

CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

STATED COUNCIL MEETING

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June 10, 2009  
Start: 2:38 pm  
Recess: 4:45 pm

HELD AT: Council Chambers  
City Hall

B E F O R E:  
BETSY GOTBAUM  
Public Advocate

COUNCIL MEMBERS:  
Maria del Carmen Arroyo  
Tony Avella  
Maria Baez  
Charles Barron  
Gale A. Brewer  
Leroy G. Comrie, Jr.  
Elizabeth Crowley  
Bill de Blasio  
Inez E. Dickens  
Erik Martin Dilan  
Mathieu Eugene  
Simcha Felder  
Julissa Ferreras  
Lewis A. Fidler  
Helen D. Foster  
Daniel R. Garodnick  
James F. Gennaro

## A P P E A R A N C E S

## COUNCIL MEMBERS:

Vincent J. Gentile  
Alan J. Gerson  
Eric N. Gioia  
Sara M. Gonzalez  
Vincent Ignizio  
Robert Jackson  
Letitia James  
Melinda R. Katz  
G. Oliver Koppell  
Jessica S. Lappin  
John C. Liu  
Melissa Mark-Viverito  
Miguel Martinez  
Darlene Mealy  
Rosie Mendez  
Kenneth Mitchell  
Michael C. Nelson  
James S. Oddo  
Annabel Palma  
Christine C. Quinn  
Domenic M. Recchia, Jr.  
Diana Reyna  
Joel Rivera  
James Sanders, Jr.  
Larry B. Seabrook  
Helen Sears  
Kendall Stewart  
Eric Ulrich  
James Vacca  
Peter F. Vallone, Jr.  
David I. Weprin  
Thomas White, Jr.  
David Yassky

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

Alexis Cameron  
Senior VP and General Manager  
KISS-FM

Bob Slade  
KISS-FM

Sgt. Ryan Padilla

1  
2 COUNCIL MEMBER COMRIE: Can I get  
3 everyone's attention please, we are about to start  
4 the ceremonials.

5 MALE VOICE: Tell them it's a coup.

6 COUNCIL MEMBER COMRIE: It's a  
7 coup, it's a coup at City Hall. We're taking over  
8 for the ceremonials, Domenic, you're in charge.

9 [Off mic]

10 COUNCIL MEMBER COMRIE: Hi, I'm  
11 Council Member Leroy Comrie, I'm Deputy Majority  
12 Leader Council, I want to welcome everybody here.  
13 We have two ceremonials today, the first will be  
14 honoring KISS-FM Family, and I'm going to turn it  
15 over to our esteemed Council Member from the  
16 Bronx, Council Member Larry Seabrook.

17 COUNCIL MEMBER SEABROOK: Thank  
18 you, thank you very much. Today is a very  
19 historical day, because as we move into the month  
20 of June, as you know, this is and has been  
21 declared as Black Music Month--give yourself a big  
22 hand for that. And what we have here today is  
23 legends, living legends in our own time. And as  
24 we look into the age of information and how  
25 information has been a part of our community and

1  
2 how it has allowed us to survive in America, we've  
3 had this opportunity through radio, because that's  
4 how we get our information, that's our source of  
5 information.

6 And we have been truly blessed in  
7 this city to have a station that has been at the  
8 forefront of providing an opportunity and a  
9 vehicle, not only with music, but with cultural  
10 enrichment and certainly information. And so we  
11 want to bring up first the General Manager of  
12 KISS-FM radio station 98.7, 98.7. Come on over  
13 here.

14 Alexis Cameron who has been  
15 outstanding in allowing information to be  
16 disseminated throughout our community and allowed  
17 two award-winning shows to be a part of KISS-FM.  
18 And she is a pioneer, one who understands the  
19 importance of radio and what it means to our  
20 community and what it means as it relates to  
21 information and the importance of it. So we're  
22 here today, the entire body of the Council in  
23 recognition that we're going to be honoring KISS-  
24 FM radio station 98.7. Give her a big hand.

25 And now we want to bring up the

1  
2 award-winning show--I said Alexis Cameron, yeah, I  
3 did, we're going to say it again, they're going to  
4 announce it, but Alexis Cameron. But we have here  
5 today, legends, two award-winning shows--the OPEN  
6 LINE that keeps a line with us and we have none  
7 other than the award winner and leader of that  
8 group--Mr. Bob Slade.

9 Come on up, Bob Slade. Bob Slade--  
10 a living legend in his own time, and we also have  
11 Judge Bob Pickett, and our good brother, who could  
12 not be with us here today, brother Mtume, but he  
13 is here in spirit with us today, and we want  
14 everybody to know that. And we also have The Week  
15 in Review, The Week in Review. Well they'll join  
16 Bob and Judge Pickett is joined by none other than  
17 the CutMan. And there would be no Week in Review,  
18 with not having, as Bob say, the Undercover  
19 Brother, none other than the FlameThrower--Peter  
20 Noel.

21 And so it is important that we  
22 wanted these individuals from KISS and we first,  
23 we want to apologize for the lateness, but it  
24 wasn't CP time it was Council People time that  
25 caused this lateness, but we are able to recoup,

1

2 and there are a few who has to say a few words and  
3 then we're going to have the proclamations. Where  
4 is Leroy and Charles Barron and...

5 [Off mic]

6 COUNCIL MEMBER BARRON: Well thank  
7 you very much, I wanted to congratulate everybody  
8 and just let you know that black people, we are  
9 something else. Not only did we build the  
10 pyramids and gave the world mathematics and  
11 science and astrology and astronomy, but we gave  
12 them the best music they've ever heard and there's  
13 messages in the music. Since I stay in trouble,  
14 I'm going to get all of them in trouble with me,  
15 they are going to be the voice of revolution,  
16 isn't that right?

17 MALE VOICE: That's right.

18 COUNCIL MEMBER BARRON: Okay.  
19 They're going to help us bring up a fourth, the  
20 revolution, and then maybe one year we'll own more  
21 so no one will have to allow us to do anything,  
22 we'll own stuff so that we can really do stuff for  
23 self. But congratulations everybody.

24 MALE VOICE: Thank you, thank you  
25 very much.

1  
2 COUNCIL MEMBER SEABROOK: Thank you  
3 so much and we are going to open up and have the  
4 general manager, who has been here for some time  
5 today, we want her to say a few words.  
6 Outstanding leader of that station, Alex.

7 MS. ALEXIS CAMERON: Thanks so  
8 much, I want to make sure the appropriate people  
9 get their props. As Councilman Seabrook  
10 mentioned, I'm Alex Cameron, Senior VP and General  
11 Manager of MS.

12 I'd like to first extend our thanks  
13 and gratitude and appreciation to the Speaker, to  
14 Councilman Seabrook, and the entire Council for  
15 this recognition, which KISS does so deserve.

16 These shows have been on the air--  
17 OPEN LINE for 20 years now, Week in Review will be  
18 in its 28th year, so that's pretty phenomenal,  
19 longer than the station itself.

20 And these are really significant  
21 programs--they are the voice of the black  
22 community and we understand and I really can't  
23 take credit, I am the figurehead. For the last  
24 six years I've been fighting for an equal media  
25 dollar for African American consumers and I'm now



1  
2 in the position I'm in now. So these are the  
3 folks who really make this show and I would also  
4 like to mention so, of course, Bob Slade, James  
5 Mtume, Bob Pickett, Fatiyn Muhammad--

6 COUNCIL MEMBER SEABROOK:

7 [Interposing] Fatiyn, yeah, Fatiyn, I'm sorry,  
8 come on up here.

9 MS. CAMERON: Fatiyn, where are  
10 you? Fatiyn?

11 [Off mic]

12 MS. CAMERON: Twenty years, 20  
13 years, and got in because he won \$1,000.

14 [Off mic]

15 MS. CAMERON: Yes. Sanford Moore  
16 a.k.a. Charles W.F. Ethridge III, Peter Noel,  
17 Robin Williams, Nita Con [phonetic], Andrew Verris  
18 [phonetic], Reggie Jennings, and Paul Elliason,  
19 and I got to tell you these last four--Nita Con,  
20 Andrew Verris, Reggie Jennings, and Paul Elliason--  
21 -are volunteers, are volunteers, they volunteer  
22 their time because they understand the importance  
23 and significance.

24 I couldn't be more proud of our  
25 talent, more proud of KISS-FM and being the

1  
2 backbone to its community, we are passionate about  
3 that. I am passionate about doing good business,  
4 which means serving our communities, but these are  
5 the people who make it all happen and really  
6 represent on our behalf.

7 So, again, I'm the face, but these  
8 are the folks who get it done, and we thank all of  
9 you and thank our community.

10 COUNCIL MEMBER SEABROOK: Thank you  
11 very much. And now from the legend, Bob Slade.

12 MR. BOB SLADE: I get scared when  
13 you talk about legends, I'll tell you.

14 MALE VOICE: He's speaking on  
15 behalf of all--

16 MR. SLADE: All the guys and gals  
17 who are working our broadcast week in, week out.  
18 Like I said before, Andrew, volunteered; Nitha,  
19 Pauly Paul. I'd like to give shouts, brother  
20 Fatiyn; our producer Peter Noel; the CutMan,  
21 Charles W.F. Ethridge III, can't leave that out;  
22 Bob Pickett; and brother Mtume. Listen, they all  
23 do a great job.

24 We're pleased and proud to receive  
25 this honor and, you know, not many stations--

1  
2 matter of fact, David Hinckley wrote an article in  
3 the Daily News talking about local talk radio and  
4 how it's nonexistent. Everybody is basically a  
5 syndicated show, but this is one of the few shows,  
6 that is locally produced and locally broadcast,  
7 everything else is doggone syndicated. And we--

8 [Off mic]

9 FEMALE VOICE: --syndicated.

10 MR. SLADE: Yeah, yeah, we do, more  
11 money; however, but the thing is that we pay  
12 attention, close attention to what the community  
13 wants and what the community wants to hear.

14 And we are pleased and proud a lot  
15 of folks came down to help us celebrate this  
16 occasion. Councilman Seabrook, want to thank you  
17 and all the other members--Leroy Comrie, brother  
18 Barron, a whole slew of folks here, also the  
19 Council Speaker. It's a great honor for us, you  
20 have no idea how thrilled we are to be recognized.  
21 We thank you all very, very much.

22 Anybody else want to say something?

23 Anybody, anybody. Yeah, okay.

24 COUNCIL MEMBER SEABROOK: They're  
25 going to read the proclamation and all of you will

1  
2 get a copy suitably framed and delivered to you  
3 all.

4 COUNCIL CLERK: Council, City of  
5 New York Proclamation.

6 WHEREAS, June is celebrated as  
7 Black Music Month to provide a special opportunity  
8 to reflect on the extraordinary contributions and  
9 influence that black musical artists have made to  
10 the United States and around the world. It is a  
11 time to pay tribute, not only to the enduring  
12 legacy of African American musicians, singers, and  
13 composers who have shaped our culture and our way  
14 of life, but also to honor the organizations and  
15 individuals who have promoted them, fostered  
16 public discourse, and celebrated them throughout  
17 the year; and

18 WHEREAS, in the New York tri-state  
19 region, 98.7 KISS-FM has played an instrumental  
20 role in these efforts through its instrumental  
21 programs--the OPEN LINE show and The Week in  
22 Review; and

23 WHEREAS, the OPEN LINE show is a  
24 live call-in show hosted by Bob Slade, James  
25 Mtume, and Bob Pickett who enliven the 98.7 KISS-

1  
2 FM airways in New York, New Jersey, and  
3 Connecticut every Sunday morning from 10 a.m. to  
4 noon. It has been recognized by many leaders and  
5 journalists as "one of the most important talk  
6 shows in America." The show also won the New York  
7 Metro Radio A.I.R. award for Best Public Affairs  
8 show in both 1998 and 2002; and

9 WHEREAS, 98.7 KISS-FM's The Week  
10 in Review show, hosted by Bob Slade, Bob Pickett,  
11 Charles the "CutMan" Ethridge III, and the  
12 FlameThrower Peter Noel, airs Sunday nights from  
13 11 p.m. and reviews the major stories from the  
14 previous week and offers its listeners a different  
15 perspective on the people and events in the news;  
16 and

17 WHEREAS, with these and other  
18 programs, 98.7 KISS-FM has consistently ranked  
19 among the most popular stations in the nation.  
20 With enlightening perspectives on the latest news,  
21 culture, shows, and the best variety of Old School  
22 and today's R&B, the station has become an  
23 integral part of daily life and countless New  
24 Yorkers; now, therefore

25 BE IT KNOWN that the Council of the

1  
2 City of New York hereby honors 98.7 KISS-FM, the  
3 OPEN LINE show, and The Week in Review show for  
4 their outstanding contributions to New York City  
5 and the nation. Christine C. Quinn, Speaker for  
6 the entire Council; Larry B. Seabrook, Council  
7 Member, 12th District the Bronx; Inez E. Dickens,  
8 Council Member, 9th District Manhattan; Robert  
9 Jackson, Council Member, 7th District Manhattan;  
10 Helen Diane Foster, Council Member, 16th District  
11 the Bronx; Maria del Carmen Arroyo, Council  
12 Member, 17th District the Bronx; Leroy Comrie,  
13 Deputy Majority Leader, Council Member, 27th  
14 District Queens; James Sanders, Jr., Council  
15 Member, 31st District Queens; Letitia James,  
16 Council Member, 35th District Brooklyn; Albert  
17 Vann, Council Member, 36th District Brooklyn;  
18 Charles Barron, Council Member, 42nd District  
19 Brooklyn; and the other members of the City  
20 Council.

21 COUNCIL MEMBER SEABROOK: Thank  
22 you. We just have a couple more things, Bob  
23 Slade.

24 MR. SLADE: Yeah, what I wanted,  
25 there's some folks in the audience who I want to

1  
2 shout them out very quickly--since we're talking  
3 about radio, we have to do shout outs, you know  
4 how it is. Our Program Director is Jill Strada,  
5 she's in the back there, stand up, Jill. And head  
6 of Human Resources, Pat Robertson is in the back,  
7 hey, there you go. And we have some sales folks  
8 here, Joyce, stand up, yes. Where's Leon? Leon  
9 still here or did he split?

10 FEMALE VOICE: He had to run to a  
11 meeting.

12 MR. SLADE: Oh, he had to leave.

13 FEMALE VOICE: He had to make sure  
14 we get those black dollars.

15 MR. SLADE: Yeah, exactly, get that  
16 money.

17 But anyway, these folks are also  
18 behind the scenes helping us out, we really do  
19 appreciate it. Once again, thank you very much  
20 for coming down.

21 COUNCIL MEMBER SEABROOK: Just one  
22 moment, we really want to thank all of those KISS  
23 listeners they came out here today--give yourself  
24 a big hand for coming out here today, the  
25 importance of it to show some love.

1  
2 And on that note, since you're in  
3 the Council, you got the Proclamation, you cannot  
4 leave here without getting an honorary kiss for  
5 KISS by Maria Baez, a kiss to KISS.

6 And to you all, thank you so very,  
7 very much. We love you, we respect you, and we  
8 want to keep listening to you for many, many years  
9 to come. Thank you very much.

10 [Off mic]

11 [Long Pause]

12 SPEAKER QUINN: Thank you, Council  
13 Member--shh. We have one more ceremonial. I want  
14 to thank Council Member Seabrook for doing the  
15 first one without me and apologize to, again, for  
16 KISS-FM for missing it, but we have one more and  
17 then we'll be able to get started.

18 This next one is a very important  
19 ceremonial and if I could ask Council Members  
20 Oddo, Ignizio, and Mitchell to come up and anyone  
21 else who would like to join us and--

22 [Off mic]

23 SPEAKER QUINN: Oh and if we could  
24 Sergeant Ryan--oh, there he is--Sergeant Ryan  
25 Padilla to come on up and see us.



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[Off mic]

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SPEAKER QUINN: How you doing? So

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there's a little bit of a story here that I just

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want to share and then a letter that I need to

6

read. I literally bumped into the Sergeant coming

7

out of Congress Member Mike McMahon's St.

8

Patrick's Day party on Staten Island, and you were

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home in between tours at the point, right then,

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Sergeant? And he was in his uniform, so we

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stopped to talk a little bit about the Sergeant's

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service to the country and he said he was going

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back. Were you to Iraq or Afghanistan? To Iraq,

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and I said that when he got home safe and in one

15

piece that we wanted to have him back here to the

16

City Council so we could celebrate his safe return

17

and thank him for his service to the City Council.

18

So I was thrilled when I heard that

19

we would be doing this ceremonial because it meant

20

you got home safe and in one piece, which I know

21

is all that your family wished for.

22

I was also thrilled because it gave

23

us all an opportunity to thank you, and in

24

thanking you, to thank the other men and women who

25

serve our country every day. We start every

1  
2 Stated Meeting where we remember any member of the  
3 armed services from New York City who has passed  
4 away in service to their country. And so having  
5 you here today to thank, given that we do that  
6 every Stated is incredibly important.

7 I just wanted to take one other  
8 second, at the Queens Pride Parade on Sunday I was  
9 marching with a woman, her name is Emily Tauro and  
10 she had a pin on and the pin was a picture of  
11 Private Isaac T. Cortez, who was her son who died-  
12 -he was 26 years old, he was in the 1st Squadron  
13 of the 71st Cavalry Regiment, the 1st Brigade  
14 Combat team in the 10th Mountain Division. And I  
15 invited Emily to come today, but she couldn't  
16 'cause she's working, but she asked, Sergeant, if  
17 I would read something to you.

18 To Sergeant Ryan Padilla, words  
19 cannot express the gratitude I have in my heart  
20 for your service to our country. As a mother of a  
21 fallen soldier, I thank you. Enclosed is a card  
22 that I give to all the soldiers. Please accept  
23 this thank you card of my appreciation to you.  
24 Also I have enclosed a photo of my son and his  
25 information. God bless, and peace be with you,

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sir.

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And let me just read this, its [off mic] and it says, thank you for your service and dedication to our country. Dear American Soldier, I am not certain as to how to express my attitude for all you have done to secure my freedom. Please accept this simple card as a small token of my appreciation. From the mother of a fallen soldier.

And let me turn the mic over to Council Member Kenny Mitchell and then to my other colleagues in Staten Island.

COUNCIL MEMBER MITCHELL: Thank you, Speaker Quinn. It's my privilege and honor to be joining you all today, all my colleagues here at the City Council as we honor today one of our nation's defenders. He's also joined by his mother Carol and his father Paul, right over here to my right.

Sergeant Padilla is a native son of Staten Island, who joined the National Guard in the year 2000 and pretty much soon after was activated and participated in the recovery efforts at Ground Zero. He then was activated to serve a

1  
2 term in Iraq in Iraqi operation Iraqi Freedom in  
3 the year 2004. He then did a second term in Iraq  
4 as a member of the 10th Mountain Division, which  
5 he returned two weeks ago.

6 In his civilian life, he also does  
7 security work for the MTA protecting our bridges  
8 and tunnels. Sergeant Padilla is a true defender  
9 of our country and of our nation and I'd like to  
10 just say, you know, to quote President Coolidge, a  
11 nation who forgets its defenders is soon  
12 forgotten, and I'm glad that we're here today  
13 recognizing Sergeant Padilla as one of our  
14 defenders who will never be forgotten. Thank you,  
15 Sergeant Padilla.

16 COUNCIL MEMBER IGNIZIO: Thank you  
17 very much. I just too want to echo the words of  
18 my colleagues, Council Member Mitchell and Council  
19 Member Oddo, and say thank you, because it's guys  
20 like you that say, you're not going to get to my  
21 family, and you're not going to get to anybody  
22 here's family, because you're there to protect me.  
23 Thank you and God bless you and your family.  
24 Thank you to your family in particular.

25 COUNCIL MEMBER ODDO: I just want to

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2

say thank you, sir.

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SERGEANT RYAN PADILLA: Thank you.

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SPEAKER QUINN: And if we could ask the clerk to please read the proclamation and then, if they want to, hear from Sergeant Padilla and his family.

6

7

COUNCIL CLERK: Council, City of New York Proclamation.

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WHEREAS, Sgt. Ryan Padilla, a native Staten Islander, was raised in Westerleigh along with his three brothers, where they attended P.S. 30 and graduated from Susan Wagner High School; and

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WHEREAS, in March 2000, Sgt. Padilla launched his distinguished military career with the National Guard. He attended Basic Combat Training at Ft Benning, Georgia, and Advanced Individual Training at Fort Gordon, Georgia. On September 11th, 2001, then-Private First Class Ryan Padilla was activated and served with the ground security forces at Ground Zero; and

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22

23

WHEREAS, Specialist Padilla's military record advanced further in May 2004 when he was deployed under Operation Iraqi Freedom and

24

25

1  
2 served with the legendary 42nd Infantry "Rainbow"  
3 Division at Forward Operating Base Danger in  
4 Tikrit, Iraq. He was soon promoted to Sergeant E-  
5 5; and

6 WHEREAS, after Sgt Padilla returned  
7 home in December 2005, he joined the MTA Bridges &  
8 Tunnels' Internal Security Department, where he  
9 was responsible for installing, maintaining, and  
10 troubleshooting all security cameras and devices  
11 protecting the system's facilities.

12 In June 2008, he was deployed for a  
13 second tour of duty in Iraq, assigned to the 10th  
14 Mountain Division and serving as a door-gunner in  
15 a Blackhawk helicopter with B Company 3rd 142nd  
16 Assault Helicopter Battalion, with over 300 combat  
17 flight hours, providing air assault, Medevac air  
18 support, troop movements, and VIP missions; and

19 WHEREAS, for his service, Sgt.  
20 Padilla has received many military awards,  
21 including the Army Commendation Medal, the Army  
22 Achievement Medal, the Global War on Terrorism  
23 Expeditionary Medal, the Iraq Campaign Medal, and  
24 the Army Service Ribbon, and the Thomas Powell  
25 Memorial Award from the New York State Grand Lodge

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2 of Masons for his military and community service.

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Since his return to Westerleigh, Sgt. Padilla has again immersed himself in the community as an active member of the American Legion Post 296 and Tompkins Lodge #471-Free and Accepted Masons; now, therefore

BE IT KNOWN that the Council of the City of New York most gratefully honors Sgt. Ryan Padilla for his outstanding service to New York City and the nation.

Christine C. Quinn, Speaker for the entire Council; Kenneth C. Mitchell, Council Member, 49th District Staten Island; James S. Oddo, Minority Leader, 50th District, Staten Island; Vincent M. Ignizio, Council Member, 51st District, Staten Island.

SPEAKER QUINN: Thank you. A lot struck me in that Proc, Sergeant, but I just want to say two things: you went to work every day at a place called Base Danger, I mean, that says it all. And anybody who knows anything even minutely about the military, knows that the guy who is the back gun on the helicopter is one of the most dangerous jobs you could ever, ever have. So

1  
2 again, we all just thank you, and if you would say  
3 a few words, we'll take all this--

4 [Off mic]

5 SERGEANT PADILLA: Okay. Well  
6 thank you very much everybody for the  
7 Proclamation.

8 First, I'd like to accept this  
9 award on behalf of all the men and women serving  
10 in the New York Army National Guard, whether it be  
11 here in the United States or Iraq, Kuwait, and  
12 Afghanistan.

13 Also I'd like to thank Dan McGulvan  
14 and his family for his support while I was  
15 overseas in Iraq. Also of course, I have to thank  
16 my mother and father for their support throughout  
17 my entire life--supporting all my crazy ideas and  
18 antics, but it is what it is.

19 Again, thank you very much for the  
20 Proclamation.

21 SPEAKER QUINN: Well, again, thank  
22 you, and thank you both for supporting all his  
23 crazy antics.

24 [Off mic]

25 [Long Pause]



1  
2 MALE VOICE: Ladies and gentlemen,  
3 may I have your attention please? Any non-staff  
4 people, non-staff people please clear the floor.  
5 If you're visitor, a member of the public and you  
6 would like to stay for the remainder of the  
7 meeting, you can join us in the balcony. Any non-  
8 staffers, please make their way up to the balcony.

9 If you have any cell phones, once  
10 again, if you have any cell phones, please set  
11 them to vibration, do not take any calls in the  
12 room while the meeting is taking place. Thank you  
13 very much for your cooperation.

14 [Off mic]

15 [Long Pause]

16 PUBLIC ADVOCATE GOTBAUM: All rise  
17 for the pledge.

18 SERGEANT-AT-ARMS: Quiet, quiet,  
19 please.

20 PUBLIC ADVOCATE GOTBAUM: I pledge  
21 allegiance to the flag of the United States of  
22 America and to the Republic for which it stands,  
23 one nation under God, indivisible, with liberty  
24 and justice for all.

25 PUBLIC ADVOCATE GOTBAUM: Calling

1  
2 to order the recessed meeting of May 12th. Roll  
3 call.

4 COUNCIL CLERK: Arroyo.

5 COUNCIL MEMBER ARROYO: Here.

6 COUNCIL CLERK: Avella.

7 COUNCIL MEMBER AVELLA: Here.

8 COUNCIL CLERK: Baez.

9 COUNCIL MEMBER BAEZ: Here.

10 COUNCIL CLERK: Barron.

11 COUNCIL MEMBER BARRON: Here.

12 COUNCIL CLERK: Brewer.

13 [No response.]

14 COUNCIL CLERK: Comrie.

15 COUNCIL MEMBER COMRIE: --

16 permission to vote on all items on the May 12th  
17 agenda?

18 PUBLIC ADVOCATE GOTBAUM: So

19 ordered.

20 COUNCIL MEMBER CROWLEY: I vote

21 aye, thank you.

22 PUBLIC ADVOCATE GOTBAUM: The May

23 20th, you're voting on the May 20th--

24 COUNCIL MEMBER COMRIE: Yes.

25 PUBLIC ADVOCATE GOTBAUM: --you

1

2

are--

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COUNCIL MEMBER COMRIE: Yes.

4

PUBLIC ADVOCATE GOTBAUM: --yeah,

5

he's voting on May 20th, that's okay.

6

COUNCIL MEMBER COMRIE: Yes, thank

7

you.

8

PUBLIC ADVOCATE GOTBAUM: Same

9

with--

10

COUNCIL MEMBER COMRIE: Okay.

11

PUBLIC ADVOCATE GOTBAUM: --Council

12

Member White, too, when we get to him.

13

COUNCIL CLERK: Crowley.

14

[No response.]

15

COUNCIL CLERK: De Blasio.

16

[No response.]

17

COUNCIL CLERK: Dickens.

18

[No response.]

19

COUNCIL CLERK: Dilan.

20

COUNCIL MEMBER DILAN: Here.

21

COUNCIL CLERK: Eugene.

22

COUNCIL MEMBER EUGENE: Here.

23

COUNCIL CLERK: Felder.

24

[No response.]

25

COUNCIL CLERK: Ferreras.

1

STATED COUNCIL MEETING

28

2

COUNCIL MEMBER FERRERAS: Here.

3

COUNCIL CLERK: Fidler.

4

COUNCIL MEMBER FIDLER: Here.

5

COUNCIL CLERK: Foster.

6

COUNCIL MEMBER FOSTER: Here.

7

COUNCIL CLERK: Garodnick.

8

COUNCIL MEMBER GARODNICK: Here.

9

COUNCIL CLERK: Gennaro.

10

COUNCIL MEMBER GENNARO: I'm here.

11

COUNCIL CLERK: Gentile.

12

COUNCIL MEMBER GENTILE: Here.

13

COUNCIL CLERK: Gerson.

14

COUNCIL MEMBER GERSON: Here.

15

COUNCIL CLERK: Gioia.

16

[No response.]

17

COUNCIL CLERK: Gonzalez.

18

[No response.]

19

COUNCIL CLERK: Ignizio.

20

COUNCIL MEMBER IGNIZIO: Here.

21

COUNCIL CLERK: Jackson.

22

[No response.]

23

COUNCIL CLERK: James.

24

COUNCIL MEMBER JAMES: Here.

25

COUNCIL CLERK: Katz.

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COUNCIL MEMBER KATZ: Here.

3

COUNCIL CLERK: Koppell.

4

COUNCIL MEMBER KOPPELL: Here.

5

COUNCIL CLERK: Lappin.

6

COUNCIL MEMBER LAPPIN: Here.

7

COUNCIL CLERK: Liu.

8

COUNCIL MEMBER LIU: Here.

9

COUNCIL CLERK: Mark-Viverito.

10

COUNCIL MEMBER MARK-VIVERITO:

11

Here.

12

COUNCIL CLERK: Martinez.

13

COUNCIL MEMBER MARTINEZ: Here.

14

COUNCIL CLERK: Mealy.

15

[No response.]

16

COUNCIL CLERK: Mendez.

17

[No response.]

18

COUNCIL CLERK: Mitchell.

19

COUNCIL MEMBER MITCHELL: Here.

20

COUNCIL CLERK: Nelson.

21

COUNCIL MEMBER NELSON: Here.

22

COUNCIL CLERK: Palma.

23

COUNCIL MEMBER PALMA: Here.

24

COUNCIL CLERK: Recchia.

25

COUNCIL MEMBER RECCHIA: Here.

1

2 COUNCIL CLERK: Reyna.

3 COUNCIL MEMBER REYNA: Here.

4 COUNCIL CLERK: Sanders.

5 COUNCIL MEMBER SANDERS: Here.

6 COUNCIL CLERK: Seabrook.

7 [No response.]

8 COUNCIL CLERK: Sears.

9 COUNCIL MEMBER SEARS: Oh, yes.

10 COUNCIL CLERK: Stewart.

11 COUNCIL MEMBER STEWART: Present.

12 COUNCIL CLERK: Ulrich.

13 COUNCIL MEMBER ULRICH: Here.

14 COUNCIL CLERK: Vacca.

15 COUNCIL MEMBER VACCA: Here.

16 COUNCIL CLERK: Vallone.

17 COUNCIL MEMBER VALLONE: Here.

18 COUNCIL CLERK: Vann.

19 [No response.]

20 COUNCIL CLERK: Weprin.

21 COUNCIL MEMBER WEPRIN: Here.

22 COUNCIL CLERK: White.

23 COUNCIL MEMBER WHITE: Here.

24 COUNCIL CLERK: Yassky.

25 COUNCIL MEMBER WHITE: And one

1

2

moment.

3

COUNCIL CLERK: I'm sorry.

4

COUNCIL MEMBER WHITE: I would like

5

to vote aye on all items on the May 20th agenda.

6

PUBLIC ADVOCATE GOTBAUM: So

7

ordered.

8

COUNCIL MEMBER WHITE: I vote aye.

9

COUNCIL CLERK: Yassky.

10

[No response.]

11

COUNCIL CLERK: Gonzalez.

12

COUNCIL MEMBER GONZALEZ: I just

13

got here, aye. Aye.

14

COUNCIL CLERK: Oddo.

15

COUNCIL MEMBER ODDO: Here.

16

COUNCIL CLERK: Crowley.

17

COUNCIL MEMBER CROWLEY: Here.

18

[Off mic]

19

COUNCIL CLERK: Rivera.

20

COUNCIL MEMBER RIVERA: Here.

21

COUNCIL CLERK: Speaker Quinn.

22

SPEAKER QUINN: Here.

23

PUBLIC ADVOCATE GOTBAUM: We have a

24

quorum. We'll now adjourn the recessed the

25

meeting and begin the Stated Meeting of June 10th,

1

2 2009. Roll call.

3 COUNCIL CLERK: Arroyo.

4 COUNCIL MEMBER ARROYO: Still here.

5 COUNCIL CLERK: Avella.

6 [No response.]

7 COUNCIL CLERK: Baez.

8 COUNCIL MEMBER BAEZ: Here.

9 COUNCIL CLERK: Barron.

10 COUNCIL MEMBER BARRON: Here.

11 COUNCIL CLERK: Brewer.

12 COUNCIL MEMBER BREWER: Yes.

13 COUNCIL CLERK: Comrie.

14 COUNCIL MEMBER COMRIE: Here.

15 COUNCIL CLERK: Crowley.

16 COUNCIL MEMBER CROWLEY: I'm here.

17 COUNCIL CLERK: De Blasio.

18 [No response.]

19 COUNCIL CLERK: Dickens.

20 [No response.]

21 COUNCIL CLERK: Dilan.

22 COUNCIL MEMBER DILAN: Here, here.

23 COUNCIL CLERK: Eugene.

24 COUNCIL MEMBER EUGENE: Here.

25 COUNCIL CLERK: Felder.



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[No response.]

COUNCIL CLERK: Ferreras.

COUNCIL MEMBER FERRERAS: Here.

COUNCIL CLERK: Fidler.

[No response.]

COUNCIL CLERK: Foster.

COUNCIL MEMBER FOSTER: Here.

COUNCIL CLERK: Garodnick.

COUNCIL MEMBER GARODNICK: Here.

COUNCIL CLERK: Gennaro.

[No response.]

COUNCIL CLERK: Gentile.

COUNCIL MEMBER GENTILE: Here.

COUNCIL CLERK: Gerson.

COUNCIL MEMBER GERSON: Here, yes.

COUNCIL CLERK: Gioia.

[No response.]

COUNCIL CLERK: Gonzalez.

[No response.]

COUNCIL CLERK: Ignizio.

COUNCIL MEMBER IGNIZIO: Here.

COUNCIL CLERK: Jackson.

[No response.]

COUNCIL CLERK: James.

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STATED COUNCIL MEETING

34

COUNCIL MEMBER JAMES: Here.

COUNCIL CLERK: Katz.

COUNCIL MEMBER KATZ: Yes.

COUNCIL CLERK: Koppell.

COUNCIL MEMBER KOPPELL: Here.

COUNCIL CLERK: Lappin.

COUNCIL MEMBER LAPPIN: Here.

COUNCIL CLERK: Liu.

COUNCIL MEMBER LIU: Here.

COUNCIL CLERK: Mark-Viverito.

[Off mic]

COUNCIL CLERK: Martinez.

COUNCIL MEMBER MARTINEZ: Here.

COUNCIL CLERK: Mealy.

[No response.]

COUNCIL CLERK: Mendez.

[No response.]

COUNCIL CLERK: Mitchell.

SERGEANT-AT-ARMS: Quiet, please,

keep it down.

[No response.]

COUNCIL CLERK: Nelson.

[No response.]

COUNCIL CLERK: Palma.

1

2 COUNCIL MEMBER PALMA: Here.

3 COUNCIL CLERK: Recchia.

4 [Off mic]

5 COUNCIL CLERK: Reyna.

6 COUNCIL MEMBER REYNA: Here.

7 COUNCIL CLERK: Sanders.

8 COUNCIL MEMBER SANDERS: Present.

9 COUNCIL CLERK: Seabrook.

10 COUNCIL MEMBER SEABROOK: Here.

11 COUNCIL CLERK: Sears.

12 COUNCIL MEMBER SEARS: Here.

13 COUNCIL CLERK: Stewart.

14 COUNCIL MEMBER STEWART: Yeah.

15 COUNCIL CLERK: Ulrich.

16 COUNCIL MEMBER ULRICH: Aye.

17 COUNCIL CLERK: Vacca.

18 COUNCIL MEMBER VACCA: Here.

19 COUNCIL CLERK: Vallone.

20 COUNCIL MEMBER VALLONE: Here.

21 COUNCIL CLERK: Vann.

22 [No response.]

23 COUNCIL CLERK: Weprin.

24 [No response.]

25 COUNCIL CLERK: White.

1

COUNCIL MEMBER WHITE: Yeah.

2

COUNCIL CLERK: Yassky.

3

[No response.]

4

COUNCIL CLERK: Oddo.

5

COUNCIL MEMBER ODDO: Here.

6

COUNCIL CLERK: Rivera.

7

COUNCIL MEMBER RIVERA: Aye.

8

COUNCIL CLERK: Speaker Quinn.

9

SPEAKER QUINN: Here.

10

COUNCIL MEMBER RIVERA: Here.

11

PUBLIC ADVOCATE GOTBAUM: We have a

12

quorum. All rise for the invocation by Rev.

13

Gregory Johnson of the Marble Collegiate Church.

14

SERGEANT-AT-ARMS: All rise.

15

REV. GREGORY JOHNSON: As is your

16

tradition, let us unite and center ourselves in

17

prayer.

18

Oh love how deep, how broad, how

19

high; oh love that bears all things, believes all

20

things, hopes all things, endures all things; oh

21

love that never ends, we your children give you

22

thanks and praise for our unity and for our

23

uniqueness. We thank you for those things that

24

unite us, and pray for understanding, tolerance,

25

1  
2 and affirmation in our individualities and gifts,  
3 that each of us may serve you by serving one  
4 another.

5 We call you by many names and  
6 struggle to understand each other, but we are all  
7 your children and we give you thanks, you are our  
8 father, you are our mother. Strengthen us and  
9 nurture us in your service.

10 We come together in this historic  
11 place awed by the history and accomplishment that  
12 has gone before us. And we are aware that ours is  
13 only a brief moment of service before others will  
14 carry on.

15 Make our time worthy of the offices  
16 to which we have been called and elected, that we  
17 may walk through service into eternity with you.  
18 Remind us that in truth, we are not human beings  
19 trying to have a spiritual experience, but we are  
20 spiritual beings having a human experience and we  
21 need your strength, your guidance, and your love.  
22 Teach us to grow through life, let us never simply  
23 go through life.

24 Each moment, each day, each  
25 challenge is a gift from you, help us to honor

1  
2 those gifts with dedication, service, and  
3 increased good for all whom we serve.

4 Bless each action and decision this  
5 day and all days. And in the words of my beloved  
6 mentor and friend, the late Father Michael Judge,  
7 I pray in the singular for all of us collectively.

8 Lord, take me where you want me to  
9 go; help me to meet who you want me to meet; help  
10 me to say what you want me to say; and please,  
11 God, keep me out of the way.

12 And together we say Amen.

13 PUBLIC ADVOCATE GOTBAUM: Motion to  
14 spread the invocation, Speaker Quinn?

15 SPEAKER QUINN: Yes, thank you very  
16 much, Rev. Johnson, and I make a motion--

17 PUBLIC ADVOCATE GOTBAUM: Quiet,  
18 please.

19 SPEAKER QUINN: --to spread the--

20 SERGEANT-AT-ARMS: Keep it down.

21 SPEAKER QUINN: --invocation in  
22 full upon the record. Thank you.

23 If I could ask my colleagues to,  
24 again, please stand for moment. On June 8th,  
25 2009, Elizabeth D. Cook, who is the mother-in-law

1  
2 of our colleague Council Member Al Vann and the  
3 mother of Al's wife Mildred, passed away after  
4 being ill for a number of months, that is why  
5 Council Member Vann is not with us today.

6 Ms. Cook was a resident of  
7 Gloucester, Virginia; she is survived by two sons,  
8 three daughters, and many, many grandchildren.  
9 Her home going will be celebrated at a funeral  
10 services to be held at the Bethel Baptist Church  
11 in Gloucester, Virginia, this Saturday, June 13th.  
12 Our thoughts and prayers are with Mildred and Al  
13 and their entire family.

14 On June 2nd, 2009, Army Specialist  
15 Roberto A. Hernandez, 21, of the Arverne section  
16 of Far Rockaway--he's lived in both Council Member  
17 Sanders and Council Member Ulrich's district--died  
18 of wounds sustained when his Humvee was attacked  
19 with an improvised explosive device and a small  
20 arms fire while serving in Afghanistan.

21 Specialist Hernandez was assigned  
22 to the 549th Military Police Company, based out of  
23 Fort Stewart, Georgia. Specialist Hernandez is a  
24 graduate of I.S. 59 and the August Martin High  
25 School, was a proud and active member of the

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2

Christian Cultural Center in Brooklyn.

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When he joined the Army in September 2007, he followed in the footsteps of his grandfather, his mother, his aunt, and two uncles, who had all served their adopted country.

In 1969 Specialist Hernandez's grandfather joined the army and, over time, using his military paycheck, he brought over other family members from their native Panama. His mother is an Air Force veteran Paulina Richards, she cried uncontrollably as she said that although he volunteered to go to Afghanistan, he was scheduled to return home on leave in just a few weeks. Excuse me, she cried, he was my only child, the last time I talked to him was Mother's Day, he called to wish me a good day and he was excited about coming home. He had lots of plans for the future and wanted to go into law enforcement in the NYPD.

His aunt, also a veteran, said the military brought us to this country, Roberto paid our debt.

On May 28th, 2009, off-duty police officer Omar Jamaal Edwards, 25, of Brooklyn was



1  
2 shot and killed in East Harlem. He was shot by a  
3 fellow officer in a tragic case of mistaken  
4 identity while chasing a suspect who had just  
5 broken into a car.

6 From the time he was five years  
7 old, it was Omar's dream to be a police officer.  
8 By the age of 10, as a Member of the Youth  
9 Council, he was already hanging around the 73rd  
10 Precinct asking what the codes on the radios  
11 meant.

12 When he realized his dream and  
13 graduate from the police academy in 2007, Omar  
14 proudly wore his badge around his apartment. As  
15 Police Commissioner Kelly said at the funeral, on-  
16 duty or off-duty, even at home, he was a police  
17 officer.

18 Police Officer Edwards was assigned  
19 to the Housing Bureau and proudly played on the  
20 NYPD football team. His aunt said, "Omar became  
21 the man that we anticipated him to be and there is  
22 no higher honor."

23 On June 4th, a funeral Mass for  
24 Police Officer Omar Edwards, at that funeral--  
25 excuse me, at the funeral, he was promoted to

1  
2 Detective First Grade. It was held at the Our  
3 Lady of Victory Church in Bedford-Stuyvesant,  
4 followed by a burial on Long Island.

5 Police Officer Omar Edwards is  
6 survived by his wife Danielle; their sons Xavier  
7 and Keanu; his mother Natalie Harding; his father  
8 Ricardo Edwards; his in-laws, which include his  
9 father-in-law, who is a police officer in the 67th  
10 Precinct; his aunts; his uncle; and fellow members  
11 of the New York Police Department.

12 [Pause]

13 Thank you, Reverend Johnson, and  
14 thank you, Madam Public Advocate.

15 PUBLIC ADVOCATE GOTBAUM: I would  
16 just like you all to welcome the three interns  
17 from the Public Advocate's office who are watching  
18 government at work today. You want to stand up,  
19 you guys? There they are, give them a hand.  
20 Thank you.

21 Okay, Adoption of the Minutes.

22 COUNCIL CLERK: None.

23 PUBLIC ADVOCATE GOTBAUM: Messages  
24 and Papers from the Mayor.

25 COUNCIL CLERK: M 1432, Municipal

1

2 Water Finance Authority, M 1432.

3 SPEAKER QUINN: Received, Ordered,  
4 Printed and Filed.5 PUBLIC ADVOCATE GOTBAUM: Quiet  
6 please.7 COUNCIL CLERK: M 1433, submitting  
8 Burton Lehman for appointment to the Conflicts of  
9 Interest Board.10 SPEAKER QUINN: Rules, Privileges  
11 and Elections.12 PUBLIC ADVOCATE GOTBAUM:  
13 Communication from City, County, and Borough  
14 Offices.15 COUNCIL CLERK: M 1434 through M  
16 1458 on page 5, Base Station License applications.

17 SPEAKER QUINN: Transportation.

18 COUNCIL CLERK: M 1459.

19 SPEAKER QUINN: Finance.

20 PUBLIC ADVOCATE GOTBAUM: Petitions  
21 and Communications.

22 COUNCIL CLERK: None.

23 PUBLIC ADVOCATE GOTBAUM: Land Use  
24 Call-Ups.

25 COUNCIL CLERK: None.

PUBLIC ADVOCATE GOTBAUM:

Communication from the Speaker.

SPEAKER QUINN: I'm sorry, I believe we might've just received a Land Use Call-Up, if we could just please check on that.

COUNCIL CLERK: Thank you. M 1460.

SPEAKER QUINN: Would now like a roll call on the Land Use Call-Up, please. Thank you.

COUNCIL CLERK: Arroyo.

[No response.]

COUNCIL CLERK: Avella.

COUNCIL MEMBER AVELLA: I vote aye and I'd like to vote on all Coupled General Orders?

PUBLIC ADVOCATE GOTBAUM: So ordered.

COUNCIL MEMBER AVELLA: I vote aye on everything, except I vote no on--

PUBLIC ADVOCATE GOTBAUM: Quiet, please.

SERGEANT-AT-ARMS: Keep it down, please, keep it down.

COUNCIL MEMBER AVELLA: I vote no

1  
2 on Land Use numbers 1073 and Reso 2018, Land Use  
3 1074 and Reso 2019, Land Use 1075 and Reso 2020,  
4 and Land Use 1082 and Reso 2021--on those items I  
5 vote no, I vote yes on everything else.

6 COUNCIL CLERK: Baez.

7 [No response.]

8 COUNCIL CLERK: Barron.

9 COUNCIL MEMBER BARRON: Aye.

10 COUNCIL CLERK: Brewer.

11 COUNCIL MEMBER BREWER: Aye.

12 COUNCIL CLERK: Comrie.

13 COUNCIL MEMBER COMRIE: Aye.

14 COUNCIL CLERK: Crowley.

15 COUNCIL MEMBER CROWLEY: Aye.

16 COUNCIL CLERK: De Blasio.

17 COUNCIL MEMBER DE BLASIO: Aye.

18 COUNCIL CLERK: Dickens.

19 COUNCIL MEMBER DICKENS: Aye.

20 COUNCIL CLERK: Dilan.

21 COUNCIL MEMBER DILAN: Aye.

22 COUNCIL CLERK: Eugene.

23 COUNCIL MEMBER EUGENE: Aye.

24 COUNCIL CLERK: Felder.

25 COUNCIL MEMBER FELDER: Yes.

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STATED COUNCIL MEETING

46

COUNCIL CLERK: Ferreras.

COUNCIL MEMBER FERRERAS: Aye.

COUNCIL CLERK: Fidler.

COUNCIL MEMBER FIDLER: Aye.

COUNCIL CLERK: Foster.

COUNCIL MEMBER FOSTER: Aye.

COUNCIL CLERK: Garodnick.

COUNCIL MEMBER GARODNICK: Aye.

COUNCIL CLERK: Gennaro.

COUNCIL MEMBER GENNARO: Yes.

COUNCIL CLERK: Gentile.

COUNCIL MEMBER GENTILE: Yes.

COUNCIL CLERK: Gerson.

COUNCIL MEMBER GERSON: Aye.

COUNCIL CLERK: Gioia.

COUNCIL MEMBER GIOIA: Yes.

COUNCIL CLERK: Gonzalez.

COUNCIL MEMBER GONZALEZ: Madam

Public Advocate, permission to vote aye on all  
Coupled General Orders and Resolutions, thank you.

PUBLIC ADVOCATE GOTBAUM: So

ordered.

COUNCIL MEMBER GONZALEZ: Aye.

COUNCIL CLERK: Ignizio.

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[No response.]

COUNCIL CLERK: Jackson.

COUNCIL MEMBER JACKSON: I vote  
aye.

COUNCIL CLERK: James.

COUNCIL MEMBER JAMES: Aye.

COUNCIL CLERK: Katz.

COUNCIL MEMBER KATZ: Aye, aye.

COUNCIL CLERK: Koppell.

COUNCIL MEMBER KOPPELL: Aye.

COUNCIL CLERK: Lappin.

COUNCIL MEMBER LAPPIN: Aye.

COUNCIL CLERK: Liu.

COUNCIL MEMBER LIU: Yes.

COUNCIL CLERK: Mark-Viverito.

COUNCIL MEMBER MARK-VIVERITO: Yes.

COUNCIL CLERK: Martinez.

COUNCIL MEMBER MARTINEZ: Aye.

COUNCIL CLERK: Mealy.

COUNCIL MEMBER MEALY: Aye. May I  
have permission, please?

[Off mic]

COUNCIL MEMBER MEALY: Aye on all  
Call-Ups with permission on aye on all Coupled

1

2 General Orders and all resolutions?

3 PUBLIC ADVOCATE GOTBAUM: So

4 ordered.

5 COUNCIL MEMBER MEALY: Thank you.

6 Aye on all.

7 [Off mic]

8 MALE VOICE: Didn't want to ask

9 you.

10 FEMALE VOICE: Why?

11 MALE VOICE: No, no, no.

12 [Off mic]

13 COUNCIL CLERK: Mendez.

14 [No response.]

15 COUNCIL CLERK: Mitchell.

16 COUNCIL MEMBER MITCHELL: Aye.

17 COUNCIL CLERK: Nelson.

18 COUNCIL MEMBER NELSON: Aye.

19 COUNCIL CLERK: Palma.

20 COUNCIL MEMBER PALMA: Aye.

21 COUNCIL CLERK: Recchia.

22 PUBLIC ADVOCATE GOTBAUM: Quiet,

23 please.

24 COUNCIL MEMBER RECCHIA: Aye.

25 [Off mic]



1

COUNCIL CLERK: Reyna.

2

COUNCIL MEMBER REYNA: I vote aye.

3

COUNCIL CLERK: Sanders.

4

COUNCIL MEMBER SANDERS: Aye,

5

6 absolutely [off mic].

6

COUNCIL CLERK: Seabrook.

7

COUNCIL MEMBER SEABROOK: Aye.

8

COUNCIL CLERK: Sears.

9

COUNCIL MEMBER SEARS: Aye.

10

COUNCIL CLERK: Stewart.

11

COUNCIL MEMBER STEWART: Aye.

12

COUNCIL CLERK: Ulrich.

13

COUNCIL MEMBER ULRICH: Aye.

14

COUNCIL CLERK: Vacca.

15

COUNCIL MEMBER VACCA: Aye.

16

COUNCIL CLERK: Vallone.

17

COUNCIL MEMBER VALLONE: Aye.

18

COUNCIL CLERK: Weprin.

19

COUNCIL MEMBER WEPRIN: Aye.

20

COUNCIL CLERK: White.

21

COUNCIL MEMBER WHITE: I vote aye,

22

23 aye on all Land Use items, aye on all Coupled

23

24 General Orders and I ask [off mic] unanimous

24

25 consent to vote aye on all resolutions.

25

1  
2 MALE VOICE: So ordered, Betsy, so  
3 ordered.

4 PUBLIC ADVOCATE GOTBAUM: So  
5 ordered.

6 COUNCIL MEMBER WHITE: I vote aye.

7 COUNCIL CLERK: Yassky.

8 COUNCIL MEMBER YASSKY: Aye.

9 COUNCIL CLERK: Oddo.

10 COUNCIL MEMBER ODDO: Yes.

11 COUNCIL CLERK: Rivera.

12 COUNCIL MEMBER RIVERA: I vote aye.

13 COUNCIL CLERK: Speaker Quinn.

14 [Off mic]

15 [Pause]

16 PUBLIC ADVOCATE GOTBAUM: Today's  
17 Land Use Call-Up was adopted by a vote of 48 in  
18 the affirmative, zero, negative.

19 Communication from the Speaker.

20 SPEAKER QUINN: Thank you very  
21 much. Let me make the first Communication from  
22 the Speaker be a happy birthday message to our  
23 Public Advocate who, I believes birthday is  
24 tomorrow so Happy birthday.

25 PUBLIC ADVOCATE GOTBAUM: Thank

1

2 you.

3

4

SPEAKER QUINN: So having  
embarrassed our Public Advocate, I will move on.

5

6

We are voting on a number of  
different important matters today--

7

8

SERGEANT-AT-ARMS: Keep it down,  
please, keep it down.

9

10

11

12

SPEAKER QUINN: --one is Intro 940.  
This piece of legislation expands the boundaries  
of the Chinatown Lower East Side Empire Zone to  
include the East River Science Park.

13

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18

I want to thank Council Member Tom  
White, whose committee oversaw this piece of  
legislation, and Council Member Alan Gerson, who  
represents this area, and Council Member Dan  
Garodnick, who does as well, for their work,  
particularly Council Member Gerson's work on this.

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This expansion of the Empire Zone  
is particularly important to us in the Council  
because it hopefully will help us get as many  
biotech jobs into the East River Science Park as  
possible. We in the Council for a number of  
months have been working to expand and solidify  
the biotech industry in the city of New York as

1  
2 part of our efforts to create more jobs during  
3 this recession, but also as part of our efforts to  
4 diversify the revenue stream in the city of New  
5 York to make us less reliant on Wall Street.

6 The expansion of this Empire Zone,  
7 when we couple that with the biotech tax credit  
8 that we are trying to pass in Albany, we believe  
9 it will make the East River Science Park a very  
10 attractive place for biotech firms to establish  
11 themselves and bring hundred, if not thousands, of  
12 jobs to the city of New York.

13 I also want to thank everyone in  
14 the Mayor's office who worked on this legislation.

15 And let me call on the Chair of our  
16 Economic Development Committee and sponsor of the  
17 legislation, Council Member Tom White and, again,  
18 thank him.

19 COUNCIL MEMBER WHITE: Thank you  
20 very much, Madam Speaker.

21 I just would like to thank you and  
22 the committee members and the staff that worked on  
23 this piece of legislation.

24 It is very, very important that we  
25 take a look at the 21st century in relationship to

1  
2 medical care, research, and those things that are  
3 very, very important for the future of this city,  
4 state, as well of the country, and perhaps the  
5 world.

6 So with this establishment of this  
7 bio science lab and hopefully the extension of it,  
8 we will be one of the leaders in science  
9 technology and perhaps find a cure for many of the  
10 illnesses that people have.

11 Thank you very much.

12 SPEAKER QUINN: Thank you, thank  
13 you very much, Chairperson White.

14 Let me also thank Jeff Haberman who  
15 worked on Intro 940.

16 Also now we're going to speak to  
17 Intro 1001-A, 1003-A, and 1005. I want to thank  
18 also Jeff Haberman, Robert Calandra, Samara  
19 Swanston, Siobhan Watson, and Alix Pustilnik--all  
20 who worked on those pieces of legislation as well.

21 These are four pieces of  
22 legislation that come out of the 12 bills that we  
23 worked very closely with Deputy Mayor Skyler and  
24 the Mayor's office on after the tragic Deutsche  
25 Bank fire. I think folks will remember a couple

1  
2 of weeks ago we introduced a package of a dozen  
3 pieces of legislation. These are 12 bills which  
4 seek to respond to the tragic lessons we learned  
5 at the Deutsche Bank fire.

6 They address the issue of making  
7 the rules and regulations around demolition and  
8 asbestos removal stronger and tighter in the city  
9 of New York. They deal with making the  
10 regulations around the need for egress at  
11 abatement projects clearer and stronger, and we  
12 all know what a tragic issue that became at the  
13 Deutsche Bank fire. They also speak to increasing  
14 coordination between city agencies, particularly  
15 between fire, Department of Buildings, and  
16 Department of Environmental Protection so when  
17 firefighters or others go into a building they  
18 know what the situation is and when we're  
19 assigning inspectors we know the full picture of  
20 the building when we're making those decisions,  
21 and also deal with tightening the restrictions  
22 around smoking or even having lighters or tobacco  
23 at construction sites.

24 I want to thank, in addition to the  
25 staff, all of the Council Members who have worked

1  
2 on these pieces of legislation, in particular,  
3 Chairperson Jim Gennaro, the Chair of our  
4 Environmental Protection Committee, which oversaw  
5 three of the bills. Also Chairperson Jimmy Vacca,  
6 which oversaw two of the bills that we are passing  
7 today. I also want to thank Council Member Miguel  
8 Martinez, who was the Chair of the Fire and  
9 Criminal Justice Committee when we began this  
10 effort and this work.

11 And, as I said earlier at the pre-  
12 Stated Meeting, these bills continue a tradition  
13 that Chairperson Martinez started and Chairperson  
14 Vacca is continuing, that whenever we lose a  
15 firefighter or a fire officer in the city of New  
16 York, we go and analyze what happened at that fire  
17 to see if there are legislative actions we can  
18 change or take to prevent something like that from  
19 ever happening again. So thank you, Chairperson  
20 Martinez, for setting that standard.

21 I also want to thank Council Member  
22 Stewart and Council Member James who are two of  
23 the lead sponsors of these pieces of legislation  
24 we are acting on today. We have a number of  
25 members who has obviously contributed to this who

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2 I'm going to call on. Let me start with the Chair  
3 of our Environmental Protection Committee, Council  
4 Member Jim Gennaro, and then we'll hear from  
5 Council Members James, Martinez, and Stewart, who  
6 are the sponsors of the Environmental Protection  
7 legislation.

8 COUNCIL MEMBER GENNARO: Thank you,  
9 Madam Speaker. It was a pleasure to work with you  
10 and your team on this sacred effort to try to get  
11 all these bills done.

12 I'd like to thank the Bloomberg  
13 Administration for their great cooperation and  
14 focus in getting us here. I'm happy to have  
15 played a small role in getting these bills through  
16 the committee.

17 And I certainly, like you, would  
18 like to thank, Council Members James, Stewart, and  
19 Martinez for being the lead sponsors of these  
20 bills, but I wish to thank you in a special way,  
21 Madam Speaker, and your team for getting these  
22 bills done. Thank you, Madam Speaker.

23 SPEAKER QUINN: Thank you very  
24 much, Chairperson Gennaro. Let me next call on  
25 Council Member Tish James, who--



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COUNCIL MEMBER JAMES:

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[Interposing] Thank you, Madam Speaker. This

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bill prohibits smoking at construction sites, it's

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a common sense bill which attempts to codify

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existing industry standards. In addition, the

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second piece of legislation would prohibit smoking

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on any floor of a building where abatement

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activities are taking place.

10

Further, this legislation would

11

prohibit tobacco inside the workplace at such

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areas as defined under DEP's asbestos control

13

program rules.

14

Additionally, this legislation

15

would prohibit lighters and matches in these areas

16

and DEP would be required to promulgate any new

17

rules or amend existing rules to carry out this

18

new section.

19

I thank the two Chairs, I thank the

20

Speaker for her great leadership. Thank you.

21

SPEAKER QUINN: Thank you very

22

much. Let me next call on Council Member Miguel

23

Martinez.

24

COUNCIL MEMBER MARTINEZ: Thank

25

you, Madam Speaker. I also want to thank you and

1  
2 your staff and Chairman Gennaro for working with  
3 us on this piece of legislation.

4 As you know, this legislation will  
5 require now that whenever there is asbestos  
6 removal or abatement taking place before the  
7 demolition of a building, that the contractors go  
8 to the Environmental Protection Agency to get  
9 certification and allow for that information to be  
10 shared, not only with the Environmental Protection  
11 Agency, but with the Buildings Department and the  
12 Fire Department, making it more safe in the city  
13 of New York whenever there is a demolition project  
14 taking place in terms of knowing everything that's  
15 going on in the building before the building is  
16 demolished.

17 I want to thank you for working  
18 with my office and your staff in making sure that  
19 this piece of legislation becomes a reality.  
20 Thank you, Madam Speaker.

21 SPEAKER QUINN: Thank you very  
22 much, Council Member Martinez. Next we're going  
23 to hear from Council Member Kendall Stewart, the  
24 sponsor of Intro 1005.

25 COUNCIL MEMBER STEWART: Thank you,

1  
2 Madam Speaker. I would like to ask my colleagues  
3 to support this bill because of the fact that it  
4 would amend the Administrative Code of the city of  
5 New York in relation to the simultaneous  
6 performance of demolition work and asbestos  
7 activities within the same building. This timely  
8 legislation is the result of major concerns and  
9 issues regarding egress at abatement projects.

10 We all remember the devastating  
11 fire in the former Deutsche Bank building at 130  
12 Liberty Street in Manhattan that led to the deaths  
13 of two New York City firefighters and injuries to  
14 several others--that was on August 18th, 2007.  
15 Subsequent FDNY investigation revealed that the  
16 cause of the fire and the ensuing tragedy was the  
17 result of a discarded cigarette on the 17th floor.  
18 This was further aggravated by the fact that there  
19 was no working standpipe in the building at the  
20 time of the fire.

21 This tragedy and the findings of  
22 the fire department have led us today's vote on  
23 what I consider to be an important piece of  
24 legislation. This is the culminating of a series  
25 of collaboration between the Administration and

1  
2 the Council and will enhance, improve, and  
3 strengthen construction, demolition, and asbestos  
4 abatement procedures and rules in the city.

5 I want to thank Speaker Quinn and  
6 all of my colleagues who understood the importance  
7 of this legislation, not only in respect to  
8 safeguarding the lives of our firefighters, but  
9 also in relation to how the city handles asbestos  
10 removal and containment, as well as stricter  
11 oversight on empty buildings and construction and  
12 demolition procedures.

13 I want to thank you all for  
14 supporting this bill.

15 SPEAKER QUINN: Thank you, Council  
16 Member Stewart.

17 I next want to call on Chairperson  
18 Jimmy Vacca, who, as Chair of our Fire and  
19 Criminal Justice Services Committee, oversaw the  
20 passage of Intro 1002 and 1007, the one that  
21 Council Member Tish James referenced prohibiting  
22 smoking at construction sites; and Intro 1007,  
23 which is the piece of legislation that speaks to  
24 interagency notification and coordination between  
25 DEP, DOB, and the fire department.

1  
2 And I particularly want to thank  
3 Council--Chairperson, excuse me, Vacca for his  
4 constant focus on the need to have better  
5 coordination, which will lead to greater safety in  
6 the city of New York, but also better usage and  
7 more thoughtful and effective and cost effective  
8 usage of staff between agencies. So thank you  
9 very much and call on Chairperson Vacca.

10 COUNCIL MEMBER VACCA: Thank you,  
11 Speaker Quinn, and Members of the Council. I'd  
12 like to thank the Speaker and the Mayor's office  
13 for their cooperation in both 1002 sponsored by  
14 Council Member James and 1007, which I sponsored.

15 Council Member James spoke about  
16 her bill concerning smoking on construction sites  
17 and I think that what she indicated stresses the  
18 urgency of the legislation involved.

19 Concerning 1007, I think all of us  
20 have examples over the years where one agency goes  
21 to a site to issue a violation or to make the site  
22 safe or to do an assessment of a construction site  
23 and that agency does not have information as to  
24 what other city agencies may have done there. It  
25 often happens, for example, that Buildings goes to

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a construction site and doesn't know that the fire department and DEP have violations pending or that they've made site safety inspections where issues of concern have arisen.

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This bill requires these agencies to share that information. It's important that the right hand know what the left hand is doing at all times and I think tragically over the course of many years, many events have pointed out that when that did not happen, the public suffered.

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So I urge my colleagues to pass both bills and I thank the Members of the Fire and Criminal Justice Committee for their supporting this and the Speaker and the Mayor for expediting this bill's introduction today and final passage. Thank you.

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SPEAKER QUINN: Thank you very much. Lastly, we are going to speak about Intro 927-A. I want to thank Lyle Frank and Jeff Haberman for working on this legislation. Just to be noted, Jeff Haberman worked on every piece of the legislation we are passing at today's Stated Meeting, so thank you, Jeff.

25

This is a piece of legislation that

1  
2 was passed through the Parks Committee and I want  
3 to thank Chairperson Foster for her swift  
4 attention to this legislation, and Minority Leader  
5 Jimmy Oddo, who is the prime sponsor of this bill.

6 927-A is a piece of legislation  
7 that deals with Special Natural Area Districts, of  
8 which there are four in the city of New York--two  
9 of which are on Staten Island, one in Queens, and  
10 one in the Bronx; why Brooklyn doesn't have one or  
11 Manhattan, we can't answer today, but we will of  
12 course get everyone an answer to that question.  
13 But they are important areas in the city of New  
14 York that have a unique geological or  
15 environmental set of factors that we want to do  
16 everything we can to protect.

17 927-A addresses a problem that's  
18 occurring of people removing trees in Special  
19 Natural Area Districts and seeks to create higher  
20 fines and greater regulations that will prevent  
21 that from happening and prevent the undercutting  
22 of importance Special Natural Area Districts in  
23 our city.

24 I want to thank Chairperson Oddo--  
25 Minority Leader Oddo for bringing this to our

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attention and call on him for a few comments.

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COUNCIL MEMBER ODDO: Is this when I stand up and I make an amendment to put Council Member Ignizio's name in as President pro tem of this body?

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SPEAKER QUINN: Somebody pull the plug.

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PUBLIC ADVOCATE GOTBAUM: So ordered, so ordered.

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COUNCIL MEMBER ODDO: Only problem is we're 23 votes short--

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13

SPEAKER QUINN: [Interposing] Let's withdraw that Happy Birthday message right away, restate that the Public Advocate sits at the pleasure of the Speaker and move right along.

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MALE VOICE: I move to adjourn.

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COUNCIL MEMBER ODDO: Chuck, get the lights; Ramon, get the TV.

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COUNCIL MEMBER JAMES: Take the keys.

22

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COUNCIL MEMBER ODDO: Problem is we're 23 votes short and the novelty of the act seems to have worn off.

24

25

Anyway, got to keep them laughing.



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2                   SPEAKER QUINN:  Intro 927-A will be  
3 laid over until the next Stated Meeting.

4                   COUNCIL MEMBER ODDO:  It's all a  
5 joke.

6                   Actually moving to a serious topic,  
7 Madam Speaker, thank you for the support; Chair  
8 foster, thank you for your help in guiding this  
9 piece of legislation.

10                   As the Speaker said there are four  
11 Special Natural Area Districts, one in Fort Totten  
12 in Queens, two in my district in Staten Island,  
13 and one in Oliver Koppell's district in Riverdale  
14 and Fieldston in the Bronx.  And City Planning  
15 created this text in 1974 to protect or to offer a  
16 guide for development in these areas that are  
17 environmentally sensitive or have unique natural  
18 features, whether they're rock, outcroppings, or  
19 wetlands, or steep slopes, and there are rules in  
20 place currently to protect trees.

21                   What this does is, in addition to  
22 the homeowner, this places a responsibility on the  
23 contractors or the entities who actually go out  
24 and saw down the trees.  If a homeowner wants to  
25 put in an in-the-ground pool let's say and doesn't

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go and seek the proper permits and goes and takes  
down a tree--

PUBLIC ADVOCATE GOTBAUM: Quiet,  
please.

COUNCIL MEMBER ODDO: --and  
violates the law, he or she would get a fine, what  
this bill does is put the onus as well on the  
contractor. And the hope is that, instead of  
having a 35-year-old tree cut down and then  
somebody get a fine, that before they cut down  
that street, a tree we can't recapture, that they  
will think twice if they will pay a heavy price.

I want to thank the Speaker, I want  
to thank the Administration for working with us  
and I think this is a worthwhile piece of  
legislation. Thank you.

SPEAKER QUINN: Thank you very  
much, Minority Leader Oddo.

Let me just conclude Communications  
with the Speaker with something that happened  
yesterday that I want to share with my colleagues.  
Yesterday I was lucky enough to get to participate  
in the NYPD's Annual Medal Day ceremony and I was  
that the NYPD Medal Day ceremony because our own

1  
2 Detective Richie Burt was awarded the Medal of  
3 Valor, so if Richie could step forward. And I  
4 think everyone could easily guess and remember why  
5 Richie was awarded the Medal of Valor for the day,  
6 a day any of us who were in the chambers will  
7 certainly never forget the day that former Council  
8 Member James Davis was assassinated in the  
9 chambers. Richie's quick and decisive and  
10 effective action made sure that a lot of other  
11 lives that might have been lost or hurt were saved  
12 that day. So congratulations, Detective Burt.

13 [Off mic]

14 SPEAKER QUINN: And that concludes  
15 Communications from the Speaker.

16 PUBLIC ADVOCATE GOTBAUM: Sorry,  
17 Discussion of General Orders. Council Member  
18 Barron.

19 COUNCIL MEMBER BARRON: Thank you  
20 very much, Madam Chair. I speak to express my  
21 opposition to the Dock Street project in DUMBO. I  
22 think development should start from the community  
23 up and, in this particular project, while they're  
24 talking about affordable housing, the 80/20  
25 formula to me is not affordable. That's bringing

1  
2 more luxury housing in, I think developers get  
3 away with getting all kinds of floating tax-free  
4 bonds and breaks and then when we talk about  
5 affordability, it's a 80/20 formula.

6 To me, developers should pay more  
7 or do more with affordability and then when you're  
8 going to change the character of a community and  
9 build a 17-story building, I think that  
10 communities should be considered more.

11 And I don't like the fact that this  
12 debate was reduced to some wanting a better view  
13 of the Brooklyn Bridge and not affordable housing.  
14 I've met with some of the opponents, they have no  
15 problems with affordable housing or schools, but  
16 it didn't have to go down like this. I think the  
17 building could have been made much shorter.

18 While some will lose their view, none of the  
19 opponents that I've met with was overly concerned  
20 about a view, there was more concern about they  
21 having a stronger voice in the development of  
22 their community. And it shouldn't come from city  
23 planning down, it should come from the community  
24 up.

25 So with that, I just want to voice

1  
2 my opposition to LU 1073 to 74 and 75 and the  
3 accompanying Resos. Thank you very much, Madam  
4 Chair.

5 PUBLIC ADVOCATE GOTBAUM: Council  
6 Member Garodnick.

7 COUNCIL MEMBER GARODNICK: Thank  
8 you very much, Madam Public Advocate.

9 I rise in support of Intro 940,  
10 which is the expansion of the Chinatown Empire  
11 Zone to include the East River Science Park.

12 As many of my colleagues know, we  
13 frequently talk in this chamber about broadening  
14 New York City's economic base from simply relying  
15 too heavily on Wall Street. According to the IBO,  
16 from 2003 to 2007, when Wall Street profits were  
17 expanding, along with the financial asset bubble,  
18 the city's business income tax receipts grew by  
19 163%, from 2 to 6 billion--by far the fastest  
20 growth in these tax's history. But from 2008 to  
21 2010, business tax collections are projected to  
22 fall by a cumulative 2.4 billion, or 40.7%, which  
23 is the fastest decline in the history of these  
24 taxes.

25 The East River Science Park is

1  
2 being developed to allow New York City to get a  
3 foothold in the biotech industry, diversify our  
4 economy, breathe life into an important industry  
5 for New York City, and create jobs. And the  
6 expansion of this Empire Zone, along with the  
7 value of accompanying investments in wages paid  
8 and property improvements, particularly for the  
9 first billion, this is estimated to be a benefit  
10 of around \$51 to \$68 million over five years to  
11 the city of New York. So I think this is an  
12 important thing for us to do, it's an important  
13 thing for us to do now.

14 And I want to thank Council Member  
15 Alan Gerson for his support of the partnership  
16 between Chinatown and the East River Science Park,  
17 and I encourage my colleagues to vote yes. Thank  
18 you.

19 PUBLIC ADVOCATE GOTBAUM: Council  
20 Member Yassky.

21 COUNCIL MEMBER YASSKY: Thank you.  
22 I am speaking in opposition to the four Land Use  
23 items relating to the proposed building next to  
24 the Brooklyn Bridge in the DUMBO area of Brooklyn  
25 which I represent.

1  
2 My concern does have to do with  
3 views, but it's not people's views from their  
4 apartments, it's the views that New Yorkers,  
5 tourists, but principally New Yorkers, enjoy as  
6 they walk or drive or bicycle over the Brooklyn  
7 Bridge. And the example that comes to mind when I  
8 think of what's at stake in this application is  
9 the Verizon building on the New York side of the  
10 Brooklyn Bridge, that any of us who have walked  
11 over on the Manhattan side, any of us who have  
12 walked over the Brooklyn Bridge toward Manhattan  
13 know that the experience of the bridge is marred  
14 by the presence of a big ugly building that's  
15 right in your view as you walk over that bridge,  
16 that is of a scale to kind of dominate the  
17 structure of the bridge.

18 I am not saying that the building  
19 that's being proposed here will be as unattractive  
20 or as devastating as that building, but when you  
21 have one of the handful of treasures in the entire  
22 city, that is the experience of walking over the  
23 Brooklyn Bridge, I think it would just be a  
24 mistake to tamper with it in any way. And for  
25 that reason, I am opposed to this.

1  
2 And it's not a local issue, it's  
3 not simply the neighbors, we had testimony from  
4 Ken Burns, the documentarian from David McCullough  
5 the author of the Pulitzer prize-winning  
6 definitive book on the Brooklyn Bridge; from  
7 Christian Roebling, the great-great-grandson, I  
8 guess, of the bridge's designer and builder--all  
9 of whom came here, none of them live in the area,  
10 none of them were talking about their impact on  
11 their particular apartments, they were here to say  
12 the Brooklyn Bridge is one of our most important  
13 treasures in the city and we should protect it.

14 Thank you.

15 PUBLIC ADVOCATE GOTBAUM: Council  
16 Member Gerson.

17 COUNCIL MEMBER GERSON: Thank you,  
18 Madam Public Advocate. I, too, want to urge all  
19 of my colleagues to vote in favor of Intro 940,  
20 the expansion of the Chinatown Lower East Side  
21 zone to encompass the biotech center on the Upper  
22 East Side. And I welcome Council Member  
23 Garodnick, the partnership between the Lower East  
24 Side and Chinatown in the Upper East Side, which  
25 bodes well for the entire city and region, and I



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welcome the opportunity of working with you on this.

As our Speaker and Council Member Garodnick pointed out, this extension will make a major step forward in the diversification of our economy by helping to make New York City more of a center for science and technology. It will do so by the extension of this enterprise zone and it will do so by two very important commitments made by EDC, the New York City Economic Development Corporation, in agreement with us in conjunction with this bill. Specifically, NYC EDC will now move forward with the process that could lead to the establishment of an Asian Pacific Trade Center within the current Chinatown Lower East Side enterprise zone, and we will start expeditiously on the feasibility analysis.

And also at the same time, NYC EDC, in conjunction with the City Council, will convene an important panel of scientists, academics, development experts to examine ways in which we can similarly anchor other technology-- nanotechnology, environmental technology, robotics, the range of other science and

1  
2 technology elsewhere in our city, including  
3 possibly on Governors Island, and particularly on  
4 Governors Island I should say, as well as in Lower  
5 Manhattan.

6 So in conjunction with these  
7 agreements, this bill will do well by making New  
8 York City one of the nation's and world's leading  
9 science centers. Thank you.

10 PUBLIC ADVOCATE GOTBAUM: Council  
11 Member James.

12 COUNCIL MEMBER JAMES: I urge my  
13 colleagues to vote in support of the Doc Street  
14 project because it holds the promise of hundreds  
15 of new middle school slots, seats for public  
16 school children in downtown Brooklyn. This  
17 project proposes to build a 300 seat public middle  
18 school in a privately funded, lead-certified,  
19 green residential building that will also create  
20 DUMBO's first, first ever affordable housing.

21 The developer plans to donate a  
22 significant portion of the cost of the school to  
23 the city as well--a financial contribution worth  
24 over \$40 million.

25 Further, he has already reached out

1  
2 to the surrounding community regarding job  
3 opportunities, women and minority businesses, and  
4 other economic development benefits. The Dock  
5 Street project is exactly the kind of smart,  
6 innovative, carefully crafted, and planned  
7 partnership for the future of this city,  
8 particularly at this time of challenging fiscal  
9 needs.

10                   And I'm also well aware of the  
11 concerns expressed by some project opponents about  
12 the building's proximity to the Brooklyn Bridge.  
13 So I took the time to walk the neighborhood, to  
14 evaluate their issues and consulted with numerous  
15 community leaders and residents and I concluded  
16 quite comfortably that Dock Street DUMBO does not  
17 pose any kind of threat to the Brooklyn Bridge,  
18 which is a position clearly shared by both the  
19 local Community Board, City Planning Commission,  
20 along with numerous design professionals, area  
21 parents who support this overwhelmingly, and  
22 others throughout the neighborhood. I firmly  
23 believe that this project's new public middle  
24 school and affordable housing represents  
25 significant benefits for the area's residents and

1  
2 I urge all of my colleagues to vote yes. Thank  
3 you.

4 PUBLIC ADVOCATE GOTBAUM: Seeing  
5 nobody else. Oh, Council Member Katz.

6 COUNCIL MEMBER KATZ: Okay. Sorry,  
7 Madam Public Advocate.

8 I just want to go over what the  
9 application of Dock Street is for everyone. It is  
10 four applications to facilitate the development of  
11 a residential building which will be by agreement  
12 20% affordable housing, a public school, ground  
13 floor retail parking, it is a school siting and an  
14 amendment.

15 The committee voted overwhelmingly  
16 in the majority to pass this project. The  
17 Community Board in the community that sits where  
18 this building is going voted overwhelmingly in  
19 favor of this project.

20 And I just want to point out, right  
21 now in the worst recession that we have seen in  
22 decades, economic development and smart projects  
23 going forward are going to be key for the future  
24 of this city. And, moreover, the fact that we are  
25 building a school to educate the future of our

1  
2 city and the folks that can go there from all over  
3 the community is an extremely important aspect of  
4 this project that cannot be underestimated.

5 So the Land Use Committee voted in  
6 favor of it, I urge my colleagues to vote in favor  
7 of this project. It is the right thing to do for  
8 the future of this city, it is right to educate  
9 our children with this school and the affordable  
10 housing that has been agreed to will be a benefit  
11 to the future in the end.

12 I thank you for your time, Madam  
13 Public Advocate.

14 PUBLIC ADVOCATE GOTBAUM: Council  
15 Member Ulrich.

16 COUNCIL MEMBER ULRICH: Madam  
17 Public Advocate, I ask for unanimous consent to  
18 vote on all General Orders.

19 PUBLIC ADVOCATE GOTBAUM: Oh, so  
20 ordered.

21 COUNCIL MEMBER ULRICH: Aye on all.

22 PUBLIC ADVOCATE GOTBAUM: Anybody  
23 else on General Order discussion? Okay. Seeing  
24 nobody else, we will move on to Report of Special  
25 Committees.

1

COUNCIL CLERK: None.

2

SPEAKER QUINN: None. Oh, sorry.

3

Just trying to move us along here.

4

PUBLIC ADVOCATE GOTBAUM: Yeah.

5

Reports of Standing Committees?

6

COUNCIL CLERK: Report of the

7

Committee on Economic Development, Intro 940,

8

Chinatown Lower East Side Empire Zone.

9

SPEAKER QUINN: Coupled on General

10

Orders.

11

COUNCIL CLERK: Preconsidered Reso

12

2017.

13

SPEAKER QUINN: Coupled on General

14

Orders.

15

COUNCIL CLERK: Report of the

16

Committee of Environmental Protection, Intro 1001-

17

A, prohibiting smoking at abatement sites.

18

SPEAKER QUINN: Amended and Coupled

19

on General Orders and the message of necessity.

20

COUNCIL CLERK: Intro 1003-A,

21

asbestos abatement.

22

SPEAKER QUINN: Amended and Coupled

23

on General Orders.

24

COUNCIL CLERK: Intro 1005, egress

25

1

2 at abatement projects.

2

3

4 SPEAKER QUINN: Coupled on General  
Orders.

4

5

6 COUNCIL CLERK: Report of the  
Committee on Fire and Criminal Justice Services,  
7 Intro 1002, prohibiting smoking at construction  
8 sites.

8

9

10 SPEAKER QUINN: Coupled on General  
Orders.

10

11

12 COUNCIL CLERK: Intro 1007,  
interagency notification.

12

13

14 SPEAKER QUINN: Coupled on General  
Orders.

14

15

16 COUNCIL CLERK: Report of the  
Committee on Land Use, Intro 979, unsubsidized  
17 private bus services.

17

18

19 SPEAKER QUINN: Coupled on General  
Orders.

19

20

21 COUNCIL CLERK: LU 1073 and Reso  
2018 through LU 1075 and Reso 2020, various  
22 applications.

22

23

24 SPEAKER QUINN: Coupled on General  
Orders.

24

25

25 COUNCIL CLERK: LU 1077 through LU

1081, various applications.

SPEAKER QUINN: Approved with Modifications and Referred to the City Planning Commission pursuant to Rule 11.7 (b) of the Rules of the Council and Section 197-d of the New York City Charter.

PUBLIC ADVOCATE GOTBAUM: Quiet, please.

SERGEANT-AT-ARMS: Keep it down, please.

COUNCIL CLERK: LU 1082 and Reso 2021, Sunnyside Gardens.

SPEAKER QUINN: Coupled on General Orders.

COUNCIL CLERK: LU 1102 and Reso 2022, ULURP Bronx.

SPEAKER QUINN: Coupled on General Orders.

COUNCIL CLERK: LU 1104 and Reso 2023, enclosed sidewalk café.

SPEAKER QUINN: Coupled, to be Filed pursuant to a letter of withdrawal.

COUNCIL CLERK: LU 1105 and Reso 2024, ULURP Bronx.



1  
2 SPEAKER QUINN: Coupled on General  
3 Orders.

4 COUNCIL CLERK: LU 1106 and Reso  
5 2025 through Preconsidered LU 1113 and Reso 2029,  
6 various applications.

7 SPEAKER QUINN: Coupled on General  
8 Order.

9 COUNCIL CLERK: Report of the  
10 Committee on Parks and Recreation, Intro 927-A,  
11 Special Natural Area District.

12 SPEAKER QUINN: Amended and Coupled  
13 on General Orders.

14 PUBLIC ADVOCATE GOTBAUM: General  
15 Order calendar.

16 COUNCIL CLERK: Resolution  
17 appointing various persons Commissioner of Deeds.

18 SPEAKER QUINN: Coupled on General  
19 Orders, and at this point I'd ask for a roll call  
20 on all items that are Coupled on the General Order  
21 calendar.

22 And I'd like to remind my  
23 colleagues that this Council meeting will stand in  
24 recess at the end of this meeting because of the  
25 ongoing budget negotiations and potential need to

1

2

send Home Rules to Albany. Thank you.

3

PUBLIC ADVOCATE GOTBAUM: Good

4

luck.

5

COUNCIL CLERK: Arroyo.

6

COUNCIL MEMBER ARROYO: Aye.

7

COUNCIL CLERK: Baez.

8

COUNCIL MEMBER BAEZ: Aye.

9

COUNCIL CLERK: Barron.

10

COUNCIL MEMBER BARRON: I vote no

11

on Resolution Land Use numbers 1073, 74, and 75

12

and the accompanying Resos, I vote no and aye on

13

all other items [off mic].

14

COUNCIL CLERK: Brewer.

15

COUNCIL MEMBER BREWER: Aye.

16

COUNCIL CLERK: Comrie.

17

[No response.]

18

COUNCIL CLERK: Crowley.

19

COUNCIL MEMBER CROWLEY: I vote aye

20

on all.

21

COUNCIL CLERK: De Blasio.

22

COUNCIL MEMBER DE BLASIO: Madam

23

Public Advocate, permission to explain my vote?

24

PUBLIC ADVOCATE GOTBAUM: So

25

ordered.

1  
2 COUNCIL MEMBER DE BLASIO: Thank  
3 you. I want to address the issue of the Dock  
4 Street plan.

5 I think people of good will have  
6 different views on this issue and I respect those  
7 who disagree with my position in opposition to  
8 this plan.

9 Many of our neighborhoods  
10 desperately need more affordable housing and  
11 classroom space, but as the proposed development  
12 for Dock Street currently stands, I am not  
13 convinced that it's the best or even the most  
14 appropriate way to achieve those goals. And we  
15 must ensure that no proposed development project  
16 compromises the Brooklyn Bridge, which is one of  
17 the great symbols of our city. And for those  
18 reasons I vote no on LU 1073, LU 1074, and LU 1075  
19 and the accompanying resolutions, and I vote aye  
20 on all other items.

21 COUNCIL CLERK: Dickens.

22 COUNCIL MEMBER DICKENS: Aye on  
23 all.

24 COUNCIL CLERK: Dilan.

25 COUNCIL MEMBER DILAN: Aye on all.

1

COUNCIL CLERK: Eugene.

2

COUNCIL MEMBER EUGENE: Aye on all.

3

COUNCIL CLERK: Felder.

4

COUNCIL MEMBER FELDER: Yes.

5

COUNCIL CLERK: Ferreras.

6

COUNCIL MEMBER FERRERAS: Aye on

7

8 all.

COUNCIL CLERK: Fidler.

9

COUNCIL MEMBER FIDLER: Aye on all.

10

COUNCIL CLERK: Foster.

11

COUNCIL MEMBER FOSTER: Aye on all.

12

COUNCIL CLERK: Garodnick.

13

COUNCIL MEMBER GARODNICK: I vote

14

15 aye.

COUNCIL CLERK: Gennaro.

16

COUNCIL MEMBER GENNARO: Yes.

17

COUNCIL CLERK: Gentile.

18

COUNCIL MEMBER GENTILE: Madam

19

20 Public Advocate, if I can explain my vote. I just

20

21 want to say that the Brooklyn Bridge should never

21

22 be compromised or overshadowed and there are other

22

23 resolutions to the issues at hand. So I vote no

23

24 on Land Use numbers 1073, 74, 75 and accompanying

24

25 Resos, and aye on the rest.

25

1

COUNCIL CLERK: Gerson.

2

3

COUNCIL MEMBER GERSON: May I be

4

excused, Madam Public Advocate? I just want to

5

emphasize the imperative for adopting all of the

6

bills pertaining to construction site safety.

7

These will really significantly improve the safety

8

for workers, for area residents, for anyone in

9

proximity to places where this activity takes

10

place.

11

In particular, Intro 1003, the so-

12

called asbestos permit bill will require that any

13

temporary structures established for the purposes

14

of asbestos abatement utilize only inflammable

15

material and it will require that those structures

16

be established in safe and sound ways with

17

advanced knowledge to all who need to enter into

18

those buildings or may need to do so. This bill

19

in particular will prevent another tragedy from

20

taking place of the sort which occurred at the

21

Deutsche Bank building.

22

So these bills and this one provide

23

major improvements in safety and I urge all to

24

join us in voting yes.

25

With that, I vote aye on all,

1  
2 except I vote no on Land Use 1073, 74, 75, and the  
3 accompanying resolutions.

4 COUNCIL CLERK: Gioia.

5 COUNCIL MEMBER GIOIA: I vote no on  
6 Land Use 1073, 1074, and 1075 and their  
7 accompanying resolutions, and vote yes on all  
8 others. Thank you.

9 COUNCIL CLERK: Ignizio.

10 COUNCIL MEMBER IGNIZIO: With  
11 permission, I'd like to vote on the Land Use Call-  
12 Up.

13 PUBLIC ADVOCATE GOTBAUM: So  
14 ordered.

15 COUNCIL MEMBER IGNIZIO: I vote  
16 aye, and aye on all. Thank you.

17 COUNCIL CLERK: Jackson.

18 COUNCIL MEMBER JACKSON: I vote aye  
19 on all.

20 [Off mic]

21 COUNCIL CLERK: James.

22 COUNCIL MEMBER JAMES: I vote aye  
23 on all.

24 COUNCIL CLERK: Katz.

25 COUNCIL MEMBER KATZ: Aye on all.

1

COUNCIL CLERK: Koppell.

2

3

COUNCIL MEMBER KOPPELL: Permission  
to explain my vote?

4

5

PUBLIC ADVOCATE GOTBAUM: So  
ordered.

6

7

COUNCIL MEMBER KOPPELL: I would  
simply observe that it's interesting that the  
protection of trees brings together a conservative  
from Staten Island and a liberal from the Bronx.  
Having said that, I withdraw my request and vote  
aye on all items on the General Order calendar.

10

11

12

13

[Off mic]

14

COUNCIL CLERK: Lappin.

15

COUNCIL MEMBER LAPPIN: Aye on all.

16

COUNCIL CLERK: Liu.

17

COUNCIL MEMBER LIU: Yes, with the  
exception of Land Use items 1073, 1074, and 1075,  
and their accompanying resolutions, on which I  
vote no.

18

19

20

21

COUNCIL CLERK: Mark-Viverito.

22

[No response.]

23

COUNCIL CLERK: Martinez.

24

[No response.]

25

COUNCIL CLERK: Mitchell.

1  
2 COUNCIL MEMBER MITCHELL: Aye on  
3 all.

4 COUNCIL CLERK: Nelson.

5 COUNCIL MEMBER NELSON: To [off  
6 mic] Koppell [off mic] interest, I vote aye on  
7 all.

8 COUNCIL CLERK: Palma.

9 COUNCIL MEMBER PALMA: Aye.

10 COUNCIL CLERK: Recchia.

11 COUNCIL MEMBER RECCHIA: Aye.

12 COUNCIL CLERK: Reyna.

13 COUNCIL MEMBER REYNA: Permission  
14 to explain my vote?

15 PUBLIC ADVOCATE GOTBAUM: So  
16 ordered.

17 COUNCIL MEMBER REYNA: I'd like to  
18 just congratulate Council Member Comrie and  
19 Council Member Garodnick on Intro number 940, on  
20 the expansion of the Empire Zone, the Chinatown  
21 Lower East Side Empire Zone, as well as Council  
22 Member Gerson.

23 I just wanted to make note that  
24 amongst the Empire Zone requirements in trying to  
25 express job creation, that we do take into regard



1  
2 the targeted employee tax credit under the wage  
3 tax credit. It's a targeted employee is  
4 considered to be anyone who has been under public  
5 assistance in the past--has been unemployed,  
6 anyone who has been under the Temporary Assistance  
7 to Needy Families, other known as TANF, the safety  
8 net Medicaid, food stamps--these are all the  
9 individuals who right now we need to consider when  
10 we're talking about matching employee  
11 opportunities. And so I do hope that there's  
12 going to be a very good collaboration between  
13 local employment training programs and the East  
14 River Science Park as implemented.

15 And I did not see any type of  
16 apprenticeship slot program that was funded by the  
17 developer and I do hope that that's something that  
18 they're going to be considering as I had noted at  
19 the committee level.

20 I vote aye on all.

21 COUNCIL CLERK: Comrie.

22 COUNCIL MEMBER COMRIE: Aye on all.

23 COUNCIL CLERK: Martinez.

24 COUNCIL MEMBER MARTINEZ: Aye on

25 all.

1

COUNCIL CLERK: Sanders.

2

[No response.]

3

COUNCIL CLERK: Seabrook.

4

COUNCIL MEMBER SEABROOK: With

5

permission to explain my vote, please?

6

PUBLIC ADVOCATE GOTBAUM: So

7

ordered.

8

COUNCIL MEMBER SEABROOK: Yes, a

9

couple days ago I had the opportunity to take, I

10

guess, a field trip to Brooklyn and to see this

11

area that we're talking about in the DUMBO area.

12

I had the opportunity to go, I had not been in

13

that area since I was a graduate student in 1975

14

at Long Island University, and to see the change

15

that had taken place over there. And I had the

16

opportunity to walk the whole entire area, and I

17

was amazed and very pleased to see the development

18

that had taken place there. And I told Tish James

19

that I was going to take a trip over there myself

20

because she had talked about the school and

21

affordable housing and a number of the other

22

things that was there.

23

And so I was able to see the

24

magnificent Brooklyn Bridge and that historical

25

1  
2 site that's there and I saw where the proposed  
3 school would be, and I took the materials that I  
4 had with me to have the opportunity to see what I  
5 was actually voting for and to see what could  
6 happen.

7           And I think that the Brooklyn  
8 Bridge will maintain all of its integrity, its  
9 historical aspect based upon what I saw and based  
10 upon what I could visualize from not an  
11 architectural point, 'cause I'm not an architect,  
12 but just the vision which I have and what I was  
13 able to see. And the school I think would provide  
14 a tremendous opportunity for a well-diverse  
15 population that could be there, along with the  
16 affordable housing that would actually take place.

17           And I made a commitment and a  
18 promise that I would go back over there and take a  
19 look at that site, it's a beautiful place for  
20 people to be, and I think that it would be  
21 something that would be very important to have,  
22 that level of new housing diversity and the school  
23 there.

24           So I had that opportunity and I  
25 will be casting my vote in the affirmative.

1

COUNCIL CLERK: Sears.

2

COUNCIL MEMBER SEARS: Aye.

3

COUNCIL CLERK: Stewart.

4

COUNCIL MEMBER STEWART: I vote yes

5

on all.

6

COUNCIL CLERK: Vacca.

7

COUNCIL MEMBER VACCA: Aye on all.

8

COUNCIL CLERK: Vallone.

9

COUNCIL MEMBER VALLONE: Permission

10

to explain?

11

PUBLIC ADVOCATE GOTBAUM: So

12

ordered.

13

COUNCIL MEMBER VALLONE: Thank you.

14

I do not believe that anything should be built next to the Brooklyn Bridge that's higher than the roadway of the Brooklyn Bridge. We would not allow a skyscraper next to the Statue of Liberty, and we should not allow this.

15

16

17

18

19

So I vote no on Land Use 1073, 74,

20

75 and the accompanying Resos, and aye on the

21

rest.

22

COUNCIL CLERK: Weprin.

23

COUNCIL MEMBER WEPRIN: Aye on all.

24

COUNCIL CLERK: Yassky.

25

1  
2 COUNCIL MEMBER YASSKY: I vote no  
3 on Land Use 1073, Land Use 1074, and Land Use  
4 1075, and the accompanying resolutions, and also  
5 Land Use 1113 and its accompanying resolution, and  
6 aye on all other items.

7 COUNCIL CLERK: Oddo.

8 COUNCIL MEMBER ODDO: May I be  
9 temporarily excused to explain my vote?

10 PUBLIC ADVOCATE GOTBAUM: So  
11 ordered.

12 COUNCIL MEMBER ODDO: I'll be  
13 voting yes on all. And I'd just like to make one  
14 additional point on the SNAD bill that I forgot to  
15 mention earlier, and that's to say there is,  
16 obviously, there's no justification for taking  
17 down a tree without permission. But, having said  
18 that, I think it's important to make the point  
19 that our local city planning offices have to do a  
20 much better job and have to be much more  
21 responsive.

22 The times that folks are having to  
23 wait to have relatively simple applications  
24 handled is really beyond the pale. There was an  
25 expansion of Staples on Staten Island where they

1  
2 waited literally 4 1/2 years before the local city  
3 planning office acted on it. And what's  
4 happening--and, again, I say this is not a  
5 rationale or a justification for people to taking  
6 down trees, is that, because city planning is so  
7 slow in getting back to folks, they take it in  
8 their own hands literally. And I think it has to  
9 be put on the record as part of this bill that  
10 city planning, while they're looking at the big  
11 picture citywide, have to be more responsive to  
12 our outer boroughs and the local offices have to  
13 do a much better job.

14 With that, I vote yes on all.

15 COUNCIL CLERK: Rivera.

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

18 COUNCIL CLERK: Speaker Quinn.

19 SPEAKER QUINN: I vote aye on all,  
20 but I just wanted to take one second. We voted on  
21 a number of very significant Land Use items today  
22 and a lot of other Land Use work was done that got  
23 referred to the City Planning Commission. And I  
24 just wanted to take a moment to thank Gail  
25 Benjamin and our Land Use staff, they put in

1  
2 endless amount of work. Whether you voted for or  
3 against the Dock Street DUMBO plan, we can really  
4 all owe Gail and her whole team a tremendous thank  
5 you for their tremendous level of professionalism  
6 and concern for the city and concern that each  
7 Council Member's voice gets heard. So thank you  
8 all very much.

9 And with that, I vote aye.

10 [Long Pause]

11 PUBLIC ADVOCATE GOTBAUM: All items  
12 on today's General Order calendar were adopted by  
13 a vote of 48 in the affirmative, zero negative,  
14 zero abstentions, with the exception of LU 1073,  
15 1074, 1075, and their companion resolutions, which  
16 was adopted by 39 in the affirmative, 9 negative,  
17 zero abstentions; and LU 1082 and Reso 2021, which  
18 was adopted by a vote of 47 in the affirmative, 1  
19 negative, zero abstentions; and LU 1113 and Reso  
20 2029, which was adopted by 47 in the affirmative,  
21 1 negative, zero abstentions.

22 The revised Land Use Call-Up vote  
23 is 49 in the affirmative--I'm sorry, zero  
24 negative.

25 Introduction and Reading of Bills.

1

2 Discussion of resolution is one--

3 SPEAKER QUINN: [Interposing] All

4 bills are referred to--

5 PUBLIC ADVOCATE GOTBAUM: Oh I'm

6 sorry.

7 SPEAKER QUINN: --committees as

8 indicated on the agenda.

9 PUBLIC ADVOCATE GOTBAUM: Get to

10 the resolution very fast. Resolution today is an

11 amended resolution supporting President Barack

12 Obama's nomination of Judge Sonia Sotomayor to the

13 Supreme Court of the United States, congratulating

14 the judge on her nomination and urging swift

15 Senate confirmation. Is there any discussion on

16 this?

17 [Off mic]

18 PUBLIC ADVOCATE GOTBAUM: Oh,

19 sorry, excuse me, yes, Council Member Mark-

20 Viverito.

21 COUNCIL MEMBER MARK-VIVERITO:

22 Thank you. I stand on behalf of myself and

23 Council Member Arroyo, who are the sponsors of

24 this Reso, to ask all my colleagues to vote

25 obviously in support.



1  
2 On the eve of the Puerto Rican Day  
3 Parade I think this is a very--

4 SPEAKER QUINN: [Interposing]  
5 Council Member, if we could just get a little  
6 quiet--

7 [Crosstalk]

8 PUBLIC ADVOCATE GOTBAUM:  
9 [Interposing] Yeah, quiet, please.

10 SERGEANT-AT-ARMS: Quiet, please.

11 [Off mic]

12 SERGEANT-AT-ARMS: Please exit  
13 quietly.

14 SPEAKER QUINN: Yeah, folks who are  
15 up in the balcony can exit quietly. If we can put  
16 some more time back on the clock for Council  
17 Member--

18 PUBLIC ADVOCATE GOTBAUM: Hold on  
19 please.

20 SPEAKER QUINN: --please.

21 PUBLIC ADVOCATE GOTBAUM: Start  
22 over.

23 SPEAKER QUINN: Thank you.

24 COUNCIL MEMBER MARK-VIVERITO: That  
25 on the eve of the Puerto Rican Day Parade, I think

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25

that the passing of this resolution is most timely, but also I think that we've been bearing witness to some really ugly mudslinging these past couple of weeks. Detractors who are really trying to take away from the accomplishments of this incredible woman, Judge Sonia Sotomayor-- mudslinging that is sexist, that is racist, that is just sheer ugliness. Conservatives will have us believe that Judge Sonia Sotomayor is an activist judge, that she legislates from the bench, but really have not presented a whole lot of evidence to support this. They have also said that she is a racist or a reverse racist, that her associations and affiliations with really prestigious organizations like the National Council of La Raza, which in some cases has been termed by some of these detractors as a Latino KKK, others calling it a brown supremacist organization. These are allegations and charges or just outrageous and quite frankly insulting.

A statement made by Judge Sotomayor in 1994 is being maliciously taken out of context. Critics would have us believe and think that we should not be proud, that we should actually be

1  
2 ashamed of our diversity and of our individual  
3 experiences--obviously double standards that are  
4 set for some of us and not for others.

5           So what we're witnessing as this  
6 confirmation plays out is racist fear mongering  
7 cloaked in the parlance of, and language of,  
8 fairness and balance and we all know very clearly  
9 that we are not to be fooled by what is happening  
10 here.

11           I am proud as a Puerto Ricana, as a  
12 Latina, as a New York City resident of what we're  
13 witnessing at this moment in this nation's  
14 history. In particular, to see the first African  
15 American president nominating our country's first  
16 Puerto Rican, first Latina to the nation's highest  
17 court is the day I personally will never forget.

18           So I really encourage all my  
19 colleagues to support this resolution because I  
20 think it's a strong statement that we're making as  
21 a city in support of Sonia Sotomayor, who is a New  
22 Yorker, who is a woman from the Bronx, really to  
23 make a statement to the Congress that we support  
24 our President in the bold step that he has taken  
25 in really choosing her.

1  
2 So for those reasons, I ask  
3 everyone to support Reso 1982-A. Thank you.

4 PUBLIC ADVOCATE GOTBAUM: Council  
5 Member Jackson, one minute, please.

6 COUNCIL MEMBER JACKSON: Thank you,  
7 Madam Public Advocate, my colleagues, I rise this  
8 afternoon in support of the resolution.

9 As the co-chair of the New York  
10 City Council's Black Latino and Asian Caucus, we  
11 sent a letter to President Barack Obama in support  
12 of the nomination of Sonia Sotomayor. Let me just  
13 read part of the letter. If appointed to the  
14 United States Supreme Court, Judge Sotomayor will  
15 be the first Supreme Court justice of Hispanic  
16 descent. Born to Puerto Rican parents in the  
17 Bronx, New York, Sotomayor's voice will help to  
18 ensure that the Supreme Court is truly  
19 representative of our diverse country.

20 Sotomayor grew up in the New York  
21 City housing development and was diagnosed with  
22 the Type 1 diabetes at the age of eight. She went  
23 on to attend Princeton University in 1972, an Ivy  
24 League institution that did not accept female  
25 applicants until 1969.

1  
2 Sotomayor will have the ability to  
3 pull from her wealth of unique experiences, all of  
4 which highlight her strength and determination.

5 We in the Caucus support her  
6 nomination to the U.S. Supreme Court.

7 PUBLIC ADVOCATE GOTBAUM: Council  
8 Member Sanders would like to vote, please.

9 COUNCIL MEMBER SANDERS: Thank you.  
10 I vote aye on all previous Land Use Call-Ups, and  
11 I vote aye.

12 PUBLIC ADVOCATE GOTBAUM: So  
13 ordered. Council Member Martinez.

14 COUNCIL MEMBER MARTINEZ: Thank  
15 you, Madam Public Advocate. I also want to speak  
16 in favor of the resolution.

17 I think it's a historical moment  
18 that we're living, as mentioned by Council Member  
19 Melissa Mark-Viverito. It is a proud day when we  
20 see our first African American president  
21 nominating our first Latina of Puerto Rican  
22 descent to the highest court. Moments where our  
23 children will be reading in the history books that  
24 they were a part of it; moments where we are going  
25 to be talking about to our children and our great

1  
2 grandchildren about the time in which in the  
3 United States every child looked on TV and looked  
4 up and say, someday I could either be the leader  
5 of a nation or I could be a member of the highest  
6 court in the United States.

7 And as a member of the Black Latino  
8 and Asian Caucus and a member of the Executive  
9 Committee, I support the statement made by the  
10 letter sent to the president and also the  
11 statement made by our co-chair Council Member  
12 Robert Jackson.

13 So I urge my colleagues to vote in  
14 favor of this resolution supporting the nomination  
15 of Judge Sotomayor to the United States Supreme  
16 Court.

17 PUBLIC ADVOCATE GOTBAUM: Seeing  
18 nobody else? Oh, Council Member Koppell.

19 COUNCIL MEMBER KOPPELL: First of  
20 all, I'm the only resident Councilman of the Bronx  
21 who's gotten up to speak and Judge Sotomayor is,  
22 of course, a native of the Bronx and I want to  
23 celebrate that.

24 I want to celebrate that, but I  
25 also want to say that it is not irrelevant that

1  
2 she's of Puerto Rican heritage and that she is the  
3 first of Puerto Rican heritage to sit on the  
4 Supreme Court. But in speaking about that, we  
5 could not ignore that she has, I believe, one of  
6 the finest resumes that she brings to this  
7 position of any nominee to the court in the last  
8 century. She has real experience, not only as a  
9 Latina woman, in that everyone's experience helps  
10 to form them and form their views, but she also  
11 has experience as a prosecutor, as an attorney, as  
12 a private attorney, and long experience as a  
13 jurist. There is no one who has been nominated to  
14 the Supreme Court in the last century that has a  
15 better resume than Sonia Sotomayor.

16 We can be so proud that she's from  
17 our state and I'm so proud that she's from the  
18 Bronx.

19 PUBLIC ADVOCATE GOTBAUM: Council  
20 Member Seabrook.

21 COUNCIL MEMBER SEABROOK: Thank  
22 you, Madam Public Advocate. I rise after hearing  
23 a shout out about the Bronx from my esteemed  
24 colleague there that I too rise in support of this  
25 resolution.

1  
2 And I might remind people that this  
3 scholar, this jurist, who will be placed on the  
4 bench will be a tremendous, tremendous asset to  
5 the Supreme Court. Those who had the history of  
6 understanding the Supreme Court would know that an  
7 injection of this woman who has the cultural,  
8 historical, dynamics of living in America that no  
9 one else who is on the Supreme Court brings, will  
10 bring a new dimension to that court and a new  
11 outlook at that court.

12 And I think that it would be a  
13 breath of fresh air to have an outstanding jurist  
14 from the Bronx, from the Bronx, who would be  
15 there. So we have made history as a Latina woman  
16 and a person from the Bronx serving on the Supreme  
17 Court. My, how times have changed.

18 PUBLIC ADVOCATE GOTBAUM: Okay.  
19 Seeing nobody else, can we vote?

20 All in favor.

21 MULTIPLE PEOPLE: Aye.

22 PUBLIC ADVOCATE GOTBAUM: Opposed.

23 Adopted.

24 Now I have to reread the--all items  
25 on today's General Order calendar were adopted by



1  
2 a vote of 49 in the affirmative--this is a change,  
3 by the way --zero negative, zero abstentions,  
4 exception of LU 1073, 74, 75, and their companion  
5 Reso with 40 in the affirmative, 9 negative, zero  
6 abstentions; value 1082 and Reso 2021, 49 in the  
7 affirmative, 1 negative; and LU 1113 and Reso  
8 2029, 48 affirmative, 1 negative, zero  
9 abstentions; revised Land Use Call-Ups, 49  
10 affirmative and zero in the negative, and now  
11 General Discussion. Council Member Dickens.

12 SERGEANT-AT-ARMS: --please, quiet,  
13 please.

14 [Off mic]

15 SPEAKER QUINN: Not over, please.

16 PUBLIC ADVOCATE GOTBAUM: Council  
17 Member Dickens.

18 SPEAKER QUINN: Domenic, sit down.

19 COUNCIL MEMBER DICKENS: Thank you,  
20 Madam Public Advocate. I have introduced two  
21 resolutions that call for banning the practice of  
22 placing prison inmates in solitary confinement.  
23 One resolution calls on the state of New York to  
24 ban this practice in state prisons, the other  
25 calls on the president and the United States

1  
2 Congress to ban this practice in federally  
3 operated prison systems. Both resolutions call  
4 for the provision of supportive services for all  
5 inmates leaving solitary confinement.

6 Studies have shown that the  
7 practice of this confinement is akin to torture  
8 and that the degenerative psychological effects of  
9 isolation are long-term and lead to serious mental  
10 illnesses and social incapacitation. Solitary  
11 confinement is a punitive measure that should be  
12 banned altogether.

13 A 2006 study by the Commission on  
14 Safety and Abuse in America's prisons found that  
15 there are practically no benefits, in general  
16 safety and otherwise, and that the harm caused is  
17 great. Many prisoners who experience long-term  
18 solitary confinement are later released into  
19 society having become more likely to commit  
20 additional crimes.

21 I urge my colleagues to join me in  
22 supporting Reso 2006 and 2007.

23 The third resolution I'm asking my  
24 colleagues to support is Reso 2005 calling upon  
25 the New York State Thruway Authority, the

1  
2 Triborough Bridge and Tunnel Authority and the  
3 Port Authority of New York and New Jersey to  
4 create a system that allows users to immediately  
5 transfer their E-Z Pass tax to another vehicle.

6 This one is quite simple, if you  
7 have an E-Z Pass account and use multiple  
8 vehicles, you should be able to charge your tolls  
9 to your account, no matter which vehicle you are  
10 using.

11 Reso 2005 calls on these multiple  
12 authorities to institute a system that makes it  
13 simple for E-Z Pass users to use their accounts on  
14 whichever vehicle they have access to on a  
15 particular day, provided the vehicle is of the  
16 same class.

17 Thank you, Alix Pustilnik, for your  
18 invaluable assistance. And thank you.

19 PUBLIC ADVOCATE GOTBAUM: Council  
20 Member Brewer.

21 COUNCIL MEMBER BREWER: Thank you  
22 very much. Just want to mention a couple of  
23 things. One is that we have some bills on  
24 construction sites with Council Member Lappin. A  
25 lot of us have sites now that are not being

1  
2 utilized, the construction is not moving forward  
3 and we want to preserve the public safety aspect,  
4 and we hope you'll sign on.

5 We also have a resolution in  
6 support of legislation in Albany, which I know the  
7 Speaker is aware of and others, which tries to ban  
8 illegal hotels. These are individuals who rent  
9 out to tourists, taking away affordable housing,  
10 working toward the loss of rent-stabilized  
11 housing. And those are the two resolution and  
12 Intro that I hope you'll sign on.

13 I also want to mention that on June  
14 29th and 30th there is a hugely well-attended,  
15 something called Personal Democracy Forum  
16 Technology and Democracy taking place Jazz at  
17 Lincoln Center. We are able to secure free passes  
18 for each Member of the City Council, not for  
19 staff, but for each member, so please let us know,  
20 we're going to try to have a particular time when  
21 we can all gather there and share ideas.

22 And I want to mention that Fordham  
23 will come up, not today, as you know, but on June  
24 30th.

25 The other thing I want to mention

1  
2 is Dr. George Tiller, who was killed in Wichita,  
3 Kansas, he was a medical director of the Women's  
4 Health Care Services. It's an unbelievable  
5 tragedy, I think we all read about in the paper,  
6 but my sympathies are certainly with his family.

7 I had occasion to meet him a couple  
8 of times here in New York and know that he was  
9 somebody who really deserved to carry on his work  
10 and will be missed tremendously and it's a horror  
11 that he was killed.

12 We have wonderful people joining us  
13 this summer. Maria del Epeezy [phonetic], is from  
14 NYU; Hannah Amsley [phonetic] is at Cornell; Nick  
15 Ikos [phonetic], NYU; Lee Kaplan, NYU; Liz Rosen  
16 is at Goucher College; Corey Levinson is at NYU;  
17 Bianca Petros at Barnard; Abe Crastor [phonetic],  
18 NYU; Ally Swadick [phonetic] at NYU; and Benjamin  
19 Solitaire [phonetic], and I think they're all  
20 here, and I hope you'll give them your support.  
21 Thank you very much.

22 PUBLIC ADVOCATE GOTBAUM: Council  
23 Member Stewart.

24 COUNCIL MEMBER STEWART: Thank you.  
25 Brothers and sisters, I want you to sign on to two

1  
2 pieces of legislation. One is in relation to  
3 displaying a passenger Bill of Rights in commuter  
4 vans.

5 I think you may know well that  
6 Central Brooklyn have a number of commuter vans  
7 and in some other areas of New York City. I think  
8 that folks who ride commuter vans, the mere fact  
9 that we have legalized those vans, they deserve  
10 the same rights as folks who are riding in livery  
11 and taxicabs.

12 The other piece of legislation is  
13 one to deal with in relation to granting voluntary  
14 leave of absence in times of fiscal crisis. We  
15 know that there are a number of folks who might be  
16 laid off and we want to give them the opportunity  
17 that the city or the Mayor can then give them a  
18 leave of maybe two years whereby they can be off  
19 the payroll and later on the Mayor can then, if  
20 they need to be rehired, to fill those slots when  
21 our fiscal crisis has ended. Maybe they can get  
22 back their job.

23 I want you to sign on to those two  
24 pieces of legislation, which is Intro 1023 and  
25 Intro 1024. Thank you.

1  
2 PUBLIC ADVOCATE GOTBAUM: Council  
3 Member Jackson.

4 COUNCIL MEMBER JACKSON: Thank you,  
5 Madam Public Advocate. My colleagues, I rise this  
6 afternoon to let you know that on June 18th the  
7 Education Committee will be holding a hearing on  
8 the new high school graduation rates. But also on  
9 the 18th in the beginning we will be voting out a  
10 resolution on the Muslim holiday resolution.

11 I ask you to join us on the  
12 Education Committee concerning those two very  
13 important subjects. One as I indicated earlier,  
14 the new graduation rates for high schools and,  
15 two, a resolution on the Muslim holiday bill,  
16 which basically will honor two holiest holidays of  
17 Muslims, asking them to be incorporated into the  
18 school calendar.

19 In addition, my colleagues, I rise  
20 to ask you to support and sign on to Resolution  
21 number 2010 sponsored by the Public Advocate Betsy  
22 Gotbaum and myself and this resolution calls upon  
23 the New York State legislature to amend the state  
24 education law to require local education agencies,  
25 in this case the Department of Education, to

1  
2 provide military recruitment opt-out forms to all  
3 high school students beginning in the ninth grade,  
4 along with the annual emergency contact forms.  
5 And, as you know, that information is readily  
6 available and is given to all of the U.S. military  
7 recruitment automatically and a student has to  
8 request a form in order to opt-out. We want these  
9 forms to be given to them at the same time as  
10 their emergency records that their parents have to  
11 fill out so that they don't have to ask for it. it  
12 will be given and hopefully they will opt-out.

13 I ask you to sign on to Resolution  
14 2010. Thank you.

15 PUBLIC ADVOCATE GOTBAUM: Council  
16 Member Gennaro.

17 COUNCIL MEMBER GENNARO: Thank you,  
18 Madam Public Advocate. I wish to speak today to  
19 ask my colleagues to sign on to Resolution 2009  
20 regarding designating the Newtown Pippin, which is  
21 an apple, as the official Apple of the Big Apple.

22 Folks may not know that in the  
23 early 1700s there was a lot of apple orchards here  
24 in New York City and right in Queens. This apple  
25 was developed and grown here for the first time



1  
2 around 1730 and it became the preeminent apple of  
3 early colonial America and it was a favorite of  
4 George Washington, a favorite of Thomas Jefferson.  
5 They're still grown all around the state and all  
6 through the northeast, and it is one of the best  
7 known apples with regard to people who are  
8 connoisseurs of fruits.

9           And it also will help to connect  
10 New York City to its agricultural past, and also  
11 the Newtown Pippin is a green apple and we are  
12 very much becoming a green apple with all things  
13 that we're doing regarding sustainability. So  
14 what better apple than the storied Newtown Pippin  
15 to be the official Apple of the Big Apple. We are  
16 the Big Apple, we should have an official apple,  
17 and I dare anyone to bring before me any apple  
18 that would be a better candidate for this  
19 designation.

20           So I'm asking people to sign on to  
21 Resolution 2009 to designate the Newtown Pippin as  
22 the official apple of New York City. Thank you.

23           PUBLIC ADVOCATE GOTBAUM: Seeing  
24 nobody else, I call on the adjournment of--

25           SPEAKER QUINN: Recess.

1

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2

PUBLIC ADVOCATE GOTBAUM: --recess,

3

sorry, recess.

4

[Off mic]

5

PUBLIC ADVOCATE GOTBAUM: I can't

6

speak English anymore.

7

SPEAKER QUINN: Happy Birthday.

8

9

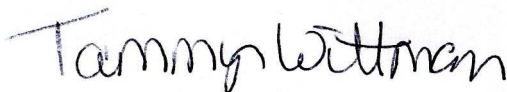
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11

12

C E R T I F I C A T E

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

A handwritten signature in cursive script that reads "Tammy Wittman". The signature is written in black ink on a light-colored background.

Signature \_\_\_\_\_

Date July 31, 2009 \_\_\_\_\_