

CITY COUNCIL
CITY OF NEW YORK

-----X

TRANSCRIPT OF THE MINUTES

of the

STATED MEETING

-----X

June 30, 2009
Start: 01:30 pm
Recess: 03:35 pm

HELD AT: Council Chambers
City Hall

B E F O R E:
JOEL RIVERA
Chairperson

COUNCIL MEMBERS:
Christine C. Quinn
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

A P P E A R A N C E S

COUNCIL MEMBERS:

Daniel R. Garodnick
James F. Gennaro
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
Darlene Mealy
Rosie Mendez
Kenneth Mitchell
Michael C. Nelson
James S. Oddo
Annabel Palma
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.
Albert Vann
David I. Weprin
Thomas White, Jr.
David Yassky

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

Brian D'Arcy James
Shrek the Musical

Lisa Ho
Shrek the Musical

Heather Jane Rolff
Shrek the Musical

Daniel Breaker
Shrek the Musical

Bobby Daye
Shrek the Musical

Timothy Smith
Sergeant
NYPD

Raymond Kelly
Commissioner
NYPD

Vincent Abate
Former Chair
Community Board 1

Barbara Kapnick
Justice
New York Supreme Court

Stephen Crane
Former Justice
New York Supreme Court

Terrance Kennedy
Pastor
New Hope Community Church

1
2 COUNCIL MEMBER SEABROOK: Let it
3 show Shrek is here today. These are the cast
4 members of Shrek who just got here. We wanted to
5 make sure that the Black, Latino and Asian Caucus
6 would honor them for their outstanding work that
7 they have done on Broadway and what they have been
8 able to do to bring a musical message to this city
9 in bringing peace, harmony and love. We wanted
10 them to know, in light of the Black Music Month,
11 that we are saying we appreciate you, we
12 acknowledge you and we certainly hope that you
13 continue and have many more awards. The Tony was
14 won but there will be many, many others for you.
15 We welcome you here and all of the wealth that
16 this city can provide for you, we hope that you
17 get every penny of it. Thank you very much. We'd
18 like to present this on behalf of the Black,
19 Latino and Asian Caucus of the City of New York.
20 In commemoration of Black Music Month, the members
21 of the New York City Council Black, Latino and
22 Asian Caucus are proud to honor the cast and crew
23 of Shrek the Musical for providing inspiring
24 countless New Yorkers with the transformative
25 power of music and for fostering harmony

1
2 throughout our city. Whereas with the score by
3 Jenny Tesori, book and lyrics by David Lindsay and
4 direction by Jason Moore, Shrek the Musical
5 features a wonderful score of 19 songs and a cast
6 of 27 extraordinarily talented performers who
7 bring the story to vibrant life. Whereas, part
8 romance, part twisted fairy tale, Shrek the
9 Musical celebrates the lovable ogre in all of us.
10 Its stellar cast has earned great acclaim and
11 countless awards for their outstanding achievement
12 in the theater and they are worthy of the esteem
13 of all New Yorkers. Now therefore be it known
14 that the members of the New York City Council
15 Black, Latino and Asian Caucus are proud to honor
16 the entire creative team behind the scene of Shrek
17 the Musical.

18 BRIAN D'ARCY JAMES: Councilman
19 Seabrook, Council Members, we accept this
20 proclamation with pride. As members of the
21 theater community we're very proud to be here
22 representing ourselves, but also to take great
23 pride in being a part of this, the larger
24 community of New York City. We accept this with
25 thanks and great pride. Thank you very much.

1
2 COUNCIL MEMBER SEABROOK: Thank you
3 all.

4 BRIAN D'ARCY JAMES: My name is
5 Brian D'Arcy James. Believe it or not, I play
6 Shrek, the lovable ogre himself.

7 HEATHER JANE ROLFF: My name is
8 Heather Jane Rolff. I play the lady gnome.

9 LISA HO: My name is Lisa Ho. I
10 play baby bear from the three bears.

11 DANIEL BREAKER: Hi, I'm Daniel
12 Breaker. I play donkey. Yes, I'm an ass.

13 BOBBY DAYE: My name is Bobby Daye.
14 I play one of the three pigs.

15 COUNCIL MEMBER SEABROOK: I was
16 looking for Maria, the chair of the Caucus.

17 COUNCIL MEMBER ARROYO: You know
18 how important this is, right? We all interrupted
19 lunch to be up here with you guys. Lunch on a
20 Stated day is a very sacred thing for us. But
21 we're happy to be here with you. Congratulations.
22 It is a small token of our appreciation for what
23 you contribute to our city every single day.
24 Thank you.

25 COUNCIL MEMBER SEABROOK: Thank you

1
2 so very much. We have enjoyed you all, and
3 everybody go see Shrek. Thank you very much.

4 [Pause]

5 SPEAKER QUINN: All right, we're
6 going to start our ceremonials. We have five
7 ceremonials today. Is that right, Mike? We're
8 down to four. The first ceremonial we're going to
9 do is one being presented by myself and Council
10 Member James Sanders to Sergeant Timothy Smith, if
11 the sergeant and his family could come up. We are
12 very honored to be joined today by our police
13 commissioner, Ray Kelly, if he could come on up
14 and join us. I'm going to turn the mike over to
15 Council Member Sanders in a minute. I know later
16 on when we ask Sergeant Smith to say a few words,
17 he is going to say what every heroic police
18 officer says which is, "I was just doing my job".
19 But I want you to know sergeant that the job you
20 and your brothers and sisters do every day is one
21 that is beyond the concept of most of us. Then
22 that you did your job in a way where you were
23 fighting so hard to keep the public safe that you
24 sustained such a terrible injury is really not
25 what should be in a day's work for anybody. As

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

humble as you are, I hope you know how proud and indebted we all are to you. If there weren't brave men and women like you who have a level of bravery that is just beyond my capacity to understand quite frankly, we all wouldn't be able to live our lives in this city and feel as safe as we are and live in the safest big city in the world. So I just want you to know how unbelievably indebted we are to you. Your parents must be truly remarkable people to have raised such a brave and selfless individual. So thank you for honoring us with your presence today. Let me turn the mike over to Council Member Sanders.

COUNCIL MEMBER SANDERS: Having worn a uniform I know something of what it takes to defend our country. I can only imagine what people who do this 365 days a year do. We call upon them to do a little bit of everything from social work to keeping us safe. No matter how much we pay it will never be enough, especially where there are times when they have to put their lives on the line here. We in New York City, we're a quick bunch to say what should be better, what should be right. But sometimes we're slow to

1
2 say thank you. I wanted to stop and to say thank
3 you to you sergeant and to the NYPD, New York City
4 Police Department as a whole, epitomized by its
5 commissioner at this occasion that you actually
6 did something that we urge everyone to do, to show
7 restraint, to go by the rules, to do everything
8 right. You did it, we are grateful for you.

9 We're blessed that you're here, sir. We're
10 blessed that you were here and that you were able
11 to do your duty under a tough condition. We are
12 blessed that your parents raised you in that
13 fashion. On behalf of New York City, on behalf of
14 my district, on behalf of the good people of the
15 Rockaways, Laurelton, Springfield Gardens,
16 Rosedale and New York City as a whole, we wanted
17 to stop and say thank you. Right before I do
18 this, I do want to see if the commissioner wants
19 to say anything at this time. Commissioner Kelly.

20 RAYMOND KELLY: Thank you. I
21 simply want to thank Speaker Quinn and Council
22 Member Sanders and all the members of the Council
23 for recognizing this incredibly brave young man.
24 Let me relate to you what happened in this
25 instance. On January 15th, which you may recall

1
2 was the day that Flight 1549 went into the Hudson
3 River and that may be why you didn't hear so much
4 about this incident. Sergeant Smith and officers
5 from the 101st Precinct were called by a
6 distraught wife who was concerned about her
7 husband who was emotionally disturbed. She was
8 concerned about him becoming violent. Now we get
9 about 95,000 of these calls a year, that is
10 emotionally disturbed people calls. Because of
11 the skill and the training of the NYPD, the vast
12 majority of these are handled peacefully. There's
13 always a potential for danger. In this case, when
14 Sergeant Smith and the officers arrived, this
15 individual ran into the bedroom and barricaded
16 himself in the bedroom. Sergeant Smith had a
17 taser. The individual came out with a knife.
18 Sergeant Smith fired his taser, struck the
19 individual in his chest. However, he still came
20 forward and stabbed Sergeant Smith in the face, in
21 the eye, penetrating into Sergeant Smith's brain.
22 It was a horrendous injury. This individual was
23 subdued by fellow officers. Those of us who saw
24 Sergeant Smith in the hospital that night were
25 thinking only the worst. His injuries were

1
2 extremely severe. He couldn't move. He couldn't
3 walk. He couldn't talk. It is truly amazing to
4 see him here today and to see him walk out of the
5 hospital. I would attribute Sergeant Smith being
6 here to the miracle that the doctors in Bellevue
7 Hospital performed, but to his indomitable spirit.
8 He is one tough guy who was tremendously supported
9 by his parents who are here today, his wife Wendy
10 and he is an inspiration to the entire department
11 and a credit to all of New York City. We're
12 grateful to have him back with us. I want to
13 thank the Speaker and thank the Council for this
14 very well deserved recognition and congratulations
15 to you, Sergeant Smith.

16 SPEAKER QUINN: If the clerk could
17 please read the proclamation.

18 CLERK: Council, the City of New
19 York Proclamation. Whereas, the Council of the
20 City of New York is proud to honor Sergeant
21 Timothy Smith of the 101st Precinct in Far
22 Rockaway for his extraordinary service and
23 sacrifice for the people of the Rockaways.
24 Whereas, on January 15th, 2009 Sergeant Smith, an
25 11-year veteran of the NYPD, was called to a home

1
2 in Far Rockaway to subdue an emotionally disturbed
3 person. At the scene, this person stabbed
4 Sergeant Smith in the eye and head and also
5 injured fellow officers. Sergeant Smith was
6 rushed to Jamaica Hospital, and then later to
7 Bellevue Hospital, where his injuries were seen as
8 life-threatening and permanently crippling.

9 Whereas, on May 16th 2009, four months after the
10 incident, Sergeant Smith walked out of Bellevue
11 Hospital without the aid of another person. His
12 doctors and family members did not expect him to
13 walk or even talk again. But with his own
14 determination, he defied everyone's predictions.
15 His rehabilitation physician, Dr. Shailaja Kalva
16 believe that Sergeant Smith's unwavering and
17 positive attitude throughout these challenging
18 months played a significant role in his recovery.

19 Throughout his ordeal, Sergeant Smith never
20 shirked the three-hour daily rehab treatment or
21 quite when he was tired. Not every hero wears a
22 cape and flies through the skies. Some of these
23 heroes put their lives on the line and pay a
24 terrible price to protect others. Sergeant Smith
25 is such a hero. He has inspired everyone with his

1
2 unwavering spirit and valor and he is truly one of
3 New York's finest. Now therefore be it known,
4 that the Council of the City of New York most
5 gratefully honors Sergeant Timothy Smith for his
6 extraordinary service and sacrifice for the people
7 of New York City, Christine C. Quinn, Speaker for
8 the entire Council, James Sanders, Jr., Council
9 Member, 31st District, Queens.

10 SPEAKER QUINN: Thank you.

11 Sergeant, before I give you the mike, I was struck
12 when the police commissioner was telling us what
13 happened at that call. It just really made me
14 think. If you hadn't been there that day, God
15 knows what would have happened to that woman and
16 that wife. I mean she may have been lost,
17 murdered at the hands of a crazed husband. So
18 thank you for everything you do and in particular
19 for saving that woman's life. That is a huge feat
20 and thank you so very, very much. You don't want
21 to say anything?

22 TIMOTHY SMITH: Thank you.

23 SPEAKER QUINN: Even more humble
24 than I expected. Thank you very much sergeant.

25 [Pause]

1
2 SPEAKER QUINN: We're going to move
3 on to our second ceremonial which is one at the
4 request of Council Members Reyna and Yassky. Our
5 next honoree is someone who has been chair of a
6 committee board for 29 years. I can't even
7 imagine. Literally, I can't imagine that.

8 [Pause]

9 SPEAKER QUINN: Let me start by
10 turning the microphone to Council Member Reyna and
11 then to Council Member Yassky.

12 COUNCIL MEMBER REYNA: Today, we
13 are privileged to have a man who has dedicated his
14 life to the City of New York and to this great
15 nation. He is a veteran.

16 SPEAKER QUINN: If we could get
17 just a little quiet in the chambers please. Thank
18 you very much.

19 COUNCIL MEMBER REYNA: He served
20 during World War II. He continued to remain loyal
21 to his community, his Italian heritage and to
22 many, many families and Community Board 1,
23 Greenpoint-Williamsburg. A lifelong resident who
24 we honor here today in these great walls called
25 Council Chambers. His family, his tireless work,

1
2 sacrifice to make a place that we call home today
3 in Greenpoint-Williamsburg. As a child having
4 been born and raised in Williamsburg, I wanted to
5 honor Vincent Abate, who served for 29 years.
6 Thank you, Vinnie, for making a home out of
7 Greenpoint-Williamsburg for so many of us. You
8 served us well. You never forgot our youth. You
9 always served, whether that was as a chairman to
10 many, many boards. Founder and member of so many
11 executive boards, and then to continue serving on
12 the Community Board, we have so much history with
13 you. We never want to lose perspective of what
14 that history means to us. We wanted to be able to
15 honor you here today amongst many friends, many
16 peers who respect you. Thank you for everything
17 you did. I'd like to ask my colleague, Council
18 Member David Yassky, who represents with me the
19 Greenpoint-Williamsburg communities.

20 COUNCIL MEMBER YASSKY: Thank you.

21 I just want to say that it's extraordinary to have
22 someone who both holds true to the basic values of
23 the community and its history and also recognized
24 that there is change and change can be good and
25 can help make way for change. Vinnie, in the

1
2 seven and a half years that I have had the
3 privilege of working with you, I don't think
4 someone could have done a better job of overseeing
5 and managing the tremendous change that has gone
6 on in our community while still making sure that
7 it remains at its core the Greenpoint and the
8 Williamsburg that you love and that you believe
9 in. I just want to say on behalf of my
10 constituents, the people in Greenpoint and
11 Williamsburg owe you a debt of gratitude beyond
12 what anyone will ever say to you, but they owe it
13 to you and I just want to say thank you for that.

14 SPEAKER QUINN: Thank you very much
15 Diana and David. We ask the clerk to please read
16 the proclamation.

17 CLERK: Council of the City of New
18 York proclamation. Whereas, the Council of the
19 City of New York is proud to honor Vincent V.
20 Abate on the grand occasion of his retirement as
21 Chairman from Community Board 1 of Brooklyn and
22 his outstanding contributions to the community and
23 to the City of New York. And whereas, Vincent
24 Abate has been affectionately referred to as "The
25 Quiet Man" in many circles, but there is nothing

1
2 quiet about the positive impact that he has made
3 throughout Brooklyn. And whereas, Mr. Abate is a
4 lifelong resident and champion for Brooklyn's
5 Greenpoint and Williamsburg communities, in
6 addition to being a loving husband, dedicated
7 father and wise businessman, he has been chair of
8 Brooklyn Community Board 1 since 1980, tirelessly
9 serving one of New York City's most diverse
10 neighborhoods. And whereas, Mr. Abate is a vocal
11 and influential advocate for his community; in
12 addition to his service to Brooklyn Community
13 Board 1, he has also served as the Chairman of the
14 Greenpoint Hospital Advisory Board, the president
15 of the Consolidate Civic Council and the executive
16 officer of the Winthrop Civic Association to name
17 only a few. He has also volunteered at numerous
18 community organizations, such as the American
19 Legion, Order of the Sons of Italy, Knights of
20 Columbus and the Brooklyn Navy Yard Development
21 Corporation and Health Systems Management.

22 Whereas, upon Mr. Abate's retirement from chairman
23 of Community Board 1 he can be proud of the legacy
24 of service that will continue to improve life in
25 our city for generations to come. Now therefore

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

be it known that the Council of the City of New York most gratefully honors Vincent V. Abate for his extraordinary service to Brooklyn's Community Board 1 and wishes him the very best for health and a happy retirement. Christine C. Quinn, Speaker for the entire Council, Diana Reyna, Council Member 34th District, Brooklyn and Queens, David Yassky, Council Member 33rd District, Brooklyn.

SPEAKER QUINN: Wow. When the clerk was reading that at the end of that long list, I said geez, and Vinnie said that's not even half of it. I just want to say thank you. If there was in the dictionary a picture of a public citizen, a picture of somebody who really defines what it means to be an American true to their country by giving back to their community, we could have a picture of you. Thank you so much for doing that for your beloved Brooklyn and we would love it if you'd honor us with a few words.

VINCENT ABATE: Being known as a quiet man, people don't realize that the less you say the better off you are.

SPEAKER QUINN: Say it again.

1
2 VINCENT ABATE: There are very few
3 words I do have to say. Believe me; it wasn't
4 easy leaving Brooklyn to come into Manhattan. It
5 took the United States Army to get me out of
6 Brooklyn, so it wasn't easy. As far as what I
7 did, I did it with all my heart. There was never
8 an indication that I was looking for something.
9 People would come over, we need you for this, we
10 need you for that, and as long as they said they
11 needed me, I would do it. If they didn't say
12 that, then you're wasting your time and everything
13 else. So people ask me why I'm resigning now.
14 I'll be 91 next month. I just told them that I
15 want to leave while I have all of my marbles. I
16 said this way people are sorry to see me go. I
17 don't want to wait until they say good riddance.
18 That's why I'm the quiet man. Thank you very
19 much.

20 [Pause]

21 VINCENT ABATE: Just one more
22 thing. I want to thank my two Council people.
23 They made life much easier. I have to give them
24 credit. Any time I needed help, they were there
25 to give it to me. Thank you, Diana and David.

1
2 That's it. And you Nancy, I always watch you on
3 TV.

4 [Pause]

5 SPEAKER QUINN: This ceremonial is
6 going to be one led by Council Member Jessica
7 Lappin, if I could ask her to please come up.
8 This is a particularly poignant ceremonial, so if
9 I could just ask for folks to give us a little
10 quiet in the chambers please. Council Member
11 Lappin?

12 COUNCIL MEMBER LAPPIN: Thank you,
13 Madame Speaker. I wanted to welcome the extended
14 Faughey family. There are obviously quite a
15 number of you here today and I think that is a
16 tribute to Dr. Kathryn Faughey. What we're here
17 to talk about today is her life. I think many of
18 you may have read about her sensational murder on
19 79th Street.

20 SPEAKER QUINN: If we could just
21 get a little more quiet please, that would be
22 great.

23 COUNCIL MEMBER LAPPIN: She lived
24 and worked in the same neighborhood and was
25 beloved, not just by the family who is here today

1
2 but by the community at large. It was a very
3 shocking and sensational story and I think gripped
4 many of us for its poignancy that she was so
5 dedicated to her work and to her patients that she
6 was in her office on that very fateful and snowy
7 evening. In drafting this proclamation and
8 talking to you, hearing about just what an amazing
9 women she was. She was self-made, determined and
10 worked to put herself through school. She was
11 devoted tirelessly to helping and had a gift for
12 helping people. I know that she will be very,
13 very sorely missed. I know that when the clerk
14 reads the proclamation, I don't want to repeat
15 what's in there, but you get a really good sense
16 of what an amazing woman she was. Will the clerk
17 read the proclamation?

18 CLERK: Council of the City of New
19 York proclamation. Whereas the Council of the
20 City of New York is proud to honor the life and
21 memory of the late Dr. Kathryn Faughey for her
22 extraordinary service and dedication to the
23 community and whereas, Dr. Kathryn Faughey was the
24 oldest daughter in a family of seven children.
25 Her parents immigrated from Ireland and her father

1 saved his money with the hopes of owning his own
2 business. His American dream came true when he
3 bought a bar and catering hall in Queens and
4 worked long hours to enhance his business and
5 support his family. Kathryn shared his dreams and
6 determination. As a young girl she knew she
7 wanted to become a psychologist. And whereas,
8 when Kathryn moved to Manhattan, she worked every
9 hour she could as an x-ray technician at Memorial
10 Sloan Kettering Hospital to support herself as she
11 studied at Yeshiva University. Her own dream came
12 true the day she earned her Doctorate in
13 Psychology from Yeshiva, became a licensed
14 clinical psychologist and developed her own
15 practice in Manhattan, a city she loved. A
16 devoted psychologist, Kathryn was always available
17 for her patients any hour, any day. She widely
18 regarded for her ability to relate to and
19 understand her patients in so many ways and her
20 practice grew steadily, mainly from referrals as a
21 result. In addition to being an excellent
22 psychologist, Kathryn was a beloved sister and
23 leader in her family. Following the death of her
24 father when the youngest child was 3-years-old,
25

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

Kathryn helped her mother care for the other children. When their mother became ill, Kathryn orchestrated her health care so that she and all of her siblings could take care of her at home. Kathryn was a true friend to many. She belonged to a guitar group and 23 pages of memorials was filled in their online forum with people talking of how she touched their lives, even if they had only met her once. She was a spiritual person and always saw right to the heart of people, reached out to them and shared her wisdom and her smile. Now therefore be it known, that the Council of the City of New York honors the life and legacy of Dr. Kathryn Faughey for her extraordinary service to the City of New York. Christine C. Quinn, Speaker for the entire Council, Jessica S. Lappin, Council Member, 5th District, Manhattan.

SPEAKER QUINN: I just want to thank Council Member Lappin for bringing all of you here today so we could just tell you on behalf of the entire Council how terribly sorry we are for your loss and to just thank you for all that your sister did for so many New Yorkers through her tremendous service. Certainly, to hear the

1
2 history of your family is really something that is
3 a tremendous inspiration with all that you've been
4 able to accomplish in the city. So thank you. I
5 know this must be difficult but we really do
6 appreciate you being with us today to give us the
7 opportunity to convey our sympathies and our
8 gratitude.

9 KEVIN: On behalf of the Faughey
10 family, and in particular, my brothers and
11 sisters, we would like to thank the City of New
12 York for this proclamation. Even though my
13 sister, Dr. Kathryn Faughey did die such a tragic
14 death, we're always very comforted to know that
15 she lived such a beautiful life of service to
16 people and service to the family. So, again,
17 thank you very much to the City for this. We're
18 very appreciative.

19 SPEAKER QUINN: Thank you, Kevin.
20 Thank you all.

21 [Pause]

22 SPEAKER QUINN: All of today's
23 ceremonials somehow in one way or another
24 represent individuals who have dedicated their
25 lives to the services of other New Yorkers, either

1
2 as police officers, as social workers or
3 therapists, as community board chairs and in this
4 case as a judge in our great city and state. Let
5 me call on Council Member Robert Jackson.

6 COUNCIL MEMBER JACKSON: Thank you,
7 Speaker Quinn. Today we are honoring a retired
8 Supreme Court Justice Stephen Crane. Justice
9 Crane was the chair of the Board of Trustees of
10 the New York Public Access Law Library. If you
11 don't know what that is, if you ever need to do
12 research on certain laws, it's down here in
13 Manhattan. These are trustees of the law library.
14 I took over for Stanley Michaels, who was a
15 trustee as a City Council member for many, many
16 years and when he left office, I was asked to step
17 in his big shoes in order to be a member of the
18 Trustees of the New York Public Access Law
19 Library. Justice Crane retired about 18 months
20 ago. Time flies when you're having fun. So we
21 the trustees wanted to honor him and now we have
22 Supreme Court Justice Barbara Kapnick, who is now
23 the Chair of the Board of Trustees. We wanted to
24 take this moment in order to honor Justice Crane.
25 Can I ask our chair to say a few words? Supreme

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Court Justice.

BARBARA KAPNICK: Thank you very much, Councilman Jackson for helping us put this together and Speaker Quinn for allowing us to have this opportunity. The New York Public Access Library was formed by statute and it makes a space available in every county in the State of New York where people, many non-lawyers, can come and research issues of law that they need to research. We don't have a big budget, but the people that work on this put a lot of time and energy. We have Ted Pollack, who is the librarian at the Public Access Law Library, as well as the librarians from 100 Center Street, the Criminal Court building, and 60 Center Street, the Supreme Court Civil building who work so hard to give people information and to provide them access to whatever they need to research. We try to do whatever we can to make it available and these guys really put in a lot of time and effort to work with everybody, answer a lot of phone calls, answer a lot of questions day in and day out. We thank you very much for honoring the work that we do. We want to thank Judge Crane from its

1
2 inception for over 13 years working with the board
3 of directors and getting the Public Access Law
4 Library really up to par and up to what it's
5 doing. We miss you Judge Crane. I'm trying to
6 fill your shoes as best as I can and to keep
7 things working very well in our Public Access Law
8 Library here in New York County. Congratulations.

9 STEPHEN CRANE: Thank you.

10 SPEAKER QUINN: If we could ask the
11 clerk to read the proclamation.

12 CLERK: The Council of the City of
13 New York proclamation. Whereas the Council of the
14 City of New York is proud to honor Justice Stephen
15 G. Crane for 13 years of outstanding service as
16 chair of the board of directors of the New York
17 County Public Access Law Library. Justice Crane,
18 a distinguished graduate of Cornell University and
19 Cornell School of Law, is widely regarded by his
20 colleagues and the members of the Bar for his
21 visionary leadership and generous insights in the
22 practice and administration of law. He currently
23 provides exceptional service as a neutral in the
24 mediation arbitration firm JAMS, helping parties
25 sort out their problems and reach an amicable

1
2 resolution. Whereas, Justice Crane, a dedicated
3 leader in the field of jurisprudence has served as
4 a Senior Associate Justice of the Appellate
5 Division Second Department and as a justice of the
6 Supreme Court in New York County since 1984.
7 Justice Crane presided as one of the New York
8 County Justices in the Commercial Division
9 handling complex commercial cases from 1995 to
10 2001 and an administrative judge, Civil Branch of
11 the Supreme Court of New York County from 1996 to
12 2001. And whereas, Justice Crane's contributions
13 to the legal community have been previous
14 recognized but with many professional accolades
15 including: the Robert L. Haig Award for
16 Distinguished Public Service, New York State Bar
17 Association; Louis J. Capozzoli Gavel Award, New
18 York County Lawyer's Association; and the Harold
19 A. Stevens Jewel Award, New York County Lawyer's
20 Association. Now therefore be it known that the
21 Council of the City of New York most gratefully
22 honors Justice Stephen G. Crane for his
23 outstanding service and joins his colleagues at
24 the Board of the New York County Public Access Law
25 Library in celebrating the good will he has

1
2 generated these many years. Christine C. Quinn,
3 Speaker for the entire Council, Robert Jackson,
4 7th District, Manhattan.

5 SPEAKER QUINN: Thank you. Judge,
6 I want to thank you obviously for all of your
7 service to the library, but as individuals who
8 draft and pass laws, having judges who take their
9 jobs seriously is critically important to our
10 ability to actually serve New Yorkers. So I just
11 want to thank you for being such a dedicated
12 member of the bench. Often the goals we're trying
13 to accomplish live or die based on what the courts
14 decide about we've done. So it's very important
15 to all of us in our efforts to help and support
16 New Yorkers that the individuals of the highest
17 caliber, who are the most competent and take their
18 job the most seriously serve on the bench.

19 Clearly, it has been demonstrated over and over
20 again that you were one of those individuals and
21 we were lucky to have you, so thank you very much.

22 STEPHEN CRANE: Thank you Speaker
23 Quinn and Council Member Jackson. I gratefully
24 accept this proclamation from the City Council,
25 not only for me alone but on behalf of the

1
2 trustees who continue to serve, on behalf of the
3 wonderful staff of the Public Access Law Library
4 in New York County and on behalf of the library
5 system in general, who is represented by Adrian
6 White who stands in for Ellen Robinson today, the
7 head of the libraries for the Unified Court System
8 in Albany. I'm also grateful to your predecessor
9 R.J., Stanley Michael is a blessed memory. Both
10 you and he, as trustees, brought about an enormous
11 amount of support from the Council. The Board of
12 Trustees and the library were always very grateful
13 for that support. I'm also so happy that my good
14 friend and colleague Barbara Kapnick, an elected
15 Supreme Court Justice in the First Judicial
16 District, has succeeded to the position of Chair
17 of the Board of Trustees. Last, but not least,
18 with me today are my lifelong spouse. We're about
19 to celebrate 50 years in a year. She's a
20 professor history, a long term professor of
21 history at Fordham University. I say that, and a
22 left-hander like R.J. and myself, as well as my
23 daughter Melissa Crane, who is a law assistant, a
24 law clerk, a law secretary, whatever the title
25 might be of du jour to Appellate Division Justice

1
2 Karla Moskowitz. So once again, I'm very grateful
3 on behalf of myself and the Board of Trustees and
4 especially to Bob for figuring this one out.

5 Thanks a lot.

6 SPEAKER QUINN: Thank you very
7 much. Thank you all and that concludes today's
8 ceremonial.

9 [Pause]

10 MALE VOICE: Ladies and gentleman,
11 can I have your attention please? Can you please
12 place all cell phones and pagers to vibrate? Will
13 all non-Council employees and lobbyists please
14 leave the main floor of the Chambers? Thank you.

15 [Pause]

16 CHAIRPERSON RIVERA: I now re-open
17 the recessed meeting of June 10th, 2009, held on
18 June 30th, 2009. I call the meeting to order.
19 Roll call.

20 MICHAEL MCSWEENEY: Arroyo?

21 COUNCIL MEMBER ARROYO: Here.

22 MICHAEL MCSWEENEY: Avella?

23 COUNCIL MEMBER AVELLA: [no
24 response]

25 MICHAEL MCSWEENEY: Baez?

1
2 COUNCIL MEMBER BAEZ: Here.
3 MICHAEL MCSWEENEY: Barron.
4 COUNCIL MEMBER BARRON: Here.
5 MICHAEL MCSWEENEY: Brewer?
6 COUNCIL MEMBER BREWER: Here.
7 MICHAEL MCSWEENEY: Comrie?
8 COUNCIL MEMBER COMRIE: Here.
9 MICHAEL MCSWEENEY: Crowley?
10 COUNCIL MEMBER CROWLEY: [no
11 response]
12 MICHAEL MCSWEENEY: De Blasio?
13 COUNCIL MEMBER DEBLASIO: [no
14 response]
15 MICHAEL MCSWEENEY: Dickens?
16 COUNCIL MEMBER DICKENS: Here.
17 MICHAEL MCSWEENEY: Dilan?
18 COUNCIL MEMBER DILAN: Here.
19 MICHAEL MCSWEENEY: Eugene?
20 COUNCIL MEMBER EUGENE: Here.
21 MICHAEL MCSWEENEY: Felder?
22 COUNCIL MEMBER FELDER: Yes.
23 MICHAEL MCSWEENEY: Ferreras?
24 COUNCIL MEMBER FERRERAS: Here.
25 MICHAEL MCSWEENEY: Fidler?

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

COUNCIL MEMBER FIDLER: Here.
MICHAEL MCSWEENEY: Foster?
COUNCIL MEMBER FOSTER: Here.
MICHAEL MCSWEENEY: Garodnick?
COUNCIL MEMBER GARODNICK: Here.
MICHAEL MCSWEENEY: Gennaro?
COUNCIL MEMBER GENNARO: Here.
MICHAEL MCSWEENEY: Gentile?
COUNCIL MEMBER GENTILE: Here.
MICHAEL MCSWEENEY: Gerson?
COUNCIL MEMBER GERSON: Here.
MICHAEL MCSWEENEY: Gioia?
COUNCIL MEMBER GIOIA: Here.
MICHAEL MCSWEENEY: Gonzalez?
COUNCIL MEMBER GONZALEZ: [no
response]
MICHAEL MCSWEENEY: Ignizio?
COUNCIL MEMBER IGNIZIO: [no
response]
MICHAEL MCSWEENEY: Jackson?
COUNCIL MEMBER JACKSON: Here.
MICHAEL MCSWEENEY: James?
COUNCIL MEMBER JAMES: Here.
MICHAEL MCSWEENEY: Katz?

1
2 COUNCIL MEMBER KATZ: Here.
3 MICHAEL MCSWEENEY: Koppell?
4 COUNCIL MEMBER KOPPELL: Here.
5 MICHAEL MCSWEENEY: Lappin?
6 COUNCIL MEMBER LAPPIN: Here.
7 MICHAEL MCSWEENEY: Liu?
8 COUNCIL MEMBER LIU: [no response]
9 MICHAEL MCSWEENEY: Mark-Viverito?
10 COUNCIL MEMBER MARK-VIVERITO:
11 Here.
12 MICHAEL MCSWEENEY: Martinez?
13 COUNCIL MEMBER MARTINEZ: [no
14 response]
15 MICHAEL MCSWEENEY: Mealy?
16 COUNCIL MEMBER MEALY: [no
17 response]
18 MICHAEL MCSWEENEY: Mendez?
19 COUNCIL MEMBER MENDEZ: Here.
20 MICHAEL MCSWEENEY: Mitchell?
21 COUNCIL MEMBER MITCHELL: Here.
22 MICHAEL MCSWEENEY: Nelson?
23 COUNCIL MEMBER NELSON: Present.
24 MICHAEL MCSWEENEY: Palma?
25 COUNCIL MEMBER PALMA: Here.

1

2

MICHAEL MCSWEENEY: Recchia?

3

COUNCIL MEMBER RECCHIA: Here.

4

MICHAEL MCSWEENEY: Reyna?

5

COUNCIL MEMBER REYNA: [no

6

response]

7

MICHAEL MCSWEENEY: Sanders?

8

COUNCIL MEMBER SANDERS: Present.

9

MICHAEL MCSWEENEY: Seabrook?

10

COUNCIL MEMBER SEABROOK: Here.

11

MICHAEL MCSWEENEY: Sears?

12

COUNCIL MEMBER SEARS: Here.

13

MICHAEL MCSWEENEY: Stewart?

14

COUNCIL MEMBER STEWART: Present.

15

MICHAEL MCSWEENEY: Ulrich?

16

COUNCIL MEMBER ULRICH: [no

17

response]

18

MICHAEL MCSWEENEY: Vacca?

19

COUNCIL MEMBER VACCA: Here.

20

MICHAEL MCSWEENEY: Vallone?

21

COUNCIL MEMBER VALLONE: Here.

22

MICHAEL MCSWEENEY: Vann?

23

COUNCIL MEMBER VANN: Here.

24

MICHAEL MCSWEENEY: Weprin?

25

COUNCIL MEMBER WEPRIN: Here.

1

2

MICHAEL MCSWEENEY: White?

3

COUNCIL MEMBER WHITE: Here.

4

MICHAEL MCSWEENEY: Yassky?

5

COUNCIL MEMBER YASSKY: [no

6

response]

7

MICHAEL MCSWEENEY: Oddo?

8

COUNCIL MEMBER ODDO: [no response]

9

MICHAEL MCSWEENEY: Ulrich?

10

COUNCIL MEMBER ULRICH: Here.

11

MICHAEL MCSWEENEY: Gonzalez?

12

COUNCIL MEMBER GONZALEZ: Here.

13

MICHAEL MCSWEENEY: Rivera?

14

CHAIRPERSON RIVERA: Here.

15

MICHAEL MCSWEENEY: Speaker Quinn?

16

SPEAKER QUINN: Here.

17

CHAIRPERSON RIVERA: Quorum is

18

present. At this point in time I'll now recess

19

the meeting from June 10th carried over to today.

20

The meeting is adjourned. Now we're going to open

21

up the Stated Meeting from June 30th, 2009, that's

22

today's meeting. Everyone please rise for the

23

Pledge of Allegiance. I pledge allegiance to the

24

flag of the United States of America and to the

25

republic for which it stands, one nation, under

1
2 God, indivisible, with liberty and justice for
3 all. Everyone, please remain standing for the
4 Invocation being delivered by Reverend Terrance
5 Kennedy, the Pastor of New Hope Community Church.

6 TERRANCE KENNEDY: Gracious God, we
7 come to you in this time of meeting, decision
8 making and reasoning. We come to you because you
9 invite us to come. We come to you because we are
10 well aware that we need your direction, peace,
11 grace and mercy. As we come, let us first give
12 you something before we ask you for anything.
13 Therefore, we humbly, respectfully and with a lot
14 of gratitude come to you. For life, we thank you.
15 For provision, we thank you. For our families and
16 friends, we thank you. For our communities, city,
17 nation and world, we thank you. For our houses of
18 worship, we thank you. For our hospitals,
19 agencies, schools, libraries, museums, theaters,
20 parks and gardens, Father, we thank you. For our
21 businesses and corporations and factories we thank
22 you. For our unparalleled transit system, we thank
23 you. And for those who govern and administrate
24 our city, nation and our government, we thank you
25 and ask for your wisdom upon their lives. For

1
2 those who uphold the law, pass laws, write laws,
3 defend laws, teach laws, judge the law, protect
4 the law and wisely execute the law, we thank you
5 and ask you to keep them in your grace. For the
6 people and citizens who laws are designed to
7 protect, we thank you and bless you because we are
8 reminded every day of the beauty of your
9 diversity, the wonders of your creation and the
10 creativity of your mind. So God, we ask that you
11 will be with this Council. They need your peace
12 and compassion. I ask, God, that as they debate
13 and deliberate they will do so without greed,
14 selfishness and hidden agendas. Instead, I pray
15 they will unite for the greater good and work to
16 fix what is broken and celebrate what is lovely
17 and virtuous. I pray for harmony in vision, not
18 only for what we see for an innovative, advanced
19 and better New York, but for actually and
20 literally seeing what needs prevailed upon us
21 right now at this moment. Needs such as HIV and
22 AIDS pandemic, and the necessity for legislative
23 reform in regards to testing. Needs such as
24 affordable housing where affordability is defined
25 by those who can afford it. Needs such as better

1
2 schools in all neighborhoods. God, we are a needy
3 people. So we pray to you who is the supplier of
4 every need. I pray for the health and peace of
5 mind of all Council Members. We realize that the
6 gravity of this economic recession and the
7 heaviness on an unemployed, uninsured society
8 weigh heavy upon them. However, Father, you are
9 the lifter of our burdens so I pray that when too
10 much comes knocking, they will allow you to answer
11 the door. I pray for their listening skills and
12 reasoning abilities. And as they are passionate
13 about their duties, causes and the people they
14 represent make them equally impassioned about
15 doing what is right. Bless us with your favor;
16 keep us enthusiastic, courageous and focused,
17 unwavering in our fervor to serve mankind.
18 Finally, we pray for your healing strength and
19 courage for our former Mayor Ed Koch and to all of
20 those who are ill and in need of your touch. I
21 ask all these blessings in the name of my Lord and
22 my Savior Jesus Christ. Amen.

23 CHAIRPERSON RIVERA: Council Member
24 Dickens?

25 COUNCIL MEMBER DICKENS: Motion to

1
2 spread the Invocation in full upon the Record.

3 Thank you, Pastor Kennedy for being the leader and
4 the host of the Annual Reach Week, a weeklong
5 gospel concert for HIV/AIDS awareness.

6 CHAIRPERSON RIVERA: Thank you.

7 Roll call.

8 MICHAEL MCSWEENEY: Arroyo?

9 COUNCIL MEMBER ARROYO: Here.

10 MICHAEL MCSWEENEY: Avella?

11 COUNCIL MEMBER AVELLA: Here.

12 MICHAEL MCSWEENEY: Baez?

13 COUNCIL MEMBER BAEZ: Here.

14 MICHAEL MCSWEENEY: Barron.

15 COUNCIL MEMBER BARRON: Here.

16 MICHAEL MCSWEENEY: Brewer?

17 COUNCIL MEMBER BREWER: Here.

18 MICHAEL MCSWEENEY: Comrie?

19 COUNCIL MEMBER COMRIE: Present.

20 MICHAEL MCSWEENEY: Crowley?

21 COUNCIL MEMBER CROWLEY: Here.

22 MICHAEL MCSWEENEY: De Blasio?

23 COUNCIL MEMBER DEBLASIO: Here.

24 MICHAEL MCSWEENEY: Dickens?

25 COUNCIL MEMBER DICKENS: Here.

1
2 MICHAEL MCSWEENEY: Dilan?
3 COUNCIL MEMBER DILAN: Here.
4 MICHAEL MCSWEENEY: Eugene?
5 COUNCIL MEMBER EUGENE: Here.
6 MICHAEL MCSWEENEY: Felder?
7 COUNCIL MEMBER FELDER: Here.
8 MICHAEL MCSWEENEY: Ferreras?
9 COUNCIL MEMBER FERRERAS: Here.
10 MICHAEL MCSWEENEY: Fidler?
11 COUNCIL MEMBER FIDLER: Here.
12 MICHAEL MCSWEENEY: Foster?
13 COUNCIL MEMBER FOSTER: Here.
14 MICHAEL MCSWEENEY: Garodnick?
15 COUNCIL MEMBER GARODNICK: Here.
16 MICHAEL MCSWEENEY: Gennaro?
17 COUNCIL MEMBER GENNARO: Here.
18 MICHAEL MCSWEENEY: Gentile?
19 COUNCIL MEMBER GENTILE: Here.
20 MICHAEL MCSWEENEY: Gerson?
21 COUNCIL MEMBER GERSON: Here.
22 MICHAEL MCSWEENEY: Gioia?
23 COUNCIL MEMBER GIOIA: Here.
24 MICHAEL MCSWEENEY: Gonzalez?
25 COUNCIL MEMBER GONZALEZ: Here.

1

2

MICHAEL MCSWEENEY: Ignizio?

3

COUNCIL MEMBER IGNIZIO: Here.

4

MICHAEL MCSWEENEY: Jackson?

5

COUNCIL MEMBER JACKSON: [no

6

response]

7

MICHAEL MCSWEENEY: James?

8

COUNCIL MEMBER JAMES: Here.

9

MICHAEL MCSWEENEY: Katz?

10

COUNCIL MEMBER KATZ: Here.

11

MICHAEL MCSWEENEY: Koppell?

12

COUNCIL MEMBER KOPPELL: Here.

13

MICHAEL MCSWEENEY: Lappin?

14

COUNCIL MEMBER LAPPIN: Here.

15

MICHAEL MCSWEENEY: Liu?

16

COUNCIL MEMBER LIU: Here.

17

MICHAEL MCSWEENEY: Mark-Viverito?

18

COUNCIL MEMBER MARK-VIVERITO:

19

Here.

20

MICHAEL MCSWEENEY: Martinez?

21

COUNCIL MEMBER MARTINEZ: [no

22

response]

23

MICHAEL MCSWEENEY: Mealy?

24

COUNCIL MEMBER MEALY: [no

25

response]

1
2 MICHAEL MCSWEENEY: Mendez?
3 COUNCIL MEMBER MENDEZ: Here.
4 MICHAEL MCSWEENEY: Mitchell?
5 COUNCIL MEMBER MITCHELL: Here.
6 MICHAEL MCSWEENEY: Nelson?
7 COUNCIL MEMBER NELSON: Yes.
8 MICHAEL MCSWEENEY: Palma?
9 COUNCIL MEMBER PALMA: Here.
10 MICHAEL MCSWEENEY: Recchia?
11 COUNCIL MEMBER RECCHIA: [no
12 response]
13 MICHAEL MCSWEENEY: Reyna?
14 COUNCIL MEMBER REYNA: Here.
15 MICHAEL MCSWEENEY: Sanders?
16 COUNCIL MEMBER SANDERS: Present.
17 MICHAEL MCSWEENEY: Seabrook?
18 COUNCIL MEMBER SEABROOK: Here.
19 MICHAEL MCSWEENEY: Sears?
20 COUNCIL MEMBER SEARS: Here.
21 MICHAEL MCSWEENEY: Stewart?
22 COUNCIL MEMBER STEWART: Here.
23 MICHAEL MCSWEENEY: Ulrich?
24 COUNCIL MEMBER ULRICH: Here.
25 MICHAEL MCSWEENEY: Vacca?

1

COUNCIL MEMBER VACCA: Here.

2

3

MICHAEL MCSWEENEY: Vallone?

4

COUNCIL MEMBER VALLONE: Here.

5

MICHAEL MCSWEENEY: Vann?

6

COUNCIL MEMBER VANN: Here.

7

MICHAEL MCSWEENEY: Weprin?

8

COUNCIL MEMBER WEPRIN: Here.

9

MICHAEL MCSWEENEY: White?

10

COUNCIL MEMBER WHITE: Yes.

11

MICHAEL MCSWEENEY: Yassky?

12

COUNCIL MEMBER YASSKY: [no

13

response]

14

MICHAEL MCSWEENEY: Jackson?

15

COUNCIL MEMBER JACKSON: Here.

16

MICHAEL MCSWEENEY: Oddo?

17

COUNCIL MEMBER ODDO: [no response]

18

MICHAEL MCSWEENEY: Rivera?

19

CHAIRPERSON RIVERA: Here.

20

MICHAEL MCSWEENEY: Speaker Quinn?

21

SPEAKER QUINN: Here.

22

CHAIRPERSON RIVERA: Quorum is

23

present. At this moment we'll do the adoption of

24

the minutes. Council Member James?

25

COUNCIL MEMBER JAMES: Motion that

1
2 the minutes of the Stated Meetings of April 22nd
3 and May 6, 2009 be adopted as printed.

4 CHAIRPERSON RIVERA: Thank you very
5 much. We'll also make note for the record that
6 this Stated Meeting will be held in recess after
7 the Stated Council finishes for today. Messages
8 and papers from the mayor.

9 MALE VOICE: M1466 Mayor's veto of
10 Introductory Number 992-A.

11 SPEAKER QUINN: Civil Service and
12 Labor.

13 CHAIRPERSON RIVERA: Communication
14 from City, County and Borough Offices.

15 MALE VOICE: M1467 through M1496 on
16 page 5, base station license applications.

17 SPEAKER QUINN: Transportation.

18 CHAIRPERSON RIVERA: Petitions and
19 Communications.

20 MALE VOICE: None.

21 CHAIRPERSON RIVERA: Land use call-
22 ups.

23 MALE VOICE: M1497 through M1508 on
24 Page 8.

25 SPEAKER QUINN: If we could couple

1
2 all of those and please have roll call on the
3 coupled Land Use call-ups.

4 MICHAEL MCSWEENEY: Arroyo?

5 COUNCIL MEMBER ARROYO: Aye.

6 MICHAEL MCSWEENEY: Avella?

7 COUNCIL MEMBER AVELLA: [no
8 response]

9 MICHAEL MCSWEENEY: Baez?

10 COUNCIL MEMBER BAEZ: Voting aye in
11 requesting to vote on all coupled general orders.

12 CHAIRPERSON RIVERA: So ordered.

13 COUNCIL MEMBER BAEZ: Aye.

14 MICHAEL MCSWEENEY: Barron.

15 COUNCIL MEMBER BARRON: Me? Aye.

16 MICHAEL MCSWEENEY: Brewer?

17 COUNCIL MEMBER BREWER: Aye.

18 MICHAEL MCSWEENEY: Comrie?

19 COUNCIL MEMBER COMRIE: Aye.

20 MICHAEL MCSWEENEY: Crowley?

21 COUNCIL MEMBER CROWLEY: Aye.

22 MICHAEL MCSWEENEY: De Blasio?

23 COUNCIL MEMBER DEBLASIO: I vote
24 aye on all Land Use call-ups and I'd like to ask
25 consent to vote all items on the General Order

1

2 calendar.

3

CHAIRPERSON RIVERA: So ordered.

4

COUNCIL MEMBER DEBLASIO: Thank

5

you. I vote aye.

6

COUNCIL MEMBER AVELLA: Aye. And

7

I'd like unanimous consent to vote on all General

8

Orders. I vote aye except for Land Use 1123 and

9

Reso 2074, I vote no. I also vote yes on all

10

Resolutions.

11

CHAIRPERSON RIVERA: So ordered.

12

MICHAEL MCSWEENEY: Dickens?

13

COUNCIL MEMBER DICKENS: Aye.

14

MICHAEL MCSWEENEY: Dilan?

15

COUNCIL MEMBER DILAN: Aye.

16

MICHAEL MCSWEENEY: Eugene?

17

COUNCIL MEMBER EUGENE: Aye.

18

MICHAEL MCSWEENEY: Felder?

19

COUNCIL MEMBER FELDER: Yes.

20

MICHAEL MCSWEENEY: Ferreras?

21

COUNCIL MEMBER FERRERAS: Aye.

22

MICHAEL MCSWEENEY: Fidler?

23

COUNCIL MEMBER FIDLER: Aye.

24

MICHAEL MCSWEENEY: Foster?

25

COUNCIL MEMBER FOSTER: I'd like

1
2 permission to vote aye on all Land Use call-ups
3 and everything on the General Calendar for today.

4 CHAIRPERSON RIVERA: So ordered.

5 COUNCIL MEMBER FOSTER: Aye on all.

6 MICHAEL MCSWEENEY: Garodnick?

7 COUNCIL MEMBER GARODNICK: Aye.

8 MICHAEL MCSWEENEY: Gennaro?

9 COUNCIL MEMBER GENNARO: [no

10 response]

11 MICHAEL MCSWEENEY: Gentile?

12 COUNCIL MEMBER GENTILE: Aye.

13 MICHAEL MCSWEENEY: Gerson?

14 COUNCIL MEMBER GERSON: Aye and

15 with permission, I vote aye on all matters coupled
16 on today's agenda.

17 CHAIRPERSON RIVERA: So ordered.

18 COUNCIL MEMBER GERSON: Thank you.

19 MICHAEL MCSWEENEY: Gioia?

20 COUNCIL MEMBER GIOIA: Yes.

21 MICHAEL MCSWEENEY: Gonzalez?

22 COUNCIL MEMBER GONZALEZ: Aye.

23 MICHAEL MCSWEENEY: Ignizio?

24 COUNCIL MEMBER IGNIZIO: Yes.

25 MICHAEL MCSWEENEY: Jackson?

1

2

COUNCIL MEMBER JACKSON: Aye on

3

all.

4

MICHAEL MCSWEENEY: James?

5

COUNCIL MEMBER JAMES: Aye on all.

6

MICHAEL MCSWEENEY: Katz?

7

COUNCIL MEMBER KATZ: Aye on all

8

with permission to vote on the General Order

9

Calendar and Resolutions.

10

CHAIRPERSON RIVERA: So ordered.

11

MICHAEL MCSWEENEY: I vote aye on

12

all.

13

MICHAEL MCSWEENEY: Koppell?

14

COUNCIL MEMBER KOPPELL: [no

15

response]

16

MICHAEL MCSWEENEY: Lappin?

17

COUNCIL MEMBER LAPPIN: Aye.

18

MICHAEL MCSWEENEY: Liu?

19

COUNCIL MEMBER LIU: [no response]

20

MICHAEL MCSWEENEY: Mark-Viverito?

21

COUNCIL MEMBER MARK-VIVERITO: Aye

22

on all.

23

MICHAEL MCSWEENEY: Martinez?

24

COUNCIL MEMBER MARTINEZ: [no

25

response]

1

2

MICHAEL MCSWEENEY: Mealy?

3

COUNCIL MEMBER MEALY: [no

4

response]

5

MICHAEL MCSWEENEY: Mendez?

6

COUNCIL MEMBER MENDEZ: Aye on all.

7

MICHAEL MCSWEENEY: Mitchell?

8

COUNCIL MEMBER MITCHELL: Aye.

9

MICHAEL MCSWEENEY: Nelson?

10

COUNCIL MEMBER NELSON: Aye.

11

MICHAEL MCSWEENEY: Palma?

12

COUNCIL MEMBER PALMA: Aye.

13

MICHAEL MCSWEENEY: Recchia?

14

COUNCIL MEMBER RECCHIA: Aye.

15

MICHAEL MCSWEENEY: Reyna?

16

COUNCIL MEMBER REYNA: I vote aye.

17

MICHAEL MCSWEENEY: Sanders?

18

COUNCIL MEMBER SANDERS: Aye on

19

all.

20

MICHAEL MCSWEENEY: Seabrook?

21

COUNCIL MEMBER SEABROOK: Aye.

22

MICHAEL MCSWEENEY: Sears?

23

COUNCIL MEMBER SEARS: Aye.

24

MICHAEL MCSWEENEY: Stewart?

25

COUNCIL MEMBER STEWART: Yes on

1

2 all.

3

MICHAEL MCSWEENEY: Ulrich?

4

COUNCIL MEMBER ULRICH: Aye on all.

5

MICHAEL MCSWEENEY: Vacca?

6

COUNCIL MEMBER VACCA: I vote aye

7

on all Land Use Call-Ups and I ask unanimous

8

consent to vote on all items on the General Order

9

Calendar.

10

CHAIRPERSON RIVERA: So ordered.

11

COUNCIL MEMBER VACCA: I vote aye.

12

MICHAEL MCSWEENEY: Liu?

13

COUNCIL MEMBER LIU: Yes.

14

MICHAEL MCSWEENEY: Vallone?

15

COUNCIL MEMBER VALLONE: [no

16

response]

17

MICHAEL MCSWEENEY: Vann?

18

COUNCIL MEMBER VANN: Aye on all.

19

MICHAEL MCSWEENEY: Weprin?

20

COUNCIL MEMBER WEPRIN: Aye on all.

21

MICHAEL MCSWEENEY: White?

22

COUNCIL MEMBER WHITE: [no

23

response]

24

MICHAEL MCSWEENEY: Yassky?

25

COUNCIL MEMBER YASSKY: I request

1
2 permission to vote also on the coupled General
3 Orders and Resolutions.

4 CHAIRPERSON RIVERA: So ordered.

5 COUNCIL MEMBER YASSKY: I vote aye
6 on all the Land Use Call-Ups, the coupled General
7 Orders and the Resolutions.

8 MICHAEL MCSWEENEY: Eugene?

9 COUNCIL MEMBER EUGENE: I vote aye
10 and I would like to ask permission on all items on
11 the General Calendar. I vote aye on all.

12 CHAIRPERSON RIVERA: So ordered.

13 MICHAEL MCSWEENEY: Oddo?

14 COUNCIL MEMBER ODDO: Yes.

15 MICHAEL MCSWEENEY: Rivera?

16 CHAIRPERSON RIVERA: Yes.

17 MICHAEL MCSWEENEY: Speaker Quinn?

18 SPEAKER QUINN: Yes.

19 CHAIRPERSON RIVERA: Today's Land
20 Use Call-Ups were adopted by a vote of 47 in the
21 affirmative and zero in the negative.
22 Communication from the Speaker.

23 SPEAKER QUINN: Thank you. Let me
24 start Communication from the Speaker first by
25 thanking the Reverend for his Invocation, but also

1
2 thanking you for reminding all of us to keep
3 former Mayor Ed Koch in our thoughts and prayers.
4 I spoke to the Mayor before he had his surgery and
5 he was in classically good Ed Koch spirits. By
6 all accounts he is doing well, but is still in
7 intensive care. So if all of us could keep him in
8 our thoughts and prayers, I know he and his family
9 would appreciate that. Let me now yield the floor
10 first to our Majority Whip Inez Dickens and then
11 to Council Member Helen Foster, both who have
12 requested that they wanted to note a moment of
13 silence. I also think it is noteworthy to mention
14 that we have no members of the military to speak
15 in memory of today, which is a great thing
16 whenever that happens at our Council meetings.
17 We'll have Majority Whip Dickens and then Council
18 Member Foster.

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

21 SPEAKER QUINN: If we could get a
22 little quiet please.

23 COUNCIL MEMBER DICKENS: Today we
24 mourn the King of Pop, Michael Jackson. Michael
25 was an extraordinary phenomenal talent, a musical

1
2 genius. As an entertainer he did it all and he
3 did it better. As a person, Michael was
4 conflicted and controversy confronted him often.
5 But Michael also cared about human suffering and
6 donated much of his wealth to help stop the
7 suffering, stop the death and destruction. He was
8 an ambassador of peace. His musical legacy and
9 his commitment to world peace will live on in our
10 hearts forever. We are the world, we are the
11 children. We are the ones who make a brighter day
12 so let's start giving. May we have a moment of
13 silence in recognition and celebration of Michael
14 Jackson and his life as he moonwalks to get his
15 wings?

16 SPEAKER QUINN: Council Member
17 Foster?

18 COUNCIL MEMBER FOSTER: Thank you
19 very much. I think that when I look over my life,
20 Michael Jackson has been the soundtrack and his
21 music has been the soundtrack of my life. Every
22 album, every record, I can remember where I was in
23 my life. I remember in 1973 going to the
24 Hollywood Bowl with my parents to see the Jackson
25 5 open up for Sly and the Family Stones. I

1
2 remember seeing Michael Jackson in disguise at
3 Circus Circus in Las Vegas, and of course, the
4 Victory Tour in New York. I went to all the
5 concerts at Giants Stadium and Madison Square
6 Garden. But no matter how we feel about Michael
7 Jackson, I think the most important thing we need
8 to take away from his life and death is, as the
9 Bible says, to number our days and apply our
10 hearts unto wisdom because tomorrow is not
11 promised. We need to let the ones we know, let
12 the ones we love know it today because tomorrow is
13 not promised. We need to live every day as though
14 it's our last day. So I think it's only fitting
15 that this city and this Council stand in a moment
16 of silence for the King of Pop, Michael Jackson.
17 Thank you, Speaker.

18 SPEAKER QUINN: Thank you, and if
19 my colleagues could please stand.

20 [Pause]

21 SPEAKER QUINN: Thank you. We are
22 voting today on two pieces of legislation which
23 are part of the City Council's Open for Business
24 plan. As we all know, small businesses are the
25 backbone of New York City's economy. There are

1
2 220,000 small businesses in our five boroughs and
3 all of us in government don't do nearly enough to
4 support them and help them stay open. Right now,
5 as we struggle in tough recessionary times, it's
6 more important than ever that we figure out every
7 way we can to help small businesses. That's why
8 we're passing these two important pieces of
9 legislation today. The first is a Preconsidered
10 Intro that was passed out of our Government
11 Operations Committee and sponsored by its chair,
12 Council Member Helen Sears. Before I say a little
13 bit about that bill, I want to thank Alix
14 Pustilnik and Matt Gewolb and Terzah Nasser and
15 Kris Sartori and Rob Newman and Margaret Nelson
16 who worked on both of these pieces of legislation
17 as well as Preston Niblack and the members of the
18 Finance staff who worked on this legislation as
19 well. I also want to thank the Mayor's Office of
20 Legislative Affairs, the Department of Finance,
21 Small Business Services and the other city
22 agencies that have been working very, very closely
23 with us on our Open for Business plan and have
24 helped us bring these two pieces of legislation as
25 well as our pilot project around coordinating

1
2 inspections to fruition very, very quickly. These
3 Preconsidered Intro creates a three-month fine
4 forgiveness period starting after Labor Day for
5 businesses that have default judgments before the
6 Environmental Control Board. Right now, there are
7 about \$200 million outstanding, money we are not
8 getting from businesses that have default
9 judgments before the Environmental Control Board.
10 Now we all know that the Environmental Control
11 Board, well it's almost as bad as saying the
12 Internal Revenue Service to a small business and
13 the fear it creates in their hearts. This is a
14 three-month program where businesses will be able
15 without having to pay the late fees, fines and
16 penalties to come forward once they have dealt
17 with the underlying violation and corrected it and
18 pay a reasonable amount of money back to the City
19 of New York. By forgiving the penalties and late
20 fees, we make the money that is owed a more
21 reasonable amount for small businesses. What
22 we'll have done then is two things. One, we
23 believe we'll get about 5% of that \$200 million
24 back into the City's coffers. That's 5% more than
25 we would have gotten if we hadn't done this fine

1
2 forgiveness. Two, we hear lots of conversation as
3 it deals with the bailout and the recession about
4 getting toxic assets off the books of companies.
5 Well if you're a small business in the City of New
6 York, outstanding fines and violations are toxic
7 assets. If a business has this on their balance
8 sheet, when the credit market opens up again, they
9 will never be able to get credit. This will help
10 them clear their books and stand in a much better
11 position as they struggle to keep their businesses
12 afloat. Again, I want to thank all of the staff
13 and particularly Preston Niblack for his work on
14 this and call on the chair and sponsor of the
15 bill, Council Member Helen Sears.

16 COUNCIL MEMBER SEARS: Thank you
17 very much Madame Speaker. It has been said what
18 this bill would do. It would allow the
19 Environmental Control Board and the Department of
20 Finance to permit certain respondents who are the
21 subject of default judgments to resolve those
22 judgments by admitting liability and paying the
23 penalty associated with the violation without
24 paying any additional default penalties. This is
25 a win/win for everyone. The city is going to get

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

recoup revenue, but at the same time it enables the small business community to clear away the violations that they have allowed to remain open. It will allow them to clear their record and to be able to get loans whenever they need them. Right now they're not able to do that. There is no other jurisdiction that is having, had started and even had a project such as this. It is three months and hopefully that we will be able to realize what its intent is. It's to help the small business community at a time when they most need it. So I thank the Speaker, Councilman Weprin and I also thank certainly Matt Gewolb and Josh Gerber because they have been so busy with the committee. Thank you again.

SPEAKER QUINN: Thank you. Thank you, Council Member Sears, I forgot to thank Josh Gerber so thank you for adding him to the list of staff that we need to recognize for their work. We're also passing out of the Government Operations Committee, and I want to thank Chairperson Sears for her work on this as well, Intro 1022. This is a piece of legislation sponsored by our Minority Leader. It is a piece

1
2 of legislation that will create a joint council
3 and mayoral panel on regulatory review. Council
4 Members Oddo, Comrie and Yassky will serve as the
5 Speaker's representatives to this panel. This
6 panel is going to do two very important things.
7 When they're done, I hope we'll be able to look at
8 small businesses and tell them we heard them.
9 They want us to get out of their way. They want
10 us to stop over regulating them in unnecessary and
11 burdensome ways and allow them to do their
12 business supporting themselves, their families and
13 their employees. So the panel will look in three
14 different areas at what regulations we have on the
15 books that are unnecessary and outdated; what
16 regulations we have on the books in one agency
17 that contradict regulations we have on the books
18 from another city agency and what regulations we
19 have that are actually holding small businesses
20 back. They'll also be charged with creating a
21 framework moving forward so we don't repeat the
22 mistakes of the past and continue to pass
23 regulations that have no real purpose in
24 protecting the public or serving the public and
25 only end up making work harder for small

1
2 businesses. Whenever we pass a law on this
3 Council we think about what it costs. We do a
4 financial impact. Is the cost to taxpayers as
5 good as the good this bill will do? What we'll
6 have at the end of this regulatory panel is
7 hopefully something like that for small business
8 legislation. Is the good this regulation will do
9 as good and up to the burden it will put on small
10 businesses? We have to begin thinking that
11 through when we're regulating small businesses.
12 So I very much want to thank the staff who worked
13 on this bill that I mentioned, the chair who moved
14 this bill through quickly and in particular our
15 Minority Leader Jimmy Oddo who has worked long and
16 hard on small business issues and been
17 particularly forceful and articulate in his
18 efforts to get us to stop strangling small
19 businesses with regulations. Minority Leader
20 Oddo?

21 COUNCIL MEMBER ODDO: Thank you,
22 Madame Speaker. Last week at the Government
23 Operations hearing on this, the former chair of
24 that committee, our learned colleague Council
25 Member Felder made a very interesting point. He

1
2 said normally when government creates a panel or a
3 task force it leads to more government and more
4 bureaucracy and it's refreshing to actually
5 impanel a group of people to do just the opposite.
6 As the Speaker said, what we're trying to do is
7 very simply get government out of the way. We
8 want to try to diversify this city's economy,
9 broaden the city's economy, particularly in light
10 of the trials and tribulations that Wall Street
11 has endured and the belief by some that the Wall
12 Street of old will never return. I look forward
13 to working with our colleagues, Council Member
14 Yassky and Comrie, the Council reps on this and
15 with the administration. I have to say we heard a
16 lot of talk during the Mayor's State of the City's
17 address, the Speaker's State of the City address
18 about small business and we're acting on that
19 rhetoric. I would be remiss not to mention the
20 good work of Anthony Crowell, the Mayor's counsel.
21 We have a lot of work ahead of us. This panel has
22 to put a product by December 31st, 2009. I think
23 our work with extend past that deadline.

24 SPEAKER QUINN: But your report
25 won't.

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

COUNCIL MEMBER ODDO: But our report will not. There is a date certain by the Mayor's request and the Speaker's request. I want to thank Rob Newman and all the Council staff. It's a pleasure having Rob in meetings with the administration because I don't have to wear the black hat all the time. He does a great job representing this institution's interest. I want to thank the rest of the Council staff. I think we have a lot of important work to do and I look forward to getting to work immediately. Thank you, Madame Speaker.

SPEAKER QUINN: Thank you very much Minority Leader Oddo. I want to underscore your thanks to Anthony Crowell, who has been particularly helpful in this process. I think we all know where Jimmy will be on New Year's Eve, finishing his report, so meet him in front of the computer terminal. Let me also not and thank Chairperson Foster that we are passing a Preconsidered Intro today that is the naming of 41 thoroughfares and public places in honor of New Yorkers of distinction. I want to thank Jeff Haberman, Lyle Frank and Patrick Mulvihill for

1

2 their work on this piece of legislation. I also
3 want to thank Chairperson Reyna and Chuck Davis
4 for their work on the appointment to the Conflict
5 of Interest Board that we are passing today. I
6 just want to take a personal moment to thank the
7 Finance staff and the residents of Westbeth, a
8 particularly unique and wonderful residence,
9 affordable housing for artists in Greenwich
10 Village. Today we will vote on a 40-year tax
11 exemption for them. They are right next door to
12 multimillion dollar townhouses and high rises that
13 are getting built and through our action we will
14 keep this residence for moderate and middle income
15 artists for 40 more years and then again after
16 that, I know the next Council will as well. So
17 thank you all for your support of that important
18 housing in Greenwich Village. Lastly, we are
19 voting today on a plan for the expansion of
20 Fordham University's Manhattan campus. I want to
21 thank Gail Benjamin and all of the Land Use staff
22 who worked on this. I also want to thank Chuck
23 Meara in my office and in particular Ramon
24 Martinez for his work on this. This was an
25 important plan which allows Fordham University to

1
2 expand a very significant academic institution in
3 our city, but it was important that this plan be
4 balanced with the needs of the Upper Westside. We
5 have achieved that. we have achieved that because
6 of the hard work of our staff and in particular
7 because of the hard work of Council Member Gale
8 Brewer. The plan will now have 3,500 square feet
9 of open accessible space. All of the buildings
10 will be of LEED standards and there are particular
11 limitations put in place about the commercial
12 institutions that can move in an effort to support
13 small neighborhood mom and pop institutions. So I
14 want to thank everyone for their work, in
15 particular Gale Brewer and call on Council Member
16 Brewer for some comments.

17 COUNCIL MEMBER BREWER: Thank you
18 very much. This was certainly a challenging back
19 and forth discussion. I do want to thank again
20 Gail Benjamin. I particularly want to thank Ethel
21 Sheffer and Richard Ash of Community Board, as
22 well as Helen Rosenthal, Michael and Terry Groll
23 and Dr. Sidney Goldfisher of Fordham Neighbors
24 United, the borough president staff,
25 representatives from Fordham and very specifically

1
2 Jesse Bodine and Kunal Malhotra and Shula Warren
3 from my office. This is a master plan of 25
4 years. There are buildings on all sides, condos,
5 rentals and on the Amsterdam Avenue side there is
6 a NYCHA development, Amsterdam Houses, Amsterdam
7 addition, a very large development. This is a
8 plan that includes private as well as dorms and
9 schools. As the Speaker indicated, on the
10 Columbus Avenue side, there will be a contiguous
11 3,500 square foot atrium accessible to the public
12 at all times of the day and into the evening. The
13 whole concept is that this is a campus that has a
14 middle that will be a podium for the university
15 and we did everything we could to open it up to
16 the public. There will also be, in addition to
17 stairs and the ADA elevators, an escalator
18 hopefully making it clear that it is accessible to
19 the public. The buildings on Columbus Avenue will
20 be narrower and taller. There will be a
21 relocation of a curb cut for a garage which was
22 desired by one of the buildings adjacent to the
23 Fordham plan. There will be the appointment of
24 two people from the community to work on the
25 Fordham University Design Review Commission. In

1
2 that it is a 25-year plan, it is really important
3 to be sure that the plan conforms to the issues
4 that the community is concerned about. As the
5 Speaker indicated, there will be LEEDs gold
6 standard of environmentally sound design on the
7 academic buildings, except for the Law School
8 which is being designed currently and which will
9 be silver. The R2, unfortunately, my view but
10 nothing else we could negotiate two very tall
11 buildings on Amsterdam Avenue. They will be 590
12 feet, which is the same as the Rose Building
13 nearby. In terms of the surrounding community,
14 Fordham is applying for grants to provide after
15 school programming for the Martin Luther King Jr.
16 High School campus which is nearby which has six
17 high schools on it. They will be providing, one
18 way or another, after school programming for those
19 schools into the future. I also am urging all the
20 jobs that are available that are appropriate that
21 they are coordinated and collaborated with the
22 NYCHA residents in Amsterdam Houses and Amsterdam
23 Addition. Needless to say, this is not a plan
24 that makes everybody happy or everybody unhappy;
25 it's a plan that obviously is needed for a

1
2 university that needs to grow and we've done what
3 we can to balance it with the needs of the
4 community. Twenty-five years is a long time and I
5 hope that as we proceed it will be the kind of
6 planning that continues to involve the
7 neighborhood and where there is access for the
8 middle of the campus as well as the stores and the
9 avenues which are so important to a neighborhood
10 which is desperate for small mom and pop stores.
11 Thank you very much and I look forward to continue
12 to work because there is a restrictive declaration
13 that's still a work in progress even as we talk
14 here today. I look forward to trying to make this
15 as good a plan as we possibly can. Thank you very
16 much.

17 SPEAKER QUINN: Thank you very
18 much. That concludes Communication from the
19 Speaker. I just want to remind my colleagues, as
20 the Majority Leader said, we will stand in recess
21 at the end of today's meeting.

22 CHAIRPERSON RIVERA: Thank you very
23 much. We'll now move on to discussion of General
24 Orders. Council Member Comrie.

25 COUNCIL MEMBER COMRIE: I want to

1
2 congratulate Council Member Vallone on Intro 1030,
3 the etching acid legislation which will be finally
4 passed today. I just want to note that on one of
5 the streets being renamed today is being renamed
6 for the first rap group in New York City to be
7 named to the Hall of Fame and that's Run DMC JMJ
8 Way, which is noting the success of the super
9 group Run DMC and congratulate all of those other
10 folks who are having streets renamed after them
11 today. I just wanted to note that they reside in
12 my district and grew up in my district and had
13 their first hits right in the district. The
14 street will be named at the location that they had
15 their first hit record video taped on. I look
16 forward to also the other bills that were passed
17 today and working with Council Member Oddo on the
18 Small Business Committee doing all of the
19 necessary work to ensure that we can eliminate as
20 many redundant requirements on small businesses as
21 possible. Thank you.

22 CHAIRPERSON RIVERA: Council Member
23 Barron.

24 COUNCIL MEMBER BARRON: Thank you
25 very much, Mr. Chair. I just want to rise to say

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

that I want to thank the Council for honoring with the street co-naming of Sergeant Kimel Watt who lost his life in Iraq and was an outstanding member of our community. So we want to thank the Council. His family is honored and appreciated his being honored. He is an outstanding member of our community. He has a fine family, has done great work in our community and lost his life in Iraq and we want to thank the Council for honoring him with a co-naming of a street. Thank you.

CHAIRPERSON RIVERA: Thank you.

Council Member Jackson.

COUNCIL MEMBER JACKSON: Thank you, Mr. Chair. I rise today on behalf of my colleague Miguel Martinez who is not here. Part of the street co-naming, one street in Washington Heights, one area is being named after Professor Juan Bosch. He was the former president of the Dominican Republic and he became a role model for generations through his narratives, novels and essays and received many awards for his work in his lifetime. His writings and teachings had a profound impact on literature and human and social development and are an influence of all students

1
2 and individuals, especially the Dominican
3 community. I rise on Miguel's behalf because he's
4 not here, knowing also that in Council District 7,
5 50% of my constituents are Latino and a majority
6 of them are Dominican. But also, I rise for a
7 street co-naming technical correction on Section
8 35 on Page 10 for former police officer Alex
9 Felix. He was a police officer who was born and
10 raised in Washington Heights and was killed when a
11 drunk driver ran into him on his motorcycle one
12 night up in Washington Heights. We're asking for
13 a correction in the location of the street co-
14 naming. Thank you, Mr. Chair.

15 CHAIRPERSON RIVERA: Thank you very
16 much. Seeing no others, we'll now go on to
17 reports of Special Committees.

18 MALE VOICE: None.

19 CHAIRPERSON RIVERA: Reports of
20 Standing Committees?

21 MALE VOICE: Report of the
22 Committee on Consumer Affairs, Intro 780-A,
23 bicycle parking in garage and parking lots.

24 SPEAKER QUINN: Amended and laid
25 over.

1
2 MALE VOICE: Intro 1030, etching
3 acid legislation.

4 SPEAKER QUINN: Coupled on General
5 Orders.

6 MALE VOICE: Report of the
7 Committee on Finance, Preconsidered Res 2061,
8 organization funding.

9 SPEAKER QUINN: Coupled on General
10 Orders.

11 MALE VOICE: LU 1111 and Res 2062
12 through Preconsidered LU 1135 and Res 2064, tax
13 abatements.

14 SPEAKER QUINN: Coupled on General
15 Orders.

16 MALE VOICE: Report of the
17 Committee on Governmental Operations, Intro 1022,
18 panel on regulatory review.

19 SPEAKER QUINN: Coupled on General
20 Orders. I think we might have missed somebody in
21 discussion of General Orders. If we did, we will
22 go back to them. I think that person is Lou
23 Fidler. I'm just reading a little body language
24 here but I think I could be correct as he returns
25 to his seat.

1
2 CHAIRPERSON RIVERA: At this point
3 in time, we're going to call Council Member
4 Fidler. We apologize. We had you under General
5 Discussion.

6 COUNCIL MEMBER FIDLER: I know
7 you're a little new at this Betsy Gotbaum thing,
8 but you're doing very, very well.

9 CHAIRPERSON RIVERA: It's on the
10 job training. Thank you.

11 COUNCIL MEMBER FIDLER: The Chair
12 suits you well. Thank you, Speaker, for the
13 indulgence. I just wanted to urge my colleagues
14 to support LU 1124, which is the Canarsie down
15 zoning which is something that we've been working
16 on for four years in Canarsie and waiting for 47
17 years. It is the largest rezoning of a
18 residential neighborhood in the history of the
19 City Planning Office. It's got over 300 blocks in
20 it. Over 250 will be protected from over
21 development. They went block by block and I
22 certainly want to thank the Speaker and her
23 terrific staff, especially the magnificent Gail
24 Benjamin; Chairwoman Katz; Chairman Avella; the
25 Brooklyn City Planning office, in particular

1
2 Winston Von Engel and Richard Jacobs who went
3 through Canarsie painstakingly block by block. I
4 also want to thank all of my colleagues in
5 government representing Canarsie who worked with
6 us on this, the Brooklyn Borough president and
7 particularly Canarsie civic associations because
8 every one of them participated in a task force on
9 this rezoning. Our first meeting we decided what
10 the goals were and from that point on, all the
11 elected officials had input into the process. So
12 this is truly a zoning proposal that comes up from
13 the community and not one that was imposed on it.
14 We have been waiting. Canarsie was largely
15 swampland and not built on when the zoning was
16 enacted 47 years ago. So this is in fact the
17 zoning that truly reflects the character of this
18 community that will preserve it and I urge my
19 colleagues to vote yes. Thank you.

20 CHAIRPERSON RIVERA: Thank you very
21 much. Anyone else, one last call; back to Reports
22 of Standing Committees.

23 MALE VOICE: Report of the
24 Committee on Governmental Operations, Intro 1022,
25 panel on regulatory review.

1

2

SPEAKER QUINN: Coupled on General
Orders.

4

5

MALE VOICE: Preconsidered Intro
1041, program for Environmental Control Board
default judgments.

7

8

SPEAKER QUINN: Coupled on General
Orders.

9

10

11

12

MALE VOICE: Report of the
Committee on Land Use, LU 1083 and Res 2065
through LU 1130 and Res 2081, various
applications.

13

14

SPEAKER QUINN: Coupled on General
Orders.

15

16

17

18

MALE VOICE: Report of the
Committee on Parks and Recreation, Preconsidered
Intro 1033, naming of 41 thoroughfares and public
places.

19

20

SPEAKER QUINN: Coupled on General
Orders.

21

22

23

24

MALE VOICE: Report of the
Committee on Rules, Privileges and Elections,
M1433 and Res 2082, approving the appointment of
Burton Lehman, Conflicts of Interest Board.

25

SPEAKER QUINN: Coupled on General

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Orders.

CHAIRPERSON RIVERA: The General
Order Calendar.

MALE VOICE: LU 1077 and Res 2083
through LU 1081 and Res 2086, Fordham University.

SPEAKER QUINN: Coupled on General
Orders.

MALE VOICE: Resolution appointing
various persons, Commissioner of Deeds.

SPEAKER QUINN: Coupled on General
Orders and at this point I'd like to ask for a
roll call on all the items that are coupled on the
General Order Calendar please.

MICHAEL MCSWEENEY: Arroyo?

COUNCIL MEMBER ARROYO: Aye.

MICHAEL MCSWEENEY: Barron?

COUNCIL MEMBER BARRON: May I be
excused to explain my vote?

CHAIRPERSON RIVERA: Yes.

COUNCIL MEMBER BARRON: I, too,
want to commend Council Member Lou Fidler for the
great work he did on the down zoning of the
Canarsie plan for zoning. For his office and all
of the elected officials, this was truly an

1
2 historic zoning project for us and it really
3 benefits our community tremendously. With that,
4 I'd like to vote no on Intro 1030 and no on LU
5 1123 and accompanying Res 2074 and aye on all the
6 rest.

7 CHAIRPERSON RIVERA: So ordered.

8 MICHAEL MCSWEENEY: White?

9 COUNCIL MEMBER WHITE: Yes, I'd
10 like to vote on all coupled General Orders and ask
11 unanimous consent to vote on all Land Use items

12 CHAIRPERSON RIVERA: So ordered.

13 COUNCIL MEMBER WHITE: I vote aye.

14 MICHAEL MCSWEENEY: Brewer?

15 COUNCIL MEMBER BREWER: Aye.

16 MICHAEL MCSWEENEY: Comrie?

17 COUNCIL MEMBER COMRIE: Aye.

18 MICHAEL MCSWEENEY: Crowley?

19 COUNCIL MEMBER CROWLEY: Aye on
20 all.

21 MICHAEL MCSWEENEY: Dickens?

22 COUNCIL MEMBER DICKENS: Aye.

23 MICHAEL MCSWEENEY: Dilan?

24 COUNCIL MEMBER DILAN: Aye on all.

25 MICHAEL MCSWEENEY: Felder?

1

COUNCIL MEMBER FELDER: Yes.

2

3

MICHAEL MCSWEENEY: Ferreras?

4

COUNCIL MEMBER FERRERAS: Aye on

5

all.

6

MICHAEL MCSWEENEY: Fidler?

7

COUNCIL MEMBER FIDLER: Aye on all.

8

MICHAEL MCSWEENEY: Garodnick?

9

COUNCIL MEMBER GARODNICK: Aye.

10

MICHAEL MCSWEENEY: Gennaro?

11

COUNCIL MEMBER GENNARO: Mr. Acting

12

Public Advocate, I request consent to vote on Land

13

Use Call-ups.

14

CHAIRPERSON RIVERA: So ordered.

15

COUNCIL MEMBER GENNARO: I vote yes

16

on Land Use Call-ups. I vote yes on the General

17

Order Calendar.

18

MICHAEL MCSWEENEY: Gentile?

19

COUNCIL MEMBER GENTILE: With

20

congratulations to Lou Fidler on the contextual

21

down zoning in Canarsie, I vote aye on all.

22

MICHAEL MCSWEENEY: Gioia?

23

COUNCIL MEMBER GIOIA: Yes.

24

MICHAEL MCSWEENEY: Gonzalez?

25

COUNCIL MEMBER GONZALEZ: Aye on

1

2 all.

3 MICHAEL MCSWEENEY: Ignizio?

4 COUNCIL MEMBER IGNIZIO: I vote aye
5 on all and also want to congratulate what a great
6 job the Majority Leader is doing or being our
7 Presiding Officer yet again.

8 CHAIRPERSON RIVERA: Thank you.

9 MICHAEL MCSWEENEY: Jackson?

10 COUNCIL MEMBER JACKSON: I vote aye
11 on all.

12 MICHAEL MCSWEENEY: James?

13 COUNCIL MEMBER JAMES: I vote no on
14 LU 1123 and Res 2074 and aye on all the rest.
15 Thank you.

16 MICHAEL MCSWEENEY: Koppell?

17 COUNCIL MEMBER KOPPELL: Aye on
18 all.

19 MICHAEL MCSWEENEY: Lappin?

20 COUNCIL MEMBER LAPPIN: With a
21 thank you to my interns who are here today, I
22 would like to abstain on Intro 1033 and vote aye
23 on the rest.

24 MICHAEL MCSWEENEY: Liu?

25 COUNCIL MEMBER LIU: Yes.

1

2

MICHAEL MCSWEENEY: Mark-Viverito?

3

COUNCIL MEMBER MARK-VIVERITO: Aye

4

on all except for Intro 1030, which I guess I'm

5

happy to say I can vote no a second time. I say

6

aye on all on everything else.

7

MICHAEL MCSWEENEY: Martinez?

8

COUNCIL MEMBER MARTINEZ: [no

9

response]

10

MICHAEL MCSWEENEY: Mealy?

11

COUNCIL MEMBER MEALY: Aye on all

12

General Orders. Can I have permission to vote on

13

all Land Use Call-Ups?

14

CHAIRPERSON RIVERA: Yes.

15

COUNCIL MEMBER MEALY: Aye on all

16

Land Use Call-Ups and kudos to my Lou Fidler. Aye

17

on all.

18

MICHAEL MCSWEENEY: Mendez?

19

COUNCIL MEMBER MENDEZ: We should

20

be careful, the lights might go out and Lord knows

21

what will happen in this body. I vote aye on all

22

and no on LU 1123 and Res 2074. Thank you.

23

MICHAEL MCSWEENEY: Mitchell?

24

COUNCIL MEMBER MITCHELL: Aye on

25

all

1

MICHAEL MCSWEENEY: Nelson?

2

COUNCIL MEMBER NELSON: Aye on all.

3

MICHAEL MCSWEENEY: Palma?

4

COUNCIL MEMBER PALMA: Aye.

5

MICHAEL MCSWEENEY: Recchia?

6

COUNCIL MEMBER RECCHIA: [no

7

8 response]

MICHAEL MCSWEENEY: Reyna?

9

COUNCIL MEMBER REYNA: I vote aye

10

11 on all.

MICHAEL MCSWEENEY: Sanders?

12

COUNCIL MEMBER SANDERS: [no

13

14 response]

MICHAEL MCSWEENEY: Seabrook?

15

COUNCIL MEMBER SEABROOK: Aye on

16

17 all.

MICHAEL MCSWEENEY: Sears?

18

COUNCIL MEMBER SEARS: Aye on all.

19

MICHAEL MCSWEENEY: Stewart?

20

COUNCIL MEMBER STEWART: Aye on

21

22 all.

MICHAEL MCSWEENEY: Ulrich?

23

COUNCIL MEMBER ULRICH: Aye on all.

24

MICHAEL MCSWEENEY: Vallone?

25

1

2

COUNCIL MEMBER VALLONE: Aye on

3

all.

4

MICHAEL MCSWEENEY: Vann?

5

COUNCIL MEMBER VANN: Aye.

6

MICHAEL MCSWEENEY: Weprin?

7

COUNCIL MEMBER WEPRIN: Aye on all.

8

MICHAEL MCSWEENEY: Recchia?

9

COUNCIL MEMBER RECCHIA: Aye on

10

all.

11

MICHAEL MCSWEENEY: Council Member

12

Sanders?

13

COUNCIL MEMBER SANDERS: Yes to

14

all, including Land Use.

15

MICHAEL MCSWEENEY: Oddo?

16

COUNCIL MEMBER ODDO: Yes.

17

MICHAEL MCSWEENEY: Rivera?

18

CHAIRPERSON RIVERA: Yes.

19

MICHAEL MCSWEENEY: Speaker Quinn?

20

SPEAKER QUINN: Yes.

21

CHAIRPERSON RIVERA: All items on

22

today's General Order Calendar were adopted by a

23

vote of 50 in the affirmative, zero in the

24

negative and zero abstentions with the exception

25

of Land Use call-up 1123 and Resolution 2074,

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

which was adopted by a vote of 46 in the affirmative, four in the negative and zero abstentions and Intro 1030 which was adopted by a vote of 48 in the affirmative and 2 in the negative with zero abstentions and Intro 1033 which was adopted by a vote of 49 in the affirmative, zero in the negative and one abstention. The revised Land Use call-ups vote is 50 in the affirmative, zero in the negative. Introduction and reading of the bills.

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

CHAIRPERSON RIVERA: Discussion of Resolutions. At this point it's Council Member Comrie.

COUNCIL MEMBER COMRIE: [no response]

CHAIRPERSON RIVERA: Council Member Weprin.

COUNCIL MEMBER WEPRIN: Yes, I rise in support of Resolution of 1281-A to urge the Department of Education and the State Legislature to include the two high holidays in the Muslim calendar Eid El-Fitr and Eid Ul-Adha to the

1
2 observed school holiday calendar. I participated
3 a couple of years ago in front of a mosque in
4 Queens when a family had a real conflict whether
5 to decide to send their children for finals at
6 school or whether to observe these two high
7 holidays. No parent or student should have to
8 choose between their religious beliefs and going
9 to school or taking a final exam. So I urge
10 passage of Resolution 1281-A.

11 CHAIRPERSON RIVERA: Thank you very
12 much. Council Member Barron.

13 COUNCIL MEMBER BARRON: Thank you
14 very much, Mr. Chair. I also rise to encourage
15 the passage of Resolution 1281-A. It's long
16 overdue. I believe this should have been done a
17 long time ago. This is not a Christian nation or
18 a Jewish nation or any one singular nation or
19 city; this is a very diverse community. The
20 Muslim community must be recognized and must be
21 respected. These holidays are long overdue for
22 recognition. I urge all of my colleagues to vote
23 yes on this, but do more than that. After we vote
24 yes, let's put pressure on the Mayor, put pressure
25 in the Chancellor to enact it and let's just pray

1
2 they don't continue Mayoral Control of the schools
3 and perhaps it'll be an easier task for us to do
4 that. So I say right on to the Muslim community,
5 you deserve it.

6 CHAIRPERSON RIVERA: We're going to
7 ask that people refrain from applause because we
8 do have a lot of members that want to speak on it.
9 I appreciate it. Thank you. Council Member
10 Jackson.

11 COUNCIL MEMBER JACKSON: Thank you,
12 Mr. Chair. My colleagues, I rise today and I urge
13 you to join 34 co-sponsors of the Muslim school
14 holiday Resolution 1281 by voting yes on this
15 particular item. As a Muslim myself, I know what
16 it's like to have to choose between school and
17 faith. No parent should have to make that choice
18 for their children. Our public schools have long
19 served as not only institutions of learning but as
20 gateways to the cultural melting pot that New York
21 City is so known for. Now is the time to broaden
22 and have our city school holiday calendar include
23 the over 100,000 Muslim students in our public
24 schools. As you can see from the dozens of
25 supporters in the public balcony, there is a

1
2 groundswell of support for this action. This
3 Resolution calls upon the Department of Education
4 to recognize our two holiest holidays and
5 incorporate those into the school calendar. I ask
6 you to vote yes on Resolution 1281-A. Thank you.

7 CHAIRPERSON RIVERA: Thank you.

8 Council Member Nelson.

9 COUNCIL MEMBER NELSON: Thank you,
10 President Pro Tempore. Before you is Resolution
11 1783, called the Community Choice Act. In a
12 nutshell what this does is it would allow a person
13 the ability to stay in his or her home instead of
14 going into a nursing home, being forced into a
15 nursing home, which is really best for the family
16 and certainly psychologically as well as perhaps
17 physiologically for the individual. So sign onto
18 it. It's called the Community Choice Act and we
19 need Congress to pass this. Money will be going
20 towards that in the in-home care. It will
21 actually save society money besides being the
22 right thing to do, which you don't usually get
23 those two hand in hand. Briefly, Resolution 1832,
24 it would create an automatic stay on foreclosures
25 awaiting potential resolution. At least the

1

2 people can stay in their home during this time.

3 Thank you very much.

4

CHAIRPERSON RIVERA: Thank you.

5

Council Member James.

6

COUNCIL MEMBER JAMES: I speak in

7

support of Resolution 1281. I speak in support of

8

our Constitution. I speak in support of our

9

freedom as a nation and the fact that our

10

constitution does not recognize any one religion.

11

I rise today or I sit today in support of the

12

Muslim community because I recognize that they are

13

an emerging community and they too need to be

14

respected in this city and this state and this

15

nation and we should recognize their holiday. We

16

should recognize that they should not be forced to

17

make a decision between going to school and

18

recognizing their faith. Today I celebrate

19

freedom. Today I support this Resolution and I

20

urge all of my colleagues to do the same.

21

Congratulations.

22

CHAIRPERSON RIVERA: Thank you very

23

much. Council Member Felder.

24

COUNCIL MEMBER FELDER: Thank you

25

very much. I just note that it's a delight having

1
2 you sit there and it's further proof that we
3 should not have the position of a Public Advocate.
4 We can get this done very well without one sitting
5 up there. Having said that, I wanted to comment
6 on Resolution 1281-A and to say that I am voting
7 in favor of this Resolution and discussed it in
8 the subcommittee as well. I would like to
9 emphasize that the separation of church and state
10 should remain in our public schools and throughout
11 our government. I'm voting in favor because we
12 shouldn't decide when somebody wants to celebrate
13 any particular holiday that suddenly that's when
14 we're going to figure out that it's time to stop
15 the holidays. We should really go back to the
16 very beginning and say that there should be really
17 no holidays where the education is stopped. If
18 somebody must celebrate a religious holiday they
19 can bring in a note to exempt them from being
20 absent that day, but we should certainly not take
21 this as a note to continue this because it's a
22 never-ending thing with every religion. We should
23 go back and start from scratch and abolish all the
24 holidays and exempt children who have to celebrate
25 them by allowing them to bring in a note from a

1

2 religious that they had to be absent that day.

3

4

5

CHAIRPERSON RIVERA: Thank you very much. Council Member Vann and then Council Member Ignizio.

6

7

8

9

10

11

12

COUNCIL MEMBER VANN: Thank you, Mr. Speaker. I think it is only right and only just that which I believe we're about to do to extend the recognition of these high holy days for the Muslim community. I encourage all of my colleagues to be supportive of this just and right thing that we're about to do. Thank you.

13

14

CHAIRPERSON RIVERA: Council Member Ignizio.

15

16

17

18

19

20

21

22

23

24

25

COUNCIL MEMBER IGNIZIO: Thank you very much. I rise to speak about a different and that is Resolution 1891. Prior to that, I wanted to speak in regards to the Muslim holidays. It seems that we are embracing, and rightfully so, religion and religious institutions and those that believe that following the religious way is the right way to go. It's my hope that we continue this throughout our school system. We can bring back the comments of Christmas holidays and Hanukkah holidays and not just have a secular

1
2 situation where we don't acknowledge the religion
3 and the religious background of our students. I
4 rose to speak about Resolution 1891. That is a
5 bill that I think this Council should support and
6 my hope is that the State Legislature will
7 support. There are thousands of sliver lots that
8 the city has that cannot be sold, they cannot be
9 developed, but perhaps someone who is adjacent to
10 that would like to buy them. I think we should
11 support this legislation is that it takes them off
12 the rolls, it has them be taxpayers that can pay
13 the tax rolls for them as well as we can get money
14 from actually selling them. So it's a win/win.
15 There is no downside. My hope is that the State
16 Legislature, in their infinite wisdom, will see to
17 its passage. Thank you very much.

18 CHAIRPERSON RIVERA: Seeing no
19 others for discussions of resolutions, we'll go on
20 to a voice vote of each individual resolution.
21 The first one is Resolution 1281-A. All in favor
22 say aye.

23 GROUP: Aye.

24 CHAIRPERSON RIVERA: All opposed
25 say nay.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

MALE VOICE: Nay.

CHAIRPERSON RIVERA: Any
abstentions? The ayes have it. Resolution 1783-
A, all in favor say aye.

GROUP: Aye.

CHAIRPERSON RIVERA: All opposed
say nay. Any abstentions? The ayes have it.
Resolution 1832-A, all in favor say aye.

GROUP: Aye.

CHAIRPERSON RIVERA: All opposed
say nay. Any abstentions? The ayes have it.
Resolution 1891, all in favor say aye.

GROUP: Aye.

CHAIRPERSON RIVERA: All opposed
say nay. Any abstentions? The ayes have it.
Resolution 2002-A, all in favor say aye.

GROUP: Aye.

CHAIRPERSON RIVERA: All opposed
say nay.

MALE VOICE: Nay.

CHAIRPERSON RIVERA: Any
abstentions? The ayes have it. General
Discussions, Council Member Comrie.

COUNCIL MEMBER COMRIE: Thank you,

1
2 President Pro Tempore. I just wanted to note that
3 yesterday in my district a tragedy happened that
4 took the lives of three people, Shlomo Dahan, of
5 Flushing Queens, the owner of S. Dahan Piping and
6 Heating Corporation. The South Ozone Park
7 contractor that was hired to clean the well, his
8 son Harel Dahan, 23 of East 73rd Street in
9 Brooklyn and Rene Francisco Rivas of Jamaica
10 Avenue in Queens, a native of El Salvador who was
11 an employee of Regal Recycling. I just want to
12 note that our office has reached out to Regal
13 Recycling. We just found out that his wife has a
14 TSP immigrant status and would like to go home to
15 bury her husband but be able to come back to this
16 country. I want to just offer my support to the
17 families of the victims and our city's support for
18 anything that they may need during this time.
19 Also, I think we need to look into all of the
20 issues about why there was so much toxicity in a
21 catch basin which was not flowing that a private
22 company had to look at cleaning it out. I just
23 wanted to express my condolences to the family for
24 such a tragic loss and whatever we can do to help
25 them, I hope that we can all work together to make

1
2 sure that that type of tragedy never happens
3 again. Thank you.

4 CHAIRPERSON RIVERA: Thank you.
5 Council Member Dickens.

6 COUNCIL MEMBER DICKENS: Thank you
7 President Pro Tempore. I congratulate the Muslim
8 community on the passage of Resolution 1281-A in
9 observance of two Muslim school holidays. I am
10 introducing three Resolutions, 2050 which calls
11 upon the state to change education law to mandate
12 that newly sited charter schools accept students
13 from within the same local neighborhood when
14 public students have been displaced. My district
15 has seen an unusually high influx of charter
16 schools being sited in existing public schools. I
17 continue to press upon the DOE to seriously
18 explore the possibility of purchasing former
19 Catholic school properties to site new charter
20 schools. Until the city I able to accommodate new
21 charter schools without displacing public school
22 students, newly sited charter schools must be
23 mandated to accept displaced students from the
24 neighborhood in which they are situated.

25 Resolution 2052 asks the state to place a cap on

1
2 the number of charters that any one organization
3 can hold in the State of New York and further
4 limits the number that can be held in any one
5 particular school district. When the State of New
6 York authorized the New York Charter Schools Act
7 in 1998, the cap on the number of charters to be
8 issued in New York State was 100. That number has
9 since been raised to 200 and may yet be raised
10 again. As we move to strengthen our public
11 schools, it is important to maintain a balance
12 between public schools and charter schools. This
13 Resolution calls upon the state to consider
14 setting that balance. Resolution 2051 calls on
15 the state to enact legislation that would regulate
16 the practice of naturopathic medicine.

17 SPEAKER QUINN: Counselor, if we
18 could give the Majority Whip a little more time
19 because of the interruption. If we could get some
20 quiet please.

21 COUNCIL MEMBER DICKENS: It would
22 establish a state board which would license the
23 practice. Naturopathy is an alternative that
24 increasingly is being sought by families who have
25 lost their insurance in these dire economic times.

1
2 It is hailed not only as an alternative to
3 conventional medicine but is a complement focusing
4 on holistic care. I thank Asia and Jan Atwell and
5 Rob Newman for their assistance and direction and
6 I ask my colleagues to support these three
7 Resolutions. Thank you.

8 CHAIRPERSON RIVERA: Thank you.
9 Council Member Crowley.

10 COUNCIL MEMBER CROWLEY: Thank you.
11 Today I ask my colleagues to sign on to a sign-on
12 letter to Governor Paterson asking him to address
13 the medical crisis in the city. Far too many
14 women health doctors are paying outrageous amounts
15 of malpractice insurance and today it's scheduled
16 to expire. So the governor and the state
17 legislature has the option to either free rates,
18 look at ways of reducing rates or creating some
19 type of public malpractice insurance that would
20 keep our obstetricians and breast imaging doctors
21 in New York City. So far 31 Council Members have
22 signed on and I would hope that those of my
23 colleagues that have not signed on yet would
24 consider signing on. Thank you.

25 CHAIRPERSON RIVERA: Thank you.

1

2 Council Member Brewer.

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

COUNCIL MEMBER BREWER: Thank you very much. I would like to mention interns Amor Darlin [phonetic] from Georgetown, Hannah Emcili [phonetic] from Cornell, Tina Verges [phonetic] from NYU, Monica Landrel [phonetic] from Barnard, Sherri Kenham [phonetic] from NYU, Casey Levinson [phonetic] from NYU and Benjamin Solitare [phonetic] and to say that these people are just some of the wonderful people who are working with us this summer. I also wanted to mention that yesterday we had a hearing in technology regarding open data. It seems like a perhaps esoteric topic, but the mayor actually discussed the same topic at the Personal Democracy conference at Lincoln Center run by Andrew Rasiej. I bring it to your attention because I hope you'll pay attention to some of the blogs and weigh in on how you think this particular issue can play out. I'd like to see a lot more data that's raw and able to be worked upon so that people can layer it and find out what's really going in their neighborhoods. Thank you very much and thank you to all the interns and staff in our office.

1
2 CHAIRPERSON RIVERA: Council Member
3 Vann.

4 COUNCIL MEMBER VANN: Thank you,
5 Mr. Public Advocate. I'd like to urge all of my
6 colleagues to join me in Resolution 2060 where we
7 are asking the State Legislature and the governor
8 obviously to sign legislation Assemblywoman
9 Annette Robinson, Senator Huntley. It's
10 legislation that would remove the need for health
11 care providers to receive written consent for the
12 performance of an HIV test. It would also provide
13 for the counseling and/or referrals when a
14 positive result is reported. I don't know if
15 you're aware, but in our country a new HIV
16 infection occurs every nine and a half minutes.
17 Also, 80% of new infections are among black
18 Americans and Hispanic Americans. The CDC has
19 recommended several years ago that we go to a
20 strategy making testing routine without that
21 barrier, without that written consent. New York
22 City, as you probably know, is the epicenter of
23 the HIV epidemic. With more than 100,000 New
24 Yorkers living with HIV and AIDS, 25% don't even
25 know that they have it. So they will continue to

1
2 unknowingly spread that disease by giving more
3 infections. This is a very, very significant
4 piece of legislation. Hopefully the weight of
5 this City Council advocating for that passage will
6 have some impact and we will provide for a
7 strategy and I think we'll provide health care for
8 our people in New York City and a significant
9 strategy in working against this epidemic. So
10 please support Resolution 2060 and sign on. Thank
11 you.

12 CHAIRPERSON RIVERA: Thank you.
13 Council Member Melissa Mark-Viverito.

14 COUNCIL MEMBER MARK-VIVERITO:
15 Thank you. Along with my colleagues, Council
16 Member John Liu and Rosie Mendez, we ask our
17 colleagues to sign on to Resolution 2056 which
18 calls and urges the Puerto Rican Governor Luis
19 Fortuno to meet with the labor unions representing
20 central government workers in Puerto Rico to
21 discuss alternative solutions to the economic
22 crisis and reduce the privatization of important
23 government functions. Some of the laws that the
24 governor is passing may be considered illegal. It
25 is basically leaving thousands of people,

1
2 particularly union jobs out in the street. He has
3 refused to sit with the unions and negotiate in
4 good faith. This is a governor who represents a
5 party that believes in deregulation and believes
6 in the privatization of resources and really is
7 very much about selling off the resources and the
8 wealth of a nation. I believe that we stand
9 really strong in saying that we ask and demand
10 that Governor Fortuno in representation of a lot
11 of Puerto Ricans, thousands of Puerto Ricans that
12 live stateside, families that are here that are
13 going to be affected and impacted that he do sit
14 in good faith with the labor unions to find
15 alternative solutions to the economic crisis on
16 the island. Lastly, as a side note, I want to
17 really commend President Obama for his words
18 regarding the coup in Honduras. As people may
19 have heard, Manuel Zelaya, the president who was
20 democratically elected in Honduras was just
21 recently deposed in a coup detat which is
22 unbelievable in this day and age that that is
23 still happening in Latin America. It harkens back
24 to 20 years ago when that was a common occurrence.
25 I want to commend the President for his words and

1

2 hope that the duly elected president is brought
3 back to power peacefully. Thank you.

4

5

CHAIRPERSON RIVERA: Council Member
Jackson.

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

COUNCIL MEMBER JACKSON: Thank you,
Mr. Chair. I rise today to say that I support
Resolution 2050, 2051 and 2052 introduced by our
colleague Inez Dickens and also Resolution 2056
introduced by our colleague Rosie Mendez, which
our colleague Melissa Mark-Viverito just spoke
about. I ask you to sign on to those resolutions.
But I also rise today in order to ask you to sign
on to Intro 1032 introduced by Speaker Quinn and
myself, basically asking the Department of
Education to really give us the true book and not
the blue book. For far too long, way before
Mayoral Control every tripped off of anyone's
lips, we have had a problem with the way capacity
in our schools is calculated. Justice Leland
DeGrasse, the Supreme Court Justice in the CFE
cases pended in his 2001 decision and the Campaign
for Fiscal Equity. Parents all over New York City
have known for decades that schools are
overcrowded. No art rooms, no science labs, no

1
2 gym and large class sizes. Intro 1032 compels
3 accurate reporting using class sizes that meet
4 state standards and this bill will take note of
5 the impact of several small schools sharing space
6 and of the special needs that schools with themed
7 curriculums have. How can you have a school of
8 music and dance without music and dance rooms? I
9 ask that question. I look forward to getting this
10 legislation in place at the earliest possible
11 moment and hope that you will join the Speaker and
12 me in making the true book a reality. Thank you.

13 CHAIRPERSON RIVERA: Thank you.
14 Council Member Mendez.

15 COUNCIL MEMBER MENDEZ: Thank you.
16 I'll keep my comments brief because my colleague
17 Melissa Mark-Viverito spoke about this so
18 eloquently. I think what's important to note and
19 why we're asking for this resolution is because
20 the governor of Puerto Rico with a swoop of a pen
21 has essentially I think exacerbated the economic
22 crisis on the island instead of trying to fix it,
23 by eliminating all middle class jobs. The union
24 jobs on the island are the middle class jobs. We
25 urge him to go and meet with the union

1
2 representatives and start discussions and
3 hopefully rescind public law 7. I ask all my
4 colleagues to sign on to Resolution 2056. Thank
5 you.

6 CHAIRPERSON RIVERA: Council Member
7 James.

8 COUNCIL MEMBER JAMES: Last Sunday,
9 on Father's Day in my district on Myrtle Avenue a
10 building collapsed. We averted a Father's Day
11 disaster. Literally within seconds the families
12 were able to get out of the building. Right
13 before the firefighters were about to enter the
14 building, the building came down. It was
15 literally within two seconds. We were able to get
16 a little girl out of the rubble but the families
17 were taken care of by the Red Cross and they were
18 housed for just two days. One family was housed
19 for three days. After three days the families
20 were told that they would have to go into the
21 Intake Center of the Department of Homeless
22 Services. These were families that were
23 traumatized. These families had absolutely
24 nothing. They had no identification, no money, or
25 anything. It is unacceptable that families who

1
2 are traumatized, who suffered the same situation
3 as those families after 9/11 should be treated in
4 this fashion. I would urge the administration to
5 take that into consideration. After my
6 discussions with a number of deputy mayors and a
7 number of commissioners, at this point in time we
8 are treating them with more humanity and with more
9 compassion. The next time that we have a disaster
10 I would hope that the administration would look at
11 these families and would treat them differently
12 and would have someone who would provide them with
13 counseling and who would attend to their affairs
14 on a daily basis. I also plan on introducing some
15 legislation to create such an agency. It's been
16 some time since I mentioned my favorite project
17 and I know a lot of you have been worrying about
18 my favorite project. And particularly, Council
19 Member Fidler, I think you would find this
20 interesting, particular in light of the fact that
21 you down zoned your district today. The highest
22 court today finally agreed to take our appeal to
23 the Atlantic Yards project to question the use of
24 eminent domain. After all the cases that we have
25 lost, finally, finally we are getting justice in

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

the Court of Appeals. And you can bet I'm hopeful that we will be successful. The question of the abuse of eminent domain has come up in Coney Island and a number of other projects. But finally the highest court in New York State has decided to hear the appeals of my constituents and elected officials who are concerned about the abuse of eminent domain. And last but not least, I congratulate all of the graduates in Fort Green, Clinton Hill, Prospect Heights and Crown Heights, your dreams can come true. Just hold on and today is a good day. Thank you very much.

CHAIRPERSON RIVERA: Council Member Gennaro.

COUNCIL MEMBER GENNARO: Thank you, Mr. Acting Public Advocate. I wish to put on the record that which I've heard over the last couple of days from colleagues, and people who come to City Hall, also from the police on how silly the police booths have been made to look outside of City Hall. We've seen these police in action. We all remember not that long ago when we had violence in this chamber and the great work that they did to try to keep us all safe and they do

1

2 that each and every day. These police booths are
3 very, very serious workplaces and they shouldn't
4 be made to look silly. I think it denigrates the
5 officers that work there. I think it denigrates
6 their work. No one would like to have their own
7 workplace made to look very silly. I don't know
8 who made this decision or who was responsible for
9 it. I know it's temporary. I don't know how long
10 it's going to last but I think it's a bad
11 decision. I think it should stop. They should
12 give the officers their honor and respect and
13 return those police booths to how they should look
14 which are very serious workplaces. Thank you.

15 CHAIRPERSON RIVERA: Council Member
16 Nelson.

17 COUNCIL MEMBER NELSON: Yes, I'd
18 like to draw my colleagues' attention to
19 Resolutions 2057 and 2058. Briefly, 2057 is a
20 senior citizen water rate relief. There seems to
21 be an odious continual increase in payments for
22 water. It's like our government's version of
23 water boarding and we really need to stop this for
24 all people, but especially for people on fixed
25 incomes. Resolution 2058 would require the New

1
2 York City Water Board to wait at least 30 days
3 after the adoption of the New York City budget
4 before setting its annual rates or other charges
5 for the use of the sewer system or water system or
6 both. We don't have to be rash and rush into
7 raising rates. Let's get more data on this and
8 see if it's necessary. Thank you.

9 CHAIRPERSON RIVERA: I briefly
10 recognize Council Member Jackson to close off the
11 discussion.

12 COUNCIL MEMBER JACKSON: I just
13 wanted to congratulate and individual who came to
14 work in my office as a volunteer. Because of the
15 recession his employment was reduced from five
16 days to three days and so he wanted to volunteer
17 in a government office. He came to volunteer in
18 my office and subsequently became a part time
19 employee. I congratulate him. He's leaving and
20 he's off to law school. So Andrew congratulations
21 for the work that you've done on behalf of all the
22 constituents that we represent in New York City.
23 Thank you.

24 CHAIRPERSON RIVERA: Thank you.
25 Seeing no others, this meeting is now called into

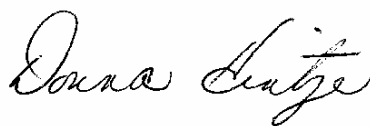
1

2

recess.

C E R T I F I C A T E

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



Signature

Date August 6, 2009