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Land Use call ups were adopted by a vote of 43 in
the affirmative, zero in the negative.

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14

Communication from the Speaker? Excuse me.

15

SPEAKER QUINN: Thank you. First

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before I talk about some of the legislation we're
voting on today, we started off the stated meeting
with a number of obviously sad remembrances. But
we've had a wonderful addition to the City
Council's family since we last met. Council
Member Joel Rivera is a father of Sophia Isabella.
Is that right?

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[Applause]

24

So we want to congratulate him and

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1
2 his wife very much. And we're glad that everybody
3 is doing very well so congratulations.

4 Today we're voting on a number of
5 pieces of legislation related to our ongoing
6 efforts around increasing construction safety in
7 the City of New York. First let me thank Jeff
8 Haberman, Bob Bahaam, Bid Goodman and Rob Newman,
9 all who worked very hard on these pieces of
10 legislation. And have been working tirelessly
11 with Chairperson Dilan on these issues for many,
12 many months. They've, as I said before, not
13 really gotten any summer break and I really want
14 to thank all of them.

15 Today we're voting on three pieces
16 of legislation. The first is a piece of
17 legislation introduced and sponsored by Council
18 Member Annabel Palma. I want to thank her for her
19 leadership on this issue. This is a piece of
20 legislation which increases violations for
21 housekeeping problems on construction sites to the
22 highest level of violation immediately hazardous
23 that they can possible be.

24 Now what does this mean? It's a
25 little bit what it sounds like. You go to job

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2 sites, you often find job sites that are a mess,
3 that materials aren't tied down, things aren't in
4 order. And that's dangerous for a couple of
5 obvious reasons. Most recently heard of a New
6 Yorker passing underneath a work site where bricks
7 fell off the work site, the scaffolding and hit
8 and injured the passer by. That, very likely,
9 could have been a housekeeping violation; bricks
10 that weren't tied down the way they were supposed
11 to be. So we want to increase these violations
12 because when materials, tools, etc. aren't taken
13 care of the way the law requires, there's the very
14 real danger that they can hurt workers and hurt
15 citizens who are passing by.

16 The other reason this piece of
17 legislation is incredibly important is there's a
18 clear correlation between work sites, which have a
19 housekeeping violations. Work sites, which are
20 not well taken care of and work sites where
21 serious life threatening action occurs. So by
22 increasing the fines for housekeeping violations,
23 making them immediately hazardous, we believe will
24 keep people safe and also prevent worse actions in
25 the future by identifying job sites and

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2 construction teams that are going down the wrong
3 path.

4 I, again, want to thank the Chair
5 very much for his work and also Council Member
6 Palma for her work. I'd be remiss if I didn't
7 thank the entire staff in the Mayor's Office of
8 Legislative Affairs for all of this work. This
9 has really been a team effort as it relates to
10 these many, many Department of Buildings bills.

11 We also have a piece of legislation
12 introduced by Council Member Melissa Mark-
13 Viverito. It's a piece of legislation that comes
14 from an accident in her district; a bill that
15 requires immediate inspection of buildings that
16 are declared to be structurally unsound. We will
17 require that those buildings be inspected for a
18 year's period of time. Also requires that the
19 buildings be made sound by the owners. What we
20 want to avoid is buildings that have become
21 structurally unsound, that they languish in that
22 state and eventually collapses, was in the case of
23 Council Member Melissa Mark-Viverito's district.
24 Let me call on the sponsor for a few words.

25 COUNCIL MEMBER MARK-VIVERITO:

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2 Thank Madam Chair. I know that this issue has
3 been spoken of so I will be very brief. I just
4 want to thank you, Chair Dilan, all the Housing
5 and Building staff, Rob Newman and Jeffrey
6 Haberman.

7 As we've been talking about
8 construction safety, when we talk about safety it
9 shouldn't just be viewed as any new construction
10 and concerns about safety with regard to those
11 sites. But we can also be talking about existing
12 buildings that have been in disrepair or neglect
13 by landlords that have left them vacant or have
14 just not really been mindful of their repairs. So
15 we have a lot of those in upper Manhattan. This
16 has resulted out of two building collapses in my
17 district.

18 And I really want to thank the
19 staff for being very diligent in getting this
20 expeditiously to us, here in the Council that will
21 vote on it today. I believe it will provide for
22 ongoing inspections and making sure that the
23 surrounding communities and neighborhoods in which
24 these buildings reside are safe and are protected.
25 And that we ensure that all owners really tend to

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2 their properties and make sure that they do not
3 become a danger to the surrounding areas. So with
4 that, I really want to thank everyone involved and
5 thank you for your support on this legislation.

6

SPEAKER QUINN: Thank you Council
7 Member. We're also voting on a piece of
8 legislation introduced by Council Member Robert
9 Jackson. We only have to think back a couple of
10 years to remember the afternoon when the retaining
11 wall collapsed at Castle Village and literally
12 slid into the West Side Highway.

13

MADAM PUBLIC ADVOCATE: Quiet,
14 please.

15

SPEAKER QUINN: Thankfully there
16 weren't serious injuries that day. But quite
17 frankly, we're just luck that there weren't. This
18 piece of legislation does something we probably
19 should have done a long time ago, treats retaining
20 walls the same way we treat facades of buildings
21 in saying that they have to be regularly
22 inspected, regularly checked, regularly proven to
23 be in the shape they need to be in. It's a smart
24 piece of legislation that will protect New Yorkers
25 from other types of retaining wall collapses like

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2 the one that happened in Council Member Jackson's
3 district.

4 I want to thank him and again,
5 thank the Mayor's Office and call on Council
6 Member Jackson for a few words.

7 COUNCIL MEMBER JACKSON: Thank you
8 Speaker Quinn. This legislation, as I said
9 earlier, is a no-brainer. And in fact, what it
10 does is amends the law to include retaining walls,
11 especially those that are on private property. In
12 this particular case, as you know, the retaining
13 wall at Castle Village collapsed partially and
14 slid into the West Side Highway. Approximately
15 two years later, it is now built back up and the
16 access road to the West Side Highway is there.
17 But it cost the residents, the shareholders of
18 Castle Village, approximately \$28 million to do
19 that.

20 There's litigation with a lot of
21 companies involved but the bottom line is this:
22 where there are retaining walls, and there are
23 hundreds of them throughout New York City, they
24 must be inspected, they must be maintained. And
25 if in fact, the owners fail to inspect or fail to

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2 maintain these walls they can be fined up to
3 \$10,000. So this is a no-brainer and as they say,
4 a stitch in time saves nine. Hopefully by
5 introducing this law and this law being passed
6 today, owners of retaining walls will maintain and
7 inspect on a regular basis. If not, they will be
8 fined accordingly.

9 So I want to thank the Speaker and
10 the Chair of the Housing and Buildings Committee,
11 Eric Martin Dilan, and all of the staff of the
12 City Council and the Mayor's Office that have been
13 involved in introducing this piece of legislation
14 today. Thank you.

15 SPEAKER QUINN: Thank you. Again,
16 I want to thank Chairperson Dilan so much for all
17 of the work that he and his staff have put into
18 these ongoing pieces of legislation.

19 We're also voting today on Intro
20 777, an important piece of legislation that's
21 going to reform the Environmental Control Board.
22 I want to thank Rob Newman and Chris Suttori and
23 Laura Popa for their work on this legislation. I
24 want to thank, and we'll hear from him in a
25 minute, the sponsor of the bill Council Member

1
2 Gennaro. I also want to thank Chairperson Felder,
3 whose committee this piece of legislation moved
4 through.

5 This is a piece of legislation
6 that's designed to try to deal with a problem we
7 have all heard over and over about from small
8 businesses. I want to thank the Mayor's Office of
9 Operations, particularly Deputy Mayor Carol
10 Robles-Roman, who really worked hand in hand with
11 us on this piece of legislation.

12 We've heard over and over from
13 small businesses, ECB doesn't work. They've told
14 us they have to take days off of work, sometimes
15 going from Staten Island or the Bronx down to the
16 ECB to have their case heard. They waste time;
17 they lose money having to bring people in to cover
18 their small businesses. They go, sometimes, and
19 things are just referred to another day. Appeals
20 go on and on and on.

21 If a small business person has been
22 ticketed, gotten a violation, owes money, they
23 should pay that. But they should be able to do
24 that from their small business. They should be
25 able to do it electronically; this bill will

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2 require that. They should have language
3 assistance if English isn't their first language;
4 this bill will require that. They should have a
5 clear timeframe for how long appeals will take;
6 this will require that. The Environmental Control
7 Board should be an independent entity, it should
8 be housed in a place where their specialty is
9 trials and hearing; that's why we're moving ECB to
10 be part of the Office of Administrative Tribunals
11 and Hearings Oath.

12 We really believe this piece of
13 legislation will finally move the way we deal with
14 tickets at small businesses into the 21st century.
15 It will honor the work of small business people in
16 our city who are really the backbone of our city
17 and, I think, make a big difference in making
18 their lives easier.

19 So I want to thank everyone who
20 worked on it. In particular, the sponsor of the
21 legislation, Jim Gennaro, and call on him for some
22 comments.

23 COUNCIL MEMBER GENNARO: Thank you
24 Madam Speaker. I think you pretty much said it
25 all about small business being the backbone of our

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2 city. We should give them fairness, we should
3 give them justice when they go to ECB. They
4 should not walk into a kangaroo court; that's what
5 they've been walking in to for far too long. This
6 brings them the kind of process that they've long
7 needed and frankly, have long deserved.

8 So I thank you in a special way,
9 Madam Speaker, Chairman Felder, all the members of
10 the Council who supported this, all the Council
11 staff that worked so long and hard on this, the
12 folks from the Bloomberg administration who also
13 had a commitment to this. This is a very good day
14 for small business. I dedicate my efforts on this
15 bill to the memory of my father, who ran a small
16 business for 37 years. It's just a good day for
17 small business. Thank you Madam Speaker.

18 SPEAKER QUINN: Thank you very
19 much. Let me call on the Chair of the Housing and
20 Buildings Committee. He was probably not here
21 because he was downstairs starting to negotiate
22 the next piece of legislation we're going to pass.
23 So let me call on Chairperson Dilan.

24 CHAIRPERSON ERIK MARTIN DILAN:
25 Thank you Madam Speaker. Again, I just want to

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2 thank you for your support in allowing me to kind
3 of coordinate the work we're doing here on
4 construction safety. The bills that are on
5 today's agenda are not directly crane related, as
6 most people know. But we did have two incidents
7 in Member's districts and they're the bill
8 sponsors. I want to congratulate them both for
9 bringing the legislation to my Committee and then
10 to the floor.

11 One, is the retaining walls that
12 collapsed in Council Member Jackson's district,
13 that front public space. As we know, we had a
14 retaining wall collapse some years ago and it shut
15 down service on the West Side Highway. The bill
16 that he's brought to us today would make it
17 prohibitively expensive for any private owner to
18 allow their property to fall in disrepair and
19 affect the workings of public infrastructure going
20 forward.

21 It also would require them to get
22 more regularly certified inspections by architects
23 and engineers and submit them to the Buildings
24 Department so that we can make sure that incidents
25 like this and the building collapse that happened

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2 in Council Member Viverito's district to not
3 happen again and then to also not happen at the
4 disruption of the public good.

5 Madam Speaker, at this time I'd
6 also like to take the privilege - and I'm not sure
7 if he is in the room. But I do want to
8 acknowledge that my Chief of Staff, Woody Pascal
9 who has been with me for the past two and a half
10 years, will be leaving my office. I want to thank
11 him for his service. But Woody is going on to be
12 the Deputy Director at the State Liquor Authority
13 beginning in August. So I wanted to thank you.

14 [Applause]

15 I wanted to thank you for your
16 service on behalf of the constituents of the 37th
17 Council District, but also the work and the
18 coordination that you've helped me do with the
19 Brooklyn delegation and the Housing and Buildings
20 Committee. It will be a personal loss to my staff
21 but I think it will be a personal gain for the
22 people of this great state, who need the services
23 of the State Liquor Department. So I'm happy to
24 lose you but I think it'd be good for the State to
25 have you there. So we wish you well in your

1

2 future endeavors. Thank you, Woody.

3 [Applause]

4 With that, Madam Speaker I'd like
5 to thank you for your time.

6 SPEAKER QUINN: No problem. Erik
7 just told me that you were moving on so I just
8 want to take a second to thank you. Barbara,
9 we're speaking to the man. Please, Barbara. I
10 just wanted to take a second; I didn't know you
11 were leaving, to personally thank you. There is a
12 long list of things, all of the Department of
13 Building and construction safety stuff but you
14 were particularly and significantly helpful during
15 421-A. A lot of other issues in the Speaker's
16 office, Housing and otherwise, you've been a great
17 friend to all of us in the Speaker's office. I
18 really wish you the best. You're going to the
19 State Liquor Authority so my district office will
20 be calling. But you've been really such a huge
21 help to us over the past two and a half years so I
22 wish you all the best. And thank you very much
23 for all of your dedicated service.

24 [Applause]

25 I just want to thank the Land Use

1
2 Committee for all of their work for this Council
3 meeting, the Chairperson Reyna and the Rules,
4 Privileges and Elections Committee, who keep those
5 appointments rolling. And also our Economic
6 Development Committee, for dealing with a couple
7 of regionally specific projects and Empire Zones
8 today. And Madam Public Advocate, that concludes
9 communications from the Speaker. Thank you.

10 MADAM PUBLIC ADVOCATE: A
11 discussion of general orders. Council Member
12 Oddo.

13 COUNCIL MEMBER ODDO: I'd like to
14 defer my two minutes to Barbara because apparently
15 she has something to say. I asked the Speaker if
16 I could take two minutes to kind of reflect back
17 on the anniversary of James Davis' tragic passing.
18 Christine Quinn, Mike Nelson and I, I guess, are
19 the senior members now. We were elected to a
20 special election in '99. I've been coming in this
21 building and working here now since 1992.
22 Although I've had many trying moments in this
23 building, I never had a bad day in this building
24 with the exception of the day James was killed.
25 As the Speaker said, the images of that day stay

1
2 with you very vividly. The sound will stay with
3 me the rest of my life. Coming up those stairs,
4 seeing the expression on the face of my colleague
5 from Staten Island, Council Member McMahon through
6 the glass will stay with me.

7 What I try to do is push those
8 memories out and focus on two other memories of
9 that day. One was right at that door with
10 Margarita Lopez, with whom I differed on political
11 issues that run the gamut. How courageous she was
12 and how she didn't care if the people inside were
13 Black, white or in between or Democrats or
14 Republicans. The second image that stays with me
15 is the conversation I had with Charles Barron in
16 the parking lot at the end of that day. How
17 Charles said to me, we both want the same thing;
18 we just disagree upon how we should get there.

19 And on the first anniversary of
20 James' death, I took to the floor and said that
21 the best legacy we could have is when we have
22 those moments when we disagree, if we could it
23 without any antipathy. I think Charles and I
24 certainly have done that. I think for the most
25 part, with the exception of one or two occasions

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2 in this body, since James' passing we haven't had
3 that personal animosity and antipathy.

4

I think that's the best living
5 legacy that we can give our fallen colleague. I
6 think he'd be proud of the fact that we've had
7 some very tough times these five years and we
8 haven't made it personal. So we miss you James,
9 we love you. This place has not been the same
10 without you. We need your humor and your spirit
11 but we're carrying on in your tradition.

12

[Applause]

13

MADAM PUBLIC ADVOCATE: Council

14

Member Brewer.

15

COUNCIL MEMBER BREWER: I just want
16 to speak about L.U. 835 Reso. 1559. It is a
17 former misalamer [phonetic] called Leader House on
18 93rd and Columbus. We're certainly passing it
19 today thanks to the Land Use Committee and the
20 support. I just want to mention that this is a
21 building that was a misalamer; it was then
22 stabilized when it went private. And certainly
23 has become now, in some cases, a condo so it's a
24 challenge for affordable housing. From that
25 perspective, it's a mixed blessing. The owner and

1
2 the developer have now taken upon themselves as a
3 result of the West Side urban renewal area, being
4 no longer an urban renewal area. Now there is a
5 proposal for large scale residential development,
6 which is what we're voting on today. It includes
7 residential second floor and a garden for the
8 residents.

9 The issue is, of course, as we
10 convert these buildings it's nice to "improve the
11 neighborhood". But we certainly lose affordable
12 housing. The one aspect that I am pleased about
13 is that we have an opportunity to mandate that the
14 stores that are created must be small stores; no
15 banks, no drug stores, no Verizon or any other
16 cell phone store, it has to be a certain kind. We
17 hope that the community space will not be doctors'
18 offices, but really will be for the non-profit
19 community. This is all a challenge. It's all a
20 challenge on every front.

21 So it's with mixed blessing, with
22 much thanks to City Planning Commission, Community
23 Board 7 and people from the neighborhood. As we
24 move forward, sometimes progress is good,
25 sometimes it's mixed. In this case, it's mixed

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2 but I thank everyone for their contribution, many
3 hundreds of meetings, to make this amendment
4 reality. Thank you very much.

5

MADAM PUBLIC ADVOCATE: Council

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Member Foster.

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COUNCIL MEMBER FOSTER: Thank you

8

Madam Public Advocate. I'd like to just talk

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about James Davis and not so much his death. But

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when I first met him, Peter Vallone who was then

11

Speaker, had something for the new Council

12

Members. He walked up to me and I didn't know who

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he was and he said, you beat County, I beat

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County, Hiram beat County. The three of us can

15

take over the city, how about us getting together?

16

And me, always being up for a fight against

17

county, I was like sure.

18

He always reminded me that there

19

was an E in his name. The third thing is anybody

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who sat on Public Safety knows that he started

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every conversation with anyone, starting off as a

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former police officer who when elected was an

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active member of the force. We could actually

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recite it when he started the speaking at Public

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Safety. I'm thankful that I knew him. I was in

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his district one time on a Saturday and he was kind of like, there goes that new van, because where ever you looked up, James Davis was there and he was in a suit. You never caught him at the pool; you never caught him not prepared. He was always ready for the media; he was always in a suit. He always told you that his name was James E. Davis. He always told you that he was a former police officer. And he always made mention about how they didn't bet on him in County and he won.

So I just really want to celebrate his life and the fact that we got to know him as opposed to his death. Thank you.

MADAM PUBLIC ADVOCATE: Council Member Katz, please do you want to...?

COUNCIL MEMBER KATZ: I would just like to ask unanimous consent to vote on all general order calendars and resolutions.

MADAM PUBLIC ADVOCATE: So ordered.

COUNCIL MEMBER KATZ: I vote aye.
Thank you.

MADAM PUBLIC ADVOCATE: Council Member Monserrate.

COUNCIL MEMBER MONSERRATE: I'll be

1
2 very brief. I just want to say James I miss you
3 very much. I'd like unanimous consent also to
4 vote in the affirmative on today's agenda. Thank
5 you.

6 MADAM PUBLIC ADVOCATE: Council
7 Member Seabrook.

8 COUNCIL MEMBER SEABROOK: Thank you
9 very much Madam Public Advocate. James E. Davis
10 was one of a kind. He was a unique individual and
11 he, gracing this chamber; there could be only one
12 James E. Davis. He sat right here, right in front
13 of me. He would always say, and Helen would
14 always look to the left when he would say. When
15 he got up Helen would look at me and say, you know
16 he's going to say, I'm a former police officer and
17 he would let everybody know it.

18 One of the things that James would
19 always be dressed no matter where he was. He said
20 when he went to Africa with Charles; he kept on a
21 suit as well because James said every trip was an
22 official trip because James' goal in life was to
23 be the Mayor of the City of New York. He said
24 that there will never be a picture taken that he
25 will not be in a suit. So if anyone would ever

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portray that he was not a serious guy.

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James, there was a lot of uniqueness in James. He was a very religious guy, a preacher. Also, James was a former boxer as well. He could put up his smitties and do what he had to do. He was a former boxer. James' mother and my aunt worked together for many years in Harlem Hospital as nurses, that they were there. We had the opportunity to travel to go see fights that Don King would put on. James Davis and I would be at those fights. We even traveled a lot; we went to Florida and saw fights ringside and a number of other things.

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But he was just a unique character. Now you find people imitating him about stop the violence, but never duplicating because there was only one James E. Davis and what he meant to all of us. He was dedicated. The Speaker raised the issue about his commitment to lesbian and gay advocacy, rights and pride. I would say James, how far are you going to the march? And he says, I'm going all the way. And he would always tell me I'm going all the way. He was such a character and a pleasure to be with, just the excitement of

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2 having the opportunity to travel with him.

3

4 We had the chance, just one last
5 story. We were at Don King's mansion and James
6 says Larry, I'm going to spend the night here. I
7 said James I can't make that decision. So he
8 decided and they said James, we gave you an
9 airline ticket to come here and we're giving you
10 an airline ticket to go back. So you can not stay
11 here but you have to leave here. That night James
12 was dilly dallying around.

12

13 I want you to know that him and
14 Sylvester Leeks were arguing about who should get
15 on the plane first. I said to the flight agent, I
16 don't know these two guys but I got to get on this
17 plane. James and Sylvester did not make the plane
18 leaving from Florida that night. He was such a
19 character and he loved this work, he loved this
20 institution and he was always such a prideful guy.
21 He would always turn around; he would never read
22 any of the things. He would snatch it off my
23 desk, copy what I would copy.

23

24 He says, you know Larry I'm going
25 to give you a name. I'm going to call you a
legend because that's what he was. Because he

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2 says man, you beat some awful tough people. James
3 Davis was a hell of a guy and we're going to miss
4 him here. Thank you very much.

5 MADAM PUBLIC ADVOCATE: Council
6 Member Barron.

7 COUNCIL MEMBER BARRON: Thank you
8 very much Madam Chair. I just wanted to say that
9 James was a very bold, audacious spirit. When we
10 went to Africa many people have bailed out on the
11 Africa trip because Zimbabwe was very
12 controversial. Because Robert Mugabe was a
13 controversial figure, a lot of my other colleagues
14 that will remain nameless at this point, bailed
15 out on the trip. But James Davis came with me.

16 When he met with President Mugabe,
17 he told President Mugabe he said listen, Charles
18 and I could go to England since they're not giving
19 the land back to the Africans fast enough for you.
20 And you should join Charles and I and we can
21 demonstrate against the Prime Minister in England.
22 I said James, you don't ask the President to come
23 and demonstrate in England. They do it a
24 different way.

25 Then he met with the white farmers,

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2 who Robert Mugabe was taking the land back from.
3 And he literally told them, he said listen you're
4 not Africans and you stole this land and you
5 should give it back and you shouldn't be upset
6 with the President for taking the land back. That
7 was James Davis; bold, not afraid to speak his
8 mind. Even on this side, he was always out there
9 consistently for us.

10

In his last moments, the very
11 person who took his life, he said to me when I was
12 feeling funny about the guy. He said no, no, no,
13 don't worry Charles. He's on my side now because
14 he was always trying to mend fences and always
15 trying to make things work. He'll be sorely
16 missed. His mother and his brother, Jeffrey, have
17 my continued support. We're going to continue to
18 stop the violence and increase the peace in the
19 name of James E. Davis.

20

MADAM PUBLIC ADVOCATE: Council

21

Member Fidler.

22

COUNCIL MEMBER FIDLER: I think I

23

may have known James longer than anyone in this

24

chamber. Before he beat County for the Council,

25

with my help, for district leader spot. James was

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2 the youth officer in the 69th Police Precinct,
3 which is part of my council district. I remember
4 James doing an anti-gang rap.

5

6 I guess the two things that you'd
7 say about James other than the fact that as Larry
8 said he was a unique character, is that he could
9 talk a hungry dog off the back of a meat wagon.
10 He always did it with a smile on his face that was
11 as big as he was. The only thing I really want to
12 add is that he was my friend and I miss him very
13 much.

14

MADAM PUBLIC ADVOCATE: Council
15 Member Stewart.

16

COUNCIL MEMBER STEWART: I just
17 want to say that of all the people that I have met
18 since I become a council member, James E. Davis is
19 much more of a unique person in the sense that we
20 went to Trinidad for Carnival. Carnival is
21 something that you parade in costumes and all of
22 that. But James E. Davis was one who dressed in a
23 suit even in that hot sun. He also went to the
24 beach with us in a suit.

25

I always remember of all the
26 articles that were written after we came back

1
2 about us, how we dressed in Trinidad. But James
3 E. Davis was one they couldn't touch because he
4 was always dressed in that suit. I just want to
5 keep that in my mind, that James E. Davis was
6 someone who was conservative and was a good
7 friend. Thank you.

8 MADAM PUBLIC ADVOCATE: Council
9 Member Weprin.

10 COUNCIL MEMBER WEPRIN: I, too,
11 want to reminisce about my friend James E. Davis.
12 I, too, recall very vividly a trip to Israel, a
13 City Council trip led by Speaker Gifford Miller in
14 the summer of '02. Of course, I'll affirm the
15 same thing about always wearing a suit. I'll
16 amend that. It was always a very dark suit that
17 he'd wear even on the beach.

18 But I also remember a night in
19 particular. After a stated City Council meeting,
20 I was about to leave for a number of evening
21 activities with my then Chief of Staff, Arthur
22 Fluegg [phonetic]. James said, where are you guys
23 going? I said we got a few stops, we're going to
24 go here, and we're going to go there. Oh, can I
25 join you? I said sure, no problem. Arthur was

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2 driving and he was going a little slow and there
3 was a little traffic. He said do you mind if I
4 take over? I said sure, no problem. Arthur said
5 no problem.

6

7 He took over and sure enough, I
8 don't know how it happened but somehow we ended up
9 going the wrong way on a one way street. The
10 police officer stopped us and James comes over and
11 says, I think I taught you at the academy, didn't
12 I? Remember I used to teach at the academy? And
13 sure enough, the police officer smiled, laughed,
14 we had a good time and we went on our way. But
15 that was a recollection I just had of my good
16 friend James E. Davis.

16

MADAM PUBLIC ADVOCATE: Anybody
17 else? Speaker Quinn.

18

SPEAKER QUINN: Thank you. I want
19 to thank everyone for their remembrances of
20 Council Member Davis. I just want to note another
21 point for the moment, which is that we were
22 saluting staff before. Today is the last day of
23 another member of our staff, Liz Duban. Is Liz
24 here? Stand up, Liz. I think as most folks know,
25 Liz is a new mom.

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[Applause]

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[Applause]

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She and her husband are heading back home to Massachusetts to be close to their family. She is going to continue her life of public service working for the great Governor of the State of Massachusetts. I'm going to call on Chairperson Vallone to end the comments in a moment. But I just want to thank Liz and wish her the best. She's been a terrific counsel to the Public Safety Committee. She was particularly helpful to me and my district on issues of nightclub safety. She is incredibly thorough, very, very thoughtful, very, very creative in using the law to problem solve. Really, we've just been very, very lucky to have her. I'm very angry she's going back to Massachusetts. No. Well, I am but I wish her the best nonetheless. She's really been terrific and I just want to thank you for all of your service to the City Council and to the City of New York. Let me call on Chairperson Vallone.

COUNCIL MEMBER PETER F. VALLONE,
JR.: Liz begged me not to say anything. As her

1
2 last wish here, I will be very brief because I
3 never actually listened to everything Liz told me
4 anyway, much to her dismay. As Public Safety
5 Chair--

6 SPEAKER QUINN: [interposing] That
7 is true, much to her dismay.

8 COUNCIL MEMBER VALLONE: Why should
9 today be any different? Liz I just want to say
10 how much we're going to miss you here. You were a
11 huge asset to us here in the Public Safety
12 Committee. I think we passed more bills out of
13 that Committee than just about anywhere and that's
14 largely due to you. Continue to be the bane of
15 graffiti vandals anywhere you go. We will try to
16 get by without you but it will be much tougher
17 than it has been. Good luck where ever you go.
18 You will be sorely missed. Thank you for
19 everything you've done.

20 [Applause]

21 SPEAKER QUINN: Thank you. Madam
22 Public Advocate.

23 MADAM PUBLIC ADVOCATE: Report of
24 Special Committees.

25 MALE VOICE: None.

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2 MADAM PUBLIC ADVOCATE: Report of
3 Sub-standing Committee.

4 MALE VOICE: Report of the
5 Committee on Economic Development, Intro 779,
6 regionally significant projects in Empire Zones.

7 MADAM PUBLIC ADVOCATE: Coupled on
8 general orders.

9 MALE VOICE: Pre-considered Reso.
10 1545.

11 MADAM PUBLIC ADVOCATE: Coupled on
12 general orders.

13 MALE VOICE: Report of the
14 Committee on Finance, pre-considered L.U.s 844 and
15 Reso. 1551 and 845 and Reso. 1552.

16 MADAM PUBLIC ADVOCATE: Coupled on
17 general orders.

18 MALE VOICE: Report of the
19 Committee on Housing and Buildings, Intro 687-A,
20 building inspections.

21 MADAM PUBLIC ADVOCATE: Amended and
22 coupled on general orders.

23 MALE VOICE: Intro 793-A in
24 relation to retaining walls.

25 MADAM PUBLIC ADVOCATE: Amended and

1
2 coupled on general orders with a message of
3 necessity.

4 MALE VOICE: Report of the
5 Committee on Land Use, L.U. 773 and Reso. 1553
6 through pre-considered L.U. 850 and Reso. 1564,
7 various UDAPs and ULURPs.

8 MADAM PUBLIC ADVOCATE: Coupled on
9 general orders.

10 MALE VOICE: Report on the
11 Committee on Rules, Privileges and Elections,
12 M1079 and Reso. 1565, approving the reappointment
13 of Irwin Cantor, City Planning Commissioner.

14 MADAM PUBLIC ADVOCATE: Coupled on
15 general orders. General order calendar.

16 MALE VOICE: Intro 763-A,
17 Housekeeping Violations.

18 MADAM PUBLIC ADVOCATE: Coupled on
19 general orders.

20 MALE VOICE: Intro 777,
21 Environmental Control Board.

22 MADAM PUBLIC ADVOCATE: Coupled on
23 general orders.

24 MALE VOICE: L.U. 786 and Reso.
25 1566 and L.U. 787 and Reso. 1567.

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2 MADAM PUBLIC ADVOCATE: Coupled on
3 general orders.

4 MALE VOICE: Resolution appointing
5 various persons Commissioner of Deeds.

6 MADAM PUBLIC ADVOCATE: Coupled on
7 general orders and at this point I ask for a roll
8 call on all items that have been coupled on the
9 general order calendar please.

10 MALE VOICE: Addabbo.

11 COUNCIL MEMBER ADDABBO, JR.: Aye.

12 MALE VOICE: Arroyo.

13 COUNCIL MEMBER ARROYO: Aye.

14 MALE VOICE: Avella.

15 COUNCIL MEMBER AVELLA: Yes on all
16 item except I vote no on Land Use 818 and Reso.
17 1555.

18 MALE VOICE: Barron.

19 COUNCIL MEMBER BARRON: I vote aye
20 on all and on L.U. 818 and accompanying Reso.
21 1555, I vote no.

22 MALE VOICE: Brewer.

23 COUNCIL MEMBER BREWER: I vote aye.
24 And what I remember about Mr. Davis is he came to
25 my neighborhood he said, nice neighborhood Gale.

1

2 Thank you very much.

3 MALE VOICE: Como.

4 COUNCIL MEMBER COMO: Aye on all.

5 MALE VOICE: De Blasio.

6 COUNCIL MEMBER BILL DE BLASIO: Aye
7 on all. I'd also like to vote aye on all Land Use
8 call ups from earlier in the meeting.

9 MALE VOICE: Dickens.

10 COUNCIL MEMBER DICKENS: Aye on
11 all.

12 MALE VOICE: Dilan.

13 COUNCIL MEMBER DILAN: I also would
14 like to request unanimous consent to vote on all
15 items on the Land Use calendar.

16 MADAM PUBLIC ADVOCATE: So ordered.

17 COUNCIL MEMBER DILAN: I vote aye
18 on all and I vote aye on all items on today's
19 general order calendar. I, too, want to say James
20 was a pleasure serving with you. We all loved you
21 and miss you. We remember how you were with all
22 the culturals in Brooklyn and I could just imagine
23 if you were here how close you would be to Domenic
24 Recchia the past couple of years. We wish you
25 were here for all the fun. Thank you.

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MALE VOICE: Eugene.

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COUNCIL MEMBER EUGENE: Aye.

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MALE VOICE: Felder

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COUNCIL MEMBER FELDER: Yes.

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MALE VOICE: Fidler.

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COUNCIL MEMBER FIDLER: Aye.

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MALE VOICE: Foster.

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COUNCIL MEMBER FOSTER: Aye.

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MALE VOICE: Garodnick.

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COUNCIL MEMBER GARODNICK: Aye.

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MALE VOICE: Gennaro.

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COUNCIL MEMBER GENNARO: Yes.

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MALE VOICE: Gentile.

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COUNCIL MEMBER GENTILE: I vote

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yes.

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MALE VOICE: Gioia.

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COUNCIL MEMBER GIOIA: Yes.

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MALE VOICE: Ignizio.

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COUNCIL MEMBER IGNIZIO: Yes.

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MALE VOICE: Jackson.

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COUNCIL MEMBER JACKSON: Aye on

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all.

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MALE VOICE: James.

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COUNCIL MEMBER JAMES: Yes.

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2 MALE VOICE: Koppell.

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COUNCIL MEMBER KOPPELL: May I be
4 excused from voting Madam Public Advocate and
5 explain my reason?

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MADAM PUBLIC ADVOCATE: So ordered.

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COUNCIL MEMBER KOPPELL: Thank you.

8

We have on the agenda today a bill, which would
9 permit something relatively unique, and that is
10 the extension of Empire zone benefits to a factory
11 to be located in my district that's not directly
12 in the Empire Zone. There's a mechanism for this,
13 which requires City Council approval. This
14 factory, which is a factory of a firm called Bronx
15 Westchester Tempering Center, will manufacture
16 tempered glass and provide jobs in the Bronx for
17 at least 60 people. The promise from the owner is
18 that most of those, if not all of those people,
19 will come from the Bronx. I want to thank the
20 owner for locating in the Bronx. He could have
21 located in Westchester but he's coming to our city
22 and to my borough, to my district.

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I also want to thank especially

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Maria del Carmen Arroyo, Annabel Palma and Jimmy

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Vacca because they represent the Empire Zone and

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they've been generous enough to say that they will support a project that gets Empire Zone benefits but is not in the Empire Zone. So they deserve thanks. I want to thank Chair White, I want to thank the Speaker's office for working on this with us and I want to thank the owner of the business, Tim Dunlay for what he's doing. I look forward to those jobs coming to our city. Thank you Madam Public Advocate.

I withdraw my request, I vote aye on all.

MALE VOICE: Liu.

COUNCIL MEMBER LIU: Yes.

MALE VOICE: Mark-Viverito.

COUNCIL MEMBER MARK-VIVERITO: Aye on all.

MALE VOICE: Mealy.

COUNCIL MEMBER MEALY: Aye on all.

MALE VOICE: Mendez.

COUNCIL MEMBER MENDEZ: Aye on all.

MALE VOICE: Nelson.

COUNCIL MEMBER NELSON: Aye.

MALE VOICE: Recchia.

COUNCIL MEMBER RECCHIA: Aye.

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MALE VOICE: Reyna.

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COUNCIL MEMBER REYNA: Aye on all.

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MALE VOICE: Sanders.

4

COUNCIL MEMBER SANDERS: Aye on

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all.

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MALE VOICE: Seabrook.

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COUNCIL MEMBER SEABROOK: Aye on

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all.

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MALE VOICE: Sears.

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COUNCIL MEMBER SEARS: Aye on all.

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MALE VOICE: Stewart.

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COUNCIL MEMBER STEWART: Yes on

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all.

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MALE VOICE: Vallone.

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COUNCIL MEMBER VALLONE: Aye on

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all.

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MALE VOICE: Weprin.

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COUNCIL MEMBER WEPRIN: Aye on all.

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MALE VOICE: Yassky.

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COUNCIL MEMBER YASSKY: Aye.

21

MALE VOICE: Oddo.

22

COUNCIL MEMBER ODDO: Yes.

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MALE VOICE: Rivera.

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COUNCIL MEMBER RIVERA: Yes.

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MALE VOICE: Speaker Quinn.

SPEAKER QUINN: Yes.

MADAM PUBLIC ADVOCATE: Thank you.

All items on today's general order calendar were adopted by a vote of 45 in the affirmative, 0 negative and 0 abstentions, with the exception of L.U. 818 and Resolution 1555, which was adopted by a vote of 43 in the affirmative, 2 negative and 0 abstentions.

Revised Land Use call ups were adopted by a vote of 45 in the affirmative, 0 negative.

Introduction of reading of bills.

FEMALE VOICE: All bills are referred to Committees as indicated on the agenda.

MADAM PUBLIC ADVOCATE: There's no discussion of resolutions because there aren't any resolutions. General discussion, Council Member Jackson.

COUNCIL MEMBER JACKSON: Thank you Madam Public Advocate. I wanted to recognize approximately a dozen interns that I have. We have four from Prep for Prep, Akila Frein [phonetic], Angela De Leon, Bombalay Kohen

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2 [phonetic] and John Asubuke [phonetic].

3 MADAM PUBLIC ADVOCATE: Quiet
4 please.

5 COUNCIL MEMBER JACKSON: And we
6 have two Coral Foundation interns, Maxine Henry
7 and Shelby Benjamin. Along with three Summer
8 Youth employment, Lou Fidler, are you here?

9 MADAM PUBLIC ADVOCATE: Quiet
10 please.

11 COUNCIL MEMBER JACKSON: Youth
12 summer employment, we have Giselle Abrieu
13 [phonetic], Gismary Ramirez [phonetic] and
14 Katherine de la Hoaz [phonetic]. But also we have
15 two constituent volunteers, they're seniors in
16 high school, Andre Alaverri [phonetic] and Dennis
17 Golan. And we have one intern by the name of
18 Cecile Bernstein. All these individuals are
19 working on projects in our Community Office with
20 the Education Committee and down here at City
21 Hall. I thank them for their service.

22 But also, Speaker Quinn you
23 mentioned that staff are leaving. As you know,
24 Jennifer Cult, who was an education policy
25 analyst. Her last day was Friday. She is

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2 relocating out to Long Island. She will be sorely
3 missed. We're looking to replace her with someone
4 to fill her big shoes.

5 As you know, Joe McNerny, my
6 Legislative and Budget Director has taken a leave
7 of absence from his position to go work on the
8 Obama campaign in Minnesota and we wish him well.
9 Thank you.

10 [Applause]

11 MADAM PUBLIC ADVOCATE: Council
12 Member Seabrook.

13 COUNCIL MEMBER SEABROOK: Thank you
14 very much Madam Public Advocate. Just a few words
15 about a good friend who the Speaker had
16 acknowledged that had passed away, Detective David
17 Walker. David Walker and I were classmates.
18 David was a fine and outstanding human being. But
19 he was a hell of a detective and a policy officer
20 who was committed and cared about people. David
21 did things, he loved the community, he loved
22 Harlem. He said what he was going to do with
23 double dutch and all of the things.

24 I just want the world to know that
25 David gave his all and a lot of it was David's own

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2 financing to make this happen. He gave a lot to
3 the Police Department and he gave a lot to the
4 community. I know there's a place in heaven for
5 David Walker. And so it'd be as well for Barbara
6 Ann Teer who I knew for many years as well.

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8 What she was able to accomplish to
9 give a sense of history and culture. And she
10 wanted it on Fifth Avenue and she wanted it on
11 125th Street. She went to the Governor, she went
12 to the legislature, she came to all of us stating
13 the importance of it. A dear friend of mine made
14 sure that he sold her the property, almost giving
15 her the property to make that happen because he
16 was a man of culture and he wanted something in
17 dear Harlem. So she will sorely be missed, not
18 only in Harlem but the world. Thank you very
19 much.

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20 MADAM PUBLIC ADVOCATE: Council
21 Member Jackson just wants to add something he
22 forgot.

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23 COUNCIL MEMBER JACKSON: I'm sorry.
24 My colleagues I wanted to mention to you that
25 Stanley Michaels, the City Council Member that I
replaced he served 24 years in his chambers.

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2 Tomorrow at 3:30 they are naming the promenade
3 that leads to Heather Gardens in Fort Tryon Park
4 in honor of Stanley Michaels. As you know, he's
5 not doing very well; he's pretty ill. We hope
6 that we will be there when we name the promenade
7 after him in Heather Gardens up in Fort Tryon
8 Park. So if you can, please join us at Fort Tryon
9 Park at 3:30 tomorrow in my district. Thank you.

10 MADAM PUBLIC ADVOCATE: Council
11 Member Weprin.

12 COUNCIL MEMBER WEPRIN: Thank you
13 Madam Public Advocate. I, along with Council
14 Member Joe Addabbo, today are introducing
15 Resolution 1550, which will call upon the state
16 legislature to pass legislation amending the state
17 public health law by requiring coroners and
18 medical examiners to identify each individual who
19 dies of injuries related to exposure to the World
20 Trade Center during or after the attack of
21 September 11, 2001, as a victim of the September
22 11th Terror Attacks, and to note such information
23 in the victim's death certificates.

24 Senator Eric Adams of Brooklyn and
25 I stood several months ago to bring this important

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2 issue to the forefront. As a result of the
3 horrendous health conditions at Ground Zero after
4 the attack, several first responders developed
5 complications due to exposure to these conditions.
6 And unfortunately a few of them were fatal. Under
7 official death certificate, however, the cause of
8 death was listed as natural causes. Any
9 government benefits that may have been accorded to
10 the victims of the Terrorist Attacks of 9-11 were
11 not afforded to these brave individuals who risked
12 their lives to save others on that day.

13 This is an issue that needs to be
14 rectified immediately so that the families of
15 these courageous individuals can finally move
16 forward with their lives. With that said, I urge
17 my colleagues to sign on to Resolution 1550.

18 MADAM PUBLIC ADVOCATE: Council
19 Member Brewer.

20 COUNCIL MEMBER BREWER: Thank you.
21 Two things. On July 30 at 11:00 am in the
22 Committee Rule of Whole is a meeting of the
23 Broadband Task Force, that's the group appointed
24 by the City Council and by the Mayor to look at
25 broadband. We are bringing in consultants who

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2 have been hired by Economic Development
3 Corporation to look at broadband citywide. This
4 is a really exciting meeting, lots of substance
5 and discussion and it's all open to the public.

6 Number two, I want to thank the
7 Speaker's office for the wonderful event at the
8 Kingsborough Community College. We had, I think,
9 35 interns there and one of them is Thomas Azorga
10 [phonetic] who is here today. He's a Stuyvesant
11 student and brilliant and I'm really glad to have
12 him here for the summer. Thank you very much.

13 MADAM PUBLIC ADVOCATE: Council
14 Member Stewart.

15 COUNCIL MEMBER STEWART: I would
16 like to recognize two young interns who came to my
17 office to spend the summer with me. One, Dell
18 Hemmings [phonetic] and Ian Hudd [phonetic], would
19 you please stand up so that we can note? These
20 are high school students who come to my office and
21 spend a summer volunteering.

22 Also, brothers and sisters, I want
23 you to note that there have been a number of young
24 people being killed by speeding on the local
25 streets. And I would like to have us work on ways

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2 in which we can place speed bumps and the easier
3 way of doing that so that we can stop having all
4 these injuries and killings on streets. Once
5 again I want to thank you.

6 MADAM PUBLIC ADVOCATE: Council
7 Member James.

8 COUNCIL MEMBER JAMES: I have a
9 number of pieces of legislation which are on the
10 calendar today. I ask all of my colleagues to
11 sign on to Intro 805, which would create a family
12 leave package for private employees. All of us
13 who are living longer, we are particularly Baby
14 Boomers. We're taking care of young children and
15 we're also caring for elderly parents. This paid
16 family leave would provide you paid salary for a
17 period of time to care for family members. I urge
18 all of my colleagues to sign on to Intro 805.

19 In addition, I urge my colleagues
20 to sign on to Reso. 1542, which would expand
21 eligibility for child care assistance by
22 increasing the income eligibility. Particularly
23 in light of the fact that the Mayor of the City of
24 New York has increased standards, which indicate
25 that there are significantly more people living in

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poverty.

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Reso. 1543 would establish and would direct the Commissioner of Criminal Justice Services to establish a pilot program for use of video equipment in police vehicles in five New York precincts.

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The last Reso. is Reso. 1544, which establishes a residential parking program for greater downtown Brooklyn.

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Lastly, let me say to my colleagues that you should be receiving some correspondence from my office. I want to focus on an initiative next year that would increase the number of lifeguards and trained lifeguards, particularly lifeguards of color. And engage in a pilot project to renovate pools in the City of New York so that we can train more lifeguards and can stop the number of drownings in the City of New York and beyond. Thank you.

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MADAM PUBLIC ADVOCATE: Council Member Foster.

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COUNCIL MEMBER FOSTER: Thank you Madam Public Advocate. I'd just like to take this time to acknowledge that last week I was in

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2 Washington, D.C. for the 100th anniversary of my
3 sorority, Alpha Kappa Alpha sorority which was
4 founded in 1908 at Howard University for college
5 educated women. The notion that Black women came
6 together a few years out of slavery, who were
7 educated to do social service organizations, is
8 amazing. There were over 50,000 of us down in
9 Washington, D.C. for the week. We generated over
10 \$100 million.

11 Some of our more famous members are
12 Phylicia Rashad and Debbie Allen who were made at
13 Howard University, honorary is Ladybird Johnson
14 and we just made Michelle Obama an honorary. C.
15 Virginia Fields and I were down there. The
16 Executive Director of the Black, Latino and Asian
17 Caucus, Chelsea Rutter is also an AKA. I think
18 that it's important when we acknowledge history
19 that we acknowledge over 100 years ago, 20 women
20 got together and put together a sorority and
21 guiding principles that still run over 250,000
22 members in many countries, Japan, Korea, Bermuda
23 and of course the United States and around the
24 world. It was a joyous occasion to be in D.C.
25 with all of us in our apple green and salmon pink.

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2 Thank you.

3 MADAM PUBLIC ADVOCATE: Council

4 Member Dickens.

5 COUNCIL MEMBER DICKENS: Thank you
6 Madam Public Advocate. I just wanted to just take
7 a moment to mention Dr. Barbara Ann Teer untimely
8 death, which has shocked and saddened the entire
9 village of Harlem. She was a friend and a mentor,
10 a great lady of the theatre, not only of Harlem
11 but of the entire cultural world.

12 Her vision and her tireless
13 dedication to the preservation and growth of Black
14 culture helped make Harlem internationally known
15 as the Black arts capital of the world. Barbara
16 was committed and loyal. When she was in your
17 corner, there was no fiercer warrior.

18 Dr. Teer often referred to herself
19 as the Last Samurai and I called her my Samurai
20 warrior. As a loyal supporter, she remains strong
21 in the face of adversity. She leaves a legacy of
22 love for her family, her friends, her community
23 and for Black artists to strive to dream to create
24 everywhere. Never give up.

25 Dr. Teer never did and I'm going to

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2 work to make sure that her landmark legacy, the
3 National Black Theatre which is on Fifth Avenue at
4 Martin Luther King Boulevard, formerly known as
5 125th Street, lives on as she envisioned as a home
6 to nurture and showcase the magnificent culture of
7 the Black Diaspora. Thank you so much.

8 MADAM PUBLIC ADVOCATE: Council
9 Member Mendez.

10 COUNCIL MEMBER MENDEZ: Thank you
11 Madam Public Advocate. Council Member Gonzalez
12 couldn't be here today and she asked me to speak
13 on behalf in her introduction of Reso. 1540, which
14 mandates protective service workers and humane law
15 enforcement officers to report possibility in
16 instances of child and animal abuse. Surveys have
17 shown that in 88% where animals are abused in a
18 household, so are children. So I think asking the
19 state to pass such legislation really is common
20 sense.

21 Our colleague, Charles Barron, has
22 left but I wanted to congratulate him for going
23 beyond the call of duty. This week he went to a
24 constituent's house to get her safely out of her
25 apartment when the police was there. She was

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2 distraught and helped get her the assistance that
3 she needs and worked hand in hand with the NYPD.

4 [Applause]

5 So, to Charles Barron, kudos and
6 thank you very much.

7 MADAM PUBLIC ADVOCATE: Council
8 Member Fidler.

9 COUNCIL MEMBER FIDLER: Yes. I
10 just wanted to take 10 seconds to talk briefly
11 about an issue that is on the minds of literally
12 hundreds of thousands of New Yorkers today. So on
13 behalf of New York Mets fans throughout the City
14 of New York, Chuck Mirra and myself, I would just
15 like to urge Jerry Manuel to let Johan Santana
16 pitch a full line in at his next time out.

17 On behalf of all of us that care
18 and as Speaker Quinn said, why is it anymore
19 difficult to pitch in the ninth inning than any
20 other inning? It just seems to be a problem
21 that's festering at Shea Stadium this year and I
22 think we need to get over it. Jerry, let him
23 pitch the full nine.

24 [Applause]

25 MADAM PUBLIC ADVOCATE: Seeing

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2 nobody else, Council Member Avella.

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4 COUNCIL MEMBER AVELLA: Thank you
5 Madam Public Advocate. I just want to bring to my
6 colleagues' attention that Intro 803, which I'm
7 introducing today, which is to reform the campaign
8 finance law in the City of New York and create a
9 total public finance system by which candidates
10 after raising small donations would be entitled to
11 get total public financing. This would be a
12 significant improvement on the current system. It
13 would eliminate the special interest of the real
14 estate industry and others, it would level the
15 playing field and enable--

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17 SPEAKER QUINN: Quiet please.

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19 COUNCIL MEMBER AVELLA: Thank you
20 Madam Speaker. And enable candidates to run for
21 office without regard to worrying about where
22 their funding is coming from. Reduce the
23 influence of the big political machines and enable
24 more independent candidates to seek public office.
25 I would hope that my colleagues would sign on to
this bill. Thank you.

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27 MADAM PUBLIC ADVOCATE: Seeing
28 nobody else. [Bangs gavel] Adjourned.

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C E R T I F I C A T E

I, Amber Gibson, 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 Amber Gibson

Date 08/20/2008