

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

STATED MEETING

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March 3, 2010
Start: 01:58 pm
Recess: 02:59 pm

HELD AT: Council Chambers
City Hall

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

COUNCIL MEMBERS:
Christine C. Quinn
Maria del Carmen Arroyo
Charles Barron
Gale A. Brewer
Fernando Cabrera
Margaret Chin
Leroy G. Comrie, Jr.
Elizabeth Crowley
Inez E. Dickens
Erik Martin Dilan
Daniel Dromm
Mathieu Eugene
Julissa Ferreras
Lewis A. Fiddler

A P P E A R A N C E S

COUNCIL MEMBERS:

Daniel R. Garodnick
James F. Gennaro
Vincent F. Gentile
Daniel J. Halloran III
Sara M. Gonzalez
Vincent Ignizio
Robert Jackson
Letitia James
Peter Koo
G. Oliver Koppell
Karen Koslowitz
Brad Lander
Jessica S. Lappin
Stephen Levin
Melissa Mark-Viverito
Darlene Mealy
Rosie Mendez
Michael C. Nelson
James S. Oddo
Annabel Palma
Domenic M. Recchia, Jr.
Diana Reyna
Joel Rivera
Ydanis Rodriguez
Deborah Rose
James Sanders, Jr.
Larry B. Seabrook
Eric Ulrich
Peter F. Vallone, Jr.
Jimmy Van Bramer
Albert Vann
Mark Weprin
Jumaane D. Williams
Thomas White, Jr.

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

June Eisland
Former New York City Council Member

Robert Gutheil
Executive Director
Episcopal Social Services

Reverend Patricia A. Singletary
Pastor
Elmendorf Reformed Church

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2 SPEAKER QUINN: We have one
3 ceremonial today and it is such an important
4 ceremonial that our Bronx chair Annabel Palma is
5 doing it. One of our former terrific Bronx
6 members, former Land Use Chair June Eisland has
7 come back to be a part of it. We want to thank
8 June for that.

9 Let me move over to the middle and
10 Annabel let's give you the microphone.

11 COUNCIL MEMBER PALMA: Thank you,
12 Madame Speaker. I want to welcome Bob Gutheil,
13 the Executive Director of Episcopal Social
14 Services and Jose Maldonado; he's on the board of
15 directors of Episcopal Social Services.

16 Like the Speaker stated, this is
17 quite an honor for us to be giving this
18 Proclamation to Episcopal Social Services on the
19 month where social workers are recognized. It is
20 an honor to have June Eisland, former Council
21 member and former chair of the Bronx Delegation
22 join the Bronx Delegation in giving this
23 Proclamation.

24 We all know the tireless work and
25 efforts that social workers do throughout not only

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2 the City of New York but throughout the United
3 States. So this is a small token in saying thank
4 you for the work that you do on behalf of families
5 in need and making sure that they have the tools
6 and resources to be able to progress in our
7 society.

8 SPEAKER QUINN: You can ask the
9 clerk to read the Proc.

10 COUNCIL MEMBER PALMA: I thought
11 you may want to say a few words but I'll ask the
12 clerk to read the Proc.

13 MICHAEL MCSWEENEY: Council of the
14 City of New York Proclamation. In observance of
15 National Professional Social Work Month, the
16 Council of the City of New York is proud to honor
17 Episcopal Social Services of New York for its
18 tremendous service to the community. And whereas,
19 established in 1831, Episcopal Social Services was
20 founded to help meet the pressing needs of the
21 vast numbers of immigrants arriving in New York
22 City in the 19th century.

23 Since its inception, the
24 organization has remained committed to
25 transforming the lives and communities of New

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2 Yorkers in need. And whereas, Episcopal Social
3 Services makes a lasting positive impact by
4 providing free child welfare and day care center
5 services, early childhood education, family
6 prevention and intervention and support for
7 working families and the formerly incarcerated to
8 approximately 5,000 vulnerable New Yorkers
9 annually to help them fully and productively
10 integrate themselves into society.

11 And whereas, Episcopal Social
12 Services also collaborates with many other
13 community organizations including the Federation
14 of Protestant Welfare Agencies, Mercy Center,
15 Visiting Nurse Services of New York, Columbia
16 University College of Dental Medicine, Lincoln
17 Hospital, Hostos Community College and the Mott
18 Haven Link Community Partners Initiative to expand
19 its reach to low income families in need of social
20 services.

21 The low income communities of New
22 York City continue to need child welfare and
23 family services related to poverty, immigration,
24 abuse and neglect, domestic violence,
25 incarceration and substance abuse. And whereas,

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2 Episcopal Social Services has truly excelled in
3 its core programs, foster care, adoption and
4 family preservation, early childhood development,
5 educational enhancement, rehabilitation and
6 community reintegration. In all of these
7 endeavors, it has consistently proven that
8 empowered individuals strengthen the community.

9 Now therefore be it known that the
10 Council of the City of New York most gratefully
11 honors Episcopal Social Services of New York for
12 its extraordinary services and contributions to
13 New York City, Christine C. Quinn, Speaker for the
14 entire Council; Annabel Palma, Council Member 18th
15 District the Bronx; James Vacca, Council Member
16 13th District the Bronx; Fernando Cabrera, Council
17 Member 14th District the Bronx; Joel Rivera,
18 Council Member 15th District the Bronx; Maria del
19 Carmen Arroyo, Council Member 17th District the
20 Bronx.

21 SPEAKER QUINN: Thank you. Let me
22 say just a couple of things before we hand the
23 mike over to the folks from Episcopal Social
24 Services. I want to thank Council Member Palma
25 for having this ceremonial to recognize such a

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2 terrific group but also for reminding all of us
3 that it is the month that we are supposed to
4 recognize and take a moment to thank social
5 workers in our city and our districts and in our
6 lives.

7 Thank you for reminding us of that
8 because there are so many ways in so much of the
9 work we do serving our constituents that we see
10 every day how important social workers are and how
11 people would really be lost without their
12 additional services. I just want to thank all of
13 you for your long, long, long service to the
14 people of the City of New York. There is too long
15 a list of people who have been helped in your
16 centuries of services. So thank you so very much.
17 All I can say is you started in 1831. We expect
18 hundreds more years of good service on behalf of
19 our city.

20 ROBERT GUTHEIL: Thank you so much.
21 We are extremely grateful for this. It has been
22 our great privilege to serve the people of New
23 York, especially the poor of New York for almost
24 200 years now. We do indeed hope to keep going
25 for hundreds of years more.

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2 I accept this on behalf of Jose
3 Maldonado, representing our board of directors.
4 We have several other of our staff members here.
5 We are all very honored by it. We also accept it
6 as emblematic of all of our colleagues, our sister
7 agencies in the field of social work here in New
8 York. We, with them, have the great privilege of
9 doing this mission together. We thank you for
10 this recognition. We are really grateful.

11 SPEAKER QUINN: That concludes our
12 ceremonials and sets us off on Social Worker
13 Appreciation Month. So thank you, Annabel.

14 [Pause]

15 MALE VOICE: Ladies and gentlemen,
16 can I have your attention? Please, can I have
17 your attention? At this time, can you please
18 place all cell phones and electronic devices on
19 vibrate? Will all non-Council employees and
20 lobbyists please leave the main floor of the
21 chambers? Thank you.

22 [Pause]

23 COUNCIL MEMBER RIVERA: Ladies and
24 gentlemen, please rise for the Pledge of
25 Allegiance.

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2 COUNCIL: I pledge allegiance to
3 the flag of the United States of America and to
4 the republic for which it stands, one nation under
5 God, indivisible, with liberty and justice for
6 all.

7 COUNCIL MEMBER RIVERA: Roll call.

8 MICHAEL MCSWEENEY: Arroyo?

9 COUNCIL MEMBER ARROYO: Here.

10 MICHAEL MCSWEENEY: Barron?

11 COUNCIL MEMBER BARRON: Here.

12 MICHAEL MCSWEENEY: Brewer?

13 COUNCIL MEMBER BREWER: [No
14 response].

15 MICHAEL MCSWEENEY: Cabrera?

16 COUNCIL MEMBER CABRERA: Here.

17 MICHAEL MCSWEENEY: Chin?

18 COUNCIL MEMBER CHIN: Here.

19 MICHAEL MCSWEENEY: Comrie?

20 COUNCIL MEMBER COMRIE: Here.

21 MICHAEL MCSWEENEY: Crowley?

22 COUNCIL MEMBER CROWLEY: Here.

23 MICHAEL MCSWEENEY: Dickens?

24 COUNCIL MEMBER DICKENS: Here.

25 MICHAEL MCSWEENEY: Dilan?

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COUNCIL MEMBER DILAN: Here.
MICHAEL MCSWEENEY: Dromm?
COUNCIL MEMBER DROMM: Here.
MICHAEL MCSWEENEY: Eugene?
COUNCIL MEMBER EUGENE: Here.
MICHAEL MCSWEENEY: Ferreras?
COUNCIL MEMBER FERRERAS: Here.
MICHAEL MCSWEENEY: Fidler?
COUNCIL MEMBER FIDLER: [No
response].
MICHAEL MCSWEENEY: Foster?
COUNCIL MEMBER FOSTER: [No
response].
MICHAEL MCSWEENEY: Garodnick?
COUNCIL MEMBER GARODNICK: Here.
MICHAEL MCSWEENEY: Gennaro?
COUNCIL MEMBER GENNARO: [No
response].
MICHAEL MCSWEENEY: Gentile?
COUNCIL MEMBER GENTILE: Here.
MICHAEL MCSWEENEY: Gonzalez?
COUNCIL MEMBER GONZALEZ: Here.
MICHAEL MCSWEENEY: Halloran?
COUNCIL MEMBER HALLORAN: [No

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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: Koo?

COUNCIL MEMBER KOO: Here.

MICHAEL MCSWEENEY: Koppell?

COUNCIL MEMBER KOPPELL: [No

response].

MICHAEL MCSWEENEY: Koslowitz?

COUNCIL MEMBER KOSLOWITZ: Here.

MICHAEL MCSWEENEY: Lander?

COUNCIL MEMBER LANDER: [No

response].

MICHAEL MCSWEENEY: Lappin?

COUNCIL MEMBER LAPPIN: [No

response].

MICHAEL MCSWEENEY: Levin?

COUNCIL MEMBER LEVIN: [No

response].

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Here.

MICHAEL MCSWEENEY: Mark-Viverito?

COUNCIL MEMBER MARK-VIVERITO:

MICHAEL MCSWEENEY: Mealy?

COUNCIL MEMBER MEALY: Here.

MICHAEL MCSWEENEY: Lander?

COUNCIL MEMBER LANDER: Here.

MICHAEL MCSWEENEY: Mendez?

COUNCIL MEMBER MENDEZ: Here.

MICHAEL MCSWEENEY: Nelson?

COUNCIL MEMBER NELSON: Here.

MICHAEL MCSWEENEY: Palma?

COUNCIL MEMBER PALMA: Here.

MICHAEL MCSWEENEY: Recchia?

COUNCIL MEMBER RECCHIA: [No
response].

MICHAEL MCSWEENEY: Reyna?

COUNCIL MEMBER REYNA: Here.

MICHAEL MCSWEENEY: Rodriguez?

COUNCIL MEMBER RODRIGUEZ: Here.

MICHAEL MCSWEENEY: Rose?

COUNCIL MEMBER ROSE: [No
response].

MICHAEL MCSWEENEY: Fidler?

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2 COUNCIL MEMBER FIDLER: Here.

3 MICHAEL MCSWEENEY: Halloran?

4 COUNCIL MEMBER HALLORAN: Present.

5 MICHAEL MCSWEENEY: Ignizio?

6 COUNCIL MEMBER IGNIZIO: Here.

7 MICHAEL MCSWEENEY: Koppell?

8 COUNCIL MEMBER KOPPELL: Here.

9 MICHAEL MCSWEENEY: Gennaro?

10 COUNCIL MEMBER GENNARO: Here.

11 MICHAEL MCSWEENEY: Sanders?

12 COUNCIL MEMBER SANDERS: [No

13 response].

14 MICHAEL MCSWEENEY: Seabrook?

15 COUNCIL MEMBER SEABROOK: [No

16 response].

17 MICHAEL MCSWEENEY: Ulrich?

18 COUNCIL MEMBER ULRICH: Here.

19 MICHAEL MCSWEENEY: Vacca?

20 COUNCIL MEMBER VACCA: Here.

21 MICHAEL MCSWEENEY: Vallone?

22 COUNCIL MEMBER VALLONE: Here.

23 MICHAEL MCSWEENEY: Van Bramer?

24 COUNCIL MEMBER VAN BRAMER: Here.

25 MICHAEL MCSWEENEY: Vann?

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COUNCIL MEMBER VANN: Here.

MICHAEL MCSWEENEY: Weprin?

COUNCIL MEMBER WEPRIN: Here.

MICHAEL MCSWEENEY: White?

COUNCIL MEMBER WHITE: Here.

MICHAEL MCSWEENEY: Williams?

COUNCIL MEMBER WILLIAMS: Here.

MICHAEL MCSWEENEY: Recchia?

COUNCIL MEMBER RECCHIA: Here.

MICHAEL MCSWEENEY: Oddo?

COUNCIL MEMBER ODDO: Here.

MICHAEL MCSWEENEY: Rivera?

COUNCIL MEMBER RIVERA: Here.

MICHAEL MCSWEENEY: Speaker Quinn?

SPEAKER QUINN: Here.

CHAIRPERSON NELSON: A quorum is present. Ladies and gentlemen, please rise for the innovation being delivered by Reverend Patricia A. Singletary, Pastor of Elmendorf Reformed Church.

REV. PATRICIA A. SINGLETARY: Let us pray. Bless the Lord, oh my soul, and all that is within me, bless his holy name. Bless the Lord, oh my soul, and forget not all his benefits

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2 and who forgive all our transgressions. Lord, we
3 come before you as humbly as we know how with
4 thanks giving in our hearts for this day, this
5 place and for those who serve our great city.

6 As we celebrate the Month of March
7 as Women's month, we thank you for those women
8 pioneers who shattered the legislative glass
9 ceiling and for those women serving today along
10 with their male counterparts in their areas of
11 deportment.

12 I pray that you grant them wisdom
13 in their deliberation, mediation and voting so
14 that justice for our communities, the motherless,
15 the homeless, the jobless, those facing the
16 challenges of everyday living and those
17 overwhelmed with feelings of hopelessness will
18 find champions for their cause in these hallowed
19 halls.

20 Lord, please grant your grace,
21 compassion upon the members of this body that they
22 may give to those in need of the same. Bless
23 their hands and hearts that justice may be served,
24 that the people of the city may prosper. These
25 things I ask in the name of the creator of Heaven

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2 and earth and in the name of the redeemer and
3 Savior of my soul. Amen.

4 COUNCIL: Amen.

5 COUNCIL MEMBER RIVERA: Council
6 Member Melissa Mark-Viverito?

7 COUNCIL MEMBER MARK-VIVERITO:

8 Thank you. I want to welcome and thank Reverend
9 Singletary to these chambers at an appropriate
10 time, being Women's History month and having just
11 celebrated African American History month. Just
12 so people know that Reverend Singletary is the
13 pastor of the Elmendorf Reformed Church in my
14 district, which was established in 1660.

15 In 1665, the First Church of
16 Harlem, also known as the Dutch Reformed Church of
17 Harlem erected a church building at the corner of
18 First Avenue and 127th Street and a quarter acre
19 of land connected with the church was set aside
20 and became known as the Negro burying ground, what
21 we're calling now the African burial ground.

22 My office has partnered up with
23 Reverend Singletary to form a task force to really
24 talk about memorializing and commemorating the
25 African burial ground in northern Manhattan. So I

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2 really want to thank you for being here, Reverend
3 Singletary, it's a real pleasure to have you in
4 these chambers. With that I make a motion to
5 spread the Invocation in full upon the record.

6 COUNCIL MEMBER RIVERA: So ordered.
7 Adoption of the minutes, Council Member Mendez?

8 COUNCIL MEMBER MENDEZ: I make a
9 motion that the minutes at the Stated Meeting of
10 December 21st, 2009 be adopted as printed.

11 COUNCIL MEMBER RIVERA: So ordered.
12 Messages and papers from the Mayor?

13 COUNCIL MEMBER ODDO: M 0023,
14 Preliminary Mayor's Management Report.

15 SPEAKER QUINN: Received, ordered,
16 printed and filed.

17 COUNCIL MEMBER RIVERA:
18 Communication from City, County and Borough
19 Offices.

20 COUNCIL MEMBER ODDO: Preconsidered
21 M 0024, transfer of city funds between agencies.

22 SPEAKER QUINN: Finance.

23 COUNCIL MEMBER ODDO: M 0025,
24 submitting Michael J. Ryan for appointment as the
25 Richmond County Democratic Commissioner of

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Elections.

SPEAKER QUINN: Rules, Privileges
and Elections.

COUNCIL MEMBER RIVERA: Petitions
and Communications?

COUNCIL MEMBER ODDO: None.

COUNCIL MEMBER RIVERA: Land Use
Call-ups.

COUNCIL MEMBER ODDO: M 0026
through M 0029, sidewalk cafes.

SPEAKER QUINN: If all of these
couple be coupled on a Land Use Call-up vote and
if we could please have that vote now?

MICHAEL MCSWEENEY: Arroyo?

COUNCIL MEMBER ARROYO: Aye.

MICHAEL MCSWEENEY: Barron?

COUNCIL MEMBER BARRON: Aye.

MICHAEL MCSWEENEY: Brewer?

COUNCIL MEMBER BREWER: [No
response].

MICHAEL MCSWEENEY: Cabrera?

COUNCIL MEMBER CABRERA: I vote aye
on all Land Use Call-ups and with permission I'd
like to vote aye on all items coupled on the

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General Orders calendar and resolutions.

COUNCIL MEMBER RIVERA: So ordered.

COUNCIL MEMBER CABRERA: Aye on
all.

MICHAEL MCSWEENEY: Jackson?

COUNCIL MEMBER JACKSON: I vote aye
on all Land Use Call-ups and request permission to
vote aye on all General Calendar orders and
resolutions.

COUNCIL MEMBER RIVERA: So ordered.

COUNCIL MEMBER JACKSON: Thank you.

MICHAEL MCSWEENEY: Chin?

COUNCIL MEMBER CHIN: Aye.

MICHAEL MCSWEENEY: Comrie?

COUNCIL MEMBER COMRIE: Aye.

MICHAEL MCSWEENEY: Crowley?

COUNCIL MEMBER CROWLEY: Aye.

MICHAEL MCSWEENEY: Dickens?

COUNCIL MEMBER DICKENS: Aye. And
Mr. Majority Leader, I request unanimous consent
to vote on all Land Use Call-ups and items coupled
on the General Order.

COUNCIL MEMBER RIVERA: So ordered.

COUNCIL MEMBER DICKENS: Aye.

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MICHAEL MCSWEENEY: Dilan?
COUNCIL MEMBER DILAN: I vote aye
on all.
MICHAEL MCSWEENEY: Dromm?
COUNCIL MEMBER DROMM: Aye.
MICHAEL MCSWEENEY: Eugene?
COUNCIL MEMBER EUGENE: Aye.
MICHAEL MCSWEENEY: Ferreras?
COUNCIL MEMBER FERRERAS: Aye.
MICHAEL MCSWEENEY: Fidler?
COUNCIL MEMBER FIDLER: Aye.
MICHAEL MCSWEENEY: Foster?
COUNCIL MEMBER FOSTER: [No
response].
MICHAEL MCSWEENEY: Garodnick?
COUNCIL MEMBER GARODNICK: Aye.
MICHAEL MCSWEENEY: Gennaro?
COUNCIL MEMBER GENNARO: Yes.
MICHAEL MCSWEENEY: Gentile?
COUNCIL MEMBER GENTILE: Yes.
MICHAEL MCSWEENEY: Gonzalez?
COUNCIL MEMBER GONZALEZ: Aye.
MICHAEL MCSWEENEY: Halloran?
COUNCIL MEMBER HALLORAN: Aye on

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all.

MICHAEL MCSWEENEY: Ignizio?

COUNCIL MEMBER IGNIZIO: Aye on all
and I request unanimous consent to vote aye on all
Calendar General Orders.

COUNCIL MEMBER RIVERA: So ordered.

COUNCIL MEMBER IGNIZIO: Aye.

Thank you.

MICHAEL MCSWEENEY: James?

COUNCIL MEMBER JAMES: Aye.

MICHAEL MCSWEENEY: Koo?

COUNCIL MEMBER KOO: Aye.

MICHAEL MCSWEENEY: Koppell?

COUNCIL MEMBER KOPPELL: Aye.

MICHAEL MCSWEENEY: Koslowitz?

COUNCIL MEMBER KOSLOWITZ: Aye.

MICHAEL MCSWEENEY: Lander?

COUNCIL MEMBER LANDER: Aye.

MICHAEL MCSWEENEY: Lappin?

COUNCIL MEMBER LAPPIN: [No
response].

MICHAEL MCSWEENEY: Levin?

COUNCIL MEMBER LEVIN: Aye on all.

MICHAEL MCSWEENEY: Mark-Viverito?

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COUNCIL MEMBER MARK-VIVERITO: Aye
on all.

MICHAEL MCSWEENEY: Mealy?

COUNCIL MEMBER MEALY: Aye on all.

MICHAEL MCSWEENEY: Mendez?

COUNCIL MEMBER MENDEZ: Aye on all.

MICHAEL MCSWEENEY: Nelson?

COUNCIL MEMBER NELSON: Aye.

MICHAEL MCSWEENEY: Palma?

COUNCIL MEMBER PALMA: Aye.

MICHAEL MCSWEENEY: Recchia?

COUNCIL MEMBER RECCHIA: Aye.

MICHAEL MCSWEENEY: Reyna?

COUNCIL MEMBER REYNA: Aye.

MICHAEL MCSWEENEY: Rodriquez?

COUNCIL MEMBER RODRIGUEZ: Aye.

MICHAEL MCSWEENEY: Rose?

COUNCIL MEMBER ROSE: [No
response].

MICHAEL MCSWEENEY: Sanders?

COUNCIL MEMBER SANDERS: Aye on
all.

MICHAEL MCSWEENEY: Seabrook?

COUNCIL MEMBER SEABROOK: Aye on

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all.

MICHAEL MCSWEENEY: Ulrich?

COUNCIL MEMBER ULRICH: Aye on all.

MICHAEL MCSWEENEY: Vacca?

COUNCIL MEMBER VACCA: Aye on all.

MICHAEL MCSWEENEY: Vallone?

COUNCIL MEMBER VALLONE: Aye.

MICHAEL MCSWEENEY: Van Bramer?

COUNCIL MEMBER VAN BRAMER: Aye.

MICHAEL MCSWEENEY: Vann?

COUNCIL MEMBER VANN: Aye.

MICHAEL MCSWEENEY: Weprin?

COUNCIL MEMBER WEPRIN: Aye.

MICHAEL MCSWEENEY: White?

COUNCIL MEMBER WHITE: I vote aye

and ask unanimous consent to vote on the General
Order Calendar.

COUNCIL MEMBER RIVERA: So ordered.

COUNCIL MEMBER WHITE: I vote aye.

MICHAEL MCSWEENEY: Williams?

COUNCIL MEMBER WILLIAMS: Aye.

MICHAEL MCSWEENEY: Oddo?

COUNCIL MEMBER ODDO: Yes.

MICHAEL MCSWEENEY: Rivera?

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COUNCIL MEMBER RIVERA: I vote aye.

MICHAEL MCSWEENEY: Speaker Quinn?

SPEAKER QUINN: Aye.

COUNCIL MEMBER RIVERA: Today's Land Use Call-ups were adopted by a vote of 45 in the affirmative, with zero in the negative. Communication from the Speaker.

SPEAKER QUINN: Thank you. Before I speak today of the legislative items that we're going to vote on, let me take a second to welcome a new member of the Council's family. I don't know where everyone sits now in the new seats. Where is Erik Dilan? You're right behind me, sorry. Any closer you would have bit me. I want to congratulate Erik and his wife. They have a beautiful new baby girl, Lea. So congratulations, Erik.

That said, we are voting on a couple of important pieces of legislation today as well as a number of Land Use items. First let me thank Chairperson Comrie and all of the subcommittee chairs for their work on the Land Use items we're voting on today, particularly the one in my district that we've been working on for

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decades. So thank you very much for you and your subcommittee chairs' attention to those matters.

Let me first speak of Intro 0004-A, a piece of legislation that was sponsored by former Parks Committee Chair Helen Foster and was passed out of the Parks Committee. I want to thank both Helen and the present chair of the committee, Council Member Melissa Mark-Viverito.

This piece of legislation speaks to creating a clear protocol for replacing trees in the City of New York. From time to time, private property owners, developers, have to remove trees from public property to deal with what they need on their own property or in their developments. Presently there is no clear standard for what type of a tree needs to replace one that's been removed.

There is no clear fee associated. So some individuals who seemingly are replacing almost identical trees, one will be charged thousands and thousands and thousands of dollars while the other might be charged only hundreds of dollars. This piece of legislation creates a clear fee structure for the replacement of trees

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that have to be removed from public property.

It requires that the Department of Parks follow the International Arborists Coalition's regulations and rules around tree pricing and tree replacement and also will bind city agencies to the same type of regulations, which as the chair has pointed out, is a very important addition. It's something that would have affected other projects in a very beneficial way had we had the law then.

Let me thank Lyle Frank, Patrick Mulvihill, Jeff Haberman and Laura Popa for their work on this piece of legislation. Let me call on the chair of our Parks Committee. It is the first piece of legislation she is passing as our new chair. Chair Melissa Mark-Viverito.

COUNCIL MEMBER MARK-VIVERITO:

Thank you, Madame Chair. I know that our colleague Helen Foster could not be here, so I'll speak for her as well. I'm pleased that the Council is voting today on Intro 0004 which is the first bill passed by this Parks and Recreation Committee under now my chairmanship. I want to thank Council Member Foster, my predecessor, for

1
2 her work on the committee but also for introducing
3 and reintroducing and sponsoring this legislation.
4 Thank you to Lyle Frank, Patrick Mulvihill and
5 Jeff Haberman for their hard work.

6 At a time when the city is actively
7 engaging in efforts to plant new trees throughout
8 the five boroughs, when we are aggressively
9 implementing plaNYC, we cannot lose sight of the
10 importance of our existing tree canopy. I've seen
11 firsthand in my district the terrible impact of
12 not having a clear policy in place with respect to
13 tree removals on public property.

14 On Randall's Island, several acres
15 of mature trees, compromising hundreds of trees,
16 were removed with almost no process in place.
17 It's still very unclear to what extent the
18 Randall's Island Sports Foundation and Department
19 of Parks have or will be engaging in efforts to
20 replace trees.

21 So Intro 0004 will require that all
22 parties wishing to remove trees from public
23 property receive a permit from the Parks
24 Department. They will also be required to replace
25 the trees or compensate the Parks Department to do

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so.

Mature trees bring a number of benefits to the communities that surround them, as well to our city as a whole. They reduce pollutants in our air, lower our air temperatures during the day and reduce our energy costs, all priorities of this Council. So I urge my colleagues to vote aye on this legislation to ensure that when trees must be removed that a clear process is followed and that trees get replaced in a timely manner.

SPEAKER QUINN: Thank you very much, Chair Mark-Viverito. Next, I want to talk about a piece of legislation that I highlighted last month in my State of the City address. I want to thank Jeff Baker and Colleen Pager, Jeff Haberman and Laura Popa for their work on this legislation.

This is a piece of legislation that I hope and believe will streamline the approval process for environmentally beneficial technologies, environmentally beneficial designs and construction techniques, materials and products.

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2 If we are going to not just talk
3 about having green collar jobs in New York, if
4 we're going to do more than just talk about having
5 an innovation economy, then we need to make sure
6 that we don't burden down environmental innovation
7 with unnecessary red tape and bureaucracy.

8 That's why this piece of
9 legislation will create a streamlined process and
10 approval mechanism within city agencies for
11 environmentally beneficial technologies that will
12 help us economically because it will get these
13 products approved and certified by the city. But
14 more importantly, having them be certified will
15 create the opportunity, hopefully, for hundreds if
16 not thousands of New Yorkers to begin installing
17 these products in buildings throughout our city.

18 Think of it, if you're a small
19 environmental tech startup, being able to install
20 your products in a 50-story building might be just
21 what you need to stay in business or just what you
22 need to hire hundreds of new workers. But if
23 you're stuck in months and months and months if
24 not years of red tape, that's never going to
25 happen.

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2 The Green Team that this piece of
3 legislation will create and the Environmental
4 Review Board will make sure there is a fair,
5 transparent, streamlined process that will allow
6 these products to be approved and get people
7 working.

8 I want to thank Council Member Jim
9 Gennaro, who is the sponsor of this bill. I also
10 want to thank Dan Garodnick, the chair of our
11 Technologies Committee for moving this piece of
12 legislation so quickly and hopefully get us
13 quickly off on the right foot of actually getting
14 a green innovation economy going in the City of
15 New York. Let me call on the chair of our
16 committee, Dan Garodnick and then the sponsor of
17 the bill, Jim Gennaro.

18 COUNCIL MEMBER GARODNICK: Thank
19 you very much, Madame Speaker. I want to join you
20 in your enthusiasm for Preconsidered Intro 0077
21 which as you noted is the first bill to come
22 through the Technology Committee, which is going
23 to streamline the approval process for green
24 technologies and projects throughout the city.
25 This is also the first bill that is resulting from

1
2 the Urban Green Council's report on how to improve
3 current building codes so that they promote more
4 sustainable practices.

5 We all know that New York City's
6 buildings are responsible for about 75% of our
7 greenhouse gas emissions. This bill will help
8 achieve the goals that were initially set out in
9 the Mayor's plaNYC but were put into law by us to
10 reduce the greenhouse gas emissions by 30% by the
11 year 2030. The Innovation Review Board and the
12 Green Team created by this bill, as the Speaker
13 noted, are going to help the city further promote
14 green technologies and efficiencies. I'm not
15 going to go into all of the details because the
16 Speaker has done that.

17 But I do believe that the Green
18 Team and this Innovation Review Board are going to
19 help make our system conducive to development so
20 that our city can stand at the forefront of green
21 technologies so that new green technologies do not
22 die a slow death as they meander through a city
23 bureaucracy.

24 I want to thank Speaker Quinn for
25 highlighting this bill in her State of the City

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2 speech. Of course, to the great chair of the
3 Environmental Protection Committee, my new
4 neighbor over here, Jim Gennaro, and of course to
5 Jeff Baker and Colleen Pagter, Joanna Levin, who
6 all worked very hard, as well as the other
7 legislative staff who participated in this bill.
8 I wanted to single out Jeff, Colleen and Joana for
9 their work on the Technology Committee
10 specifically. Thank you Speaker Quinn and I ask
11 my colleagues to vote yes today.

12 COUNCIL MEMBER GENNARO: Thank you.
13 Thank you, Madame Speaker. Thank you for your
14 leadership. Like Chairman Garodnick said, you
15 mentioned this in your State of the City. I'm
16 very, very grateful for that and I'm grateful for
17 the role that you played with the Mayor in putting
18 forward the Green Codes Task Force where some of
19 these good ideas can come to light.

20 I've been with the committee a long
21 time and I've seen many times when people have a
22 product that they would like to sell here in New
23 York City and like to put on buildings, whether
24 it's a windmill or whatever, and they run into
25 these bureaucratic roadblocks, they can't get it

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2 through the Department of Buildings. We have to
3 do a better job of bringing these products
4 forward, like you said in your speech.

5 Also, with regard to big ticket
6 things that the city should be looking at, I've
7 had many purveyors of very good technology to come
8 forward and try to work with the DEP and the
9 Department of Sanitation and others and they've
10 been rebuffed just because agencies always do
11 things a certain way and sometimes they resist the
12 kind of innovation that could really move us
13 forward.

14 This bill does away with all of
15 that. I'm very, very happy to have worked with my
16 new neighbor, Dan Garodnick, chair of the
17 Committee on Technology. I'm very grateful for
18 his leadership in making this happen so quickly.
19 So a very, very special thank you to Dan and very
20 special thank you to you, Madame Speaker and all
21 of the staff that have been mentioned. Let me
22 give a special shout out to William Murray who
23 does environmental policy in my office. I thank
24 him for all of his good work. As Dan said, I ask
25 everyone to vote for this. Thank you very much,

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Madame Speaker.

SPEAKER QUINN: Thank you, Council Member Gennaro. Lastly, we are voting on a piece of legislation, Intro 0054-A that deals with increasing penalties and fines for illegal dumping in waterways and waterfronts in New York City.

Let me thank Jeff Baker, Colleen Pagter, Jeff Haberman and Laura Popa. They've clearly been very busy because we thank them on almost every piece of legislation we're doing today. I also want to thank and really applaud Council Member Mike Nelson who is both the sponsor of the bill and the chair of the Waterfronts Commission through which this bill came.

Obviously, as we see by reading in the papers about the situation in Brooklyn, the issue of illegal waterfront dumping or any type of waterfront dumping a very serious problem that can lead to polluted waterways and waterways that should be there for recreation and fun for New Yorkers being completely cut off.

Prior to Intro 0054-A's adoption, what we've had in the City of New York is a set of waterfront pollution regulations that are

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2 unfortunately inconsistent, full of loopholes and
3 not fully enforceable. We have a set of rules
4 that says that it is a crime to dump illegally out
5 of a car.

6 That if you dump illegally into a
7 waterway out of a car, it is both a criminal crime
8 and it is also a crime that you can prosecute with
9 civil penalties and fees. But if you dump not out
10 of a car, if you yourself walk up to the edge of a
11 waterway and dump waste into that waterway, yes it
12 can be prosecuted as a crime, but it bears no
13 penalties in a civil format. That makes no sense.
14 We need a consistent and thoroughly aggressive
15 waterfront dumping law. That is what we will have
16 after today's passage, a bill that expands civil
17 penalties to all waterfront dumping crimes in the
18 City of New York.

19 Also, right now, the only agency
20 charged with enforcing waterfront dumping
21 regulations is the Department of Small Business
22 Services. Now I love the Department of Small
23 Business Services, but when you think of
24 waterfront dumping, they aren't the first agency
25 that jumps to mind. In fact, our Department of

1
2 Sanitation has a phone number you're supposed to
3 call if you see waterfront dumping going on, but
4 they're not charged with enforcing the waterfront
5 dumping laws.

6 As a result of Intro 0054-A, the
7 Department of Small Business Services will still
8 be involved, but so will the Department of
9 Sanitation and the Department of Environmental
10 Protection. This change will help us enforce the
11 laws, catch people who are breaking the law, but
12 more importantly, hopefully prevent illegal
13 dumping from happening.

14 Now, there is such enthusiasm, some
15 may have heard, about this new law that we've had
16 an unexpected visitor today in the City of New
17 York. It swam right into Newtown Creek, a
18 dolphin, today. So excited that we're going to be
19 cleaning up our waterfront, this dolphin has come
20 into the Newtown Creek. There is a photo of her.
21 She's very, very happy.

22 It's a little grainy in the photo,
23 but in her beak, she does have a banner that says,
24 "Thank you New York City Council, I love Mike
25 Nelson". That's a little grainy in the picture

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2 but shows how excited the waterfront community
3 from top to bottom is about this bill. So thank
4 you very much, Michael. Let me call on
5 Chairperson Nelson.

6 COUNCIL MEMBER NELSON: Thank you,
7 Madame Speaker very much. I think what we've done
8 is we've connected the dots, as the Speaker
9 eloquently described. It was a catch-22 here and
10 it was really going nowhere. Now it will go
11 somewhere and that's directly to the city coffers
12 I hope.

13 We have DEP together with
14 Sanitation and Small Business Services working
15 together, which is a good idea. We raised the
16 fines from \$1,500 minimum to \$10,000 max, to
17 \$5,000 minimum and \$20,000 max. So we certainly
18 put teeth into this legislation because before, it
19 certainly wasn't strong enough. We'll catch more
20 violators. This is the best thing. We'll get
21 more money for the city and most importantly, we
22 will, of course, help the environment of New York.

23 Again, thanks to the leadership of
24 Christine Quinn and Jeff Baker, the counsel to the
25 committee and Colleen Pagter, policy analyst and

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2 as always, Laura Popa and Jeff Haberman. We've
3 made this city a cleaner and a better place.
4 Thank you very much.

5 SPEAKER QUINN: Thank you.
6 Minority Leader Oddo wanted to know if we've
7 registered the dolphin as a Democrat and yes, we
8 have. She's very excited about that.

9 COUNCIL MEMBER ODDO: It was the
10 catch of the day.

11 SPEAKER QUINN: Let me just
12 recognize former Land Use chair and former Council
13 Member June Eisland who is with us today. I don't
14 know if June slipped out already, but I want to
15 recognize her.

16 I also just want to take one moment
17 before I conclude my Speaker's comments to thank
18 all of my colleagues and their staff or their hard
19 work collecting petition signatures opposing the
20 MTA's budget cuts and supporting the Council and
21 the straphangers plan. Yesterday we delivered the
22 petition signatures to the MTA.

23 Even while we were delivering them,
24 Melissa Mark-Viverito and Jessica Lappin were
25 still out collecting more petition signatures. I

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2 think you all know we set a goal of 25,000. We
3 did 41,000 petition signatures yesterday. So I
4 want to thank everybody and all of your staff.

5 I want to note, not that it's a
6 competition, but the Council Member's office who
7 got the most was Council Member Ydanis Rodriguez
8 and the Council Member's office who got the second
9 most was Council Member Jimmy Vacca.

10 Now, the hearings are going on.
11 The vote isn't for a couple of weeks. I'm more
12 than happy to have people beat those two and have
13 me make another announcement at the next Stated.
14 But thank you all for your hard work on that.
15 That concludes communications from the Speaker.

16 COUNCIL MEMBER RIVERA: Thank you
17 very much. Discussion of General Orders and
18 seeing none, we'll move on to reports of special
19 committees.

20 COUNCIL MEMBER ODDO: None.

21 COUNCIL MEMBER RIVERA: Reports of
22 standing committees.

23 COUNCIL MEMBER ODDO: Report of the
24 Committee on Finance, Preconsidered Reso 0058,
25 transparency resolution.

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SPEAKER QUINN: Coupled on General Orders.

COUNCIL MEMBER ODDO: Preconsidered M 0024 and Reso 0063, budget modification.

SPEAKER QUINN: Coupled on General Orders.

COUNCIL MEMBER ODDO: Preconsidered LU 0037 and Reso 0064 through Preconsidered LU 0039 and Reso 0066.

SPEAKER QUINN: Coupled on General Orders.

COUNCIL MEMBER ODDO: Report of the Committee on Land Use, LU 0019 and Reso 0067 and LU 0020 and Reso 0068, various UDAPs.

SPEAKER QUINN: Coupled on General Orders.

COUNCIL MEMBER ODDO: LU 0028 and Reso 0069 through LU 0031 and Reso 0072, zoning resolution amendments.

SPEAKER QUINN: Coupled on General Orders.

COUNCIL MEMBER ODDO: LU 0032 and Reso 0073, UDAP Manhattan

SPEAKER QUINN: Coupled on General

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Orders.

COUNCIL MEMBER ODDO: LU 0033 and
Reso 0074 and LU 0034 and Reso 0075, unenclosed
sidewalk café.

SPEAKER QUINN: Coupled on General
Orders.

COUNCIL MEMBER ODDO: LU 0035 and
Reso 0076, school facility, Council District 50.

SPEAKER QUINN: Coupled on General
Orders.

COUNCIL MEMBER ODDO: LU 0036 and
Reso 0077, school facility, Council District 3.

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

COUNCIL MEMBER ODDO: Report of the
Committee on Parks and Recreation, Intro 0004-A,
replacement of trees.

SPEAKER QUINN: Amended and coupled
on General Orders.

COUNCIL MEMBER ODDO: Report of the
Committee on Rules, Privileges and Elections,
Preconsidered Reso 0078, approving membership
changes to certain committees.

SPEAKER QUINN: Coupled on General

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Orders.

COUNCIL MEMBER ODDO: Report of the Committee on Technology, Preconsidered Intro 0077, streamlining approvals for green technologies.

SPEAKER QUINN: Coupled on General Orders.

COUNCIL MEMBER ODDO: Report of the Committee on Waterfronts, Intro 0054-A, illegal dumping along waterfront property.

SPEAKER QUINN: The dolphin bill. Amended and coupled on General Orders.

COUNCIL MEMBER RIVERA: General Order Calendar.

COUNCIL MEMBER ODDO: Resolution appointing various persons Commissioner of Deeds.

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

MICHAEL MCSWEENEY: Arroyo?

COUNCIL MEMBER ARROYO: Aye on all.

MICHAEL MCSWEENEY: Barron?

COUNCIL MEMBER BARRON: I vote aye on all except for Preconsidered Reso 0078, I vote

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no.

MICHAEL MCSWEENEY: Brewer?

COUNCIL MEMBER BREWER: I vote aye
and any Land Use items also vote aye. Thank you.

MICHAEL MCSWEENEY: Chin?

COUNCIL MEMBER CHIN: Aye on all.

MICHAEL MCSWEENEY: Comrie?

COUNCIL MEMBER COMRIE: Aye on all.

MICHAEL MCSWEENEY: Crowley?

COUNCIL MEMBER CROWLEY: Aye on
all.

MICHAEL MCSWEENEY: Dilan?

COUNCIL MEMBER DILAN: Aye on all.

MICHAEL MCSWEENEY: Dromm?

COUNCIL MEMBER DROMM: Aye on all.

MICHAEL MCSWEENEY: Eugene?

COUNCIL MEMBER EUGENE: Aye.

MICHAEL MCSWEENEY: Ferreras?

COUNCIL MEMBER FERRERAS: Aye on
all.

MICHAEL MCSWEENEY: Fidler?

COUNCIL MEMBER FIDLER: Mr.
Majority Leader, may I be briefly excused to
explain my vote?

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COUNCIL MEMBER RIVERA: Yes.

COUNCIL MEMBER FIDLER: First, I want to indicate that I'm going to vote aye on all. I'm voting aye on the budget mod with a single and a grave reservation. Today we are moding in out of necessity \$850,000 into the budget of the Public Advocate. That's money that could well be spent on keeping firehouses open, cops on the street or after school centers open.

It was necessitated because the last Public Advocate saw fit to take matters into her own hands and determine that the budget that was passed by the City of New York, by this Council with the Mayor, signed into law didn't suit her purposes. She ran through a year's worth of money allocated for that office in half a year. That was irresponsible.

Now I like Betsy Gotbaum as much as the next person on a personal basis but it was just wrong. Whether or not that's fair to Bill de Blasio was never a factor in her decision. Bill de Blasio is entitled to run his office and so we have to vote yes on this budget mod today. But it should be said that it was this irresponsible

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2 action that was taken by the prior Public Advocate
3 that is stealing \$850,000 from the kids and the
4 firefighters and the teachers and all the things
5 that we so desperately need that money for. Thank
6 you.

7 MICHAEL MCSWEENEY: Garodnick?

8 COUNCIL MEMBER GARODNICK: Aye.

9 MICHAEL MCSWEENEY: Gennaro?

10 COUNCIL MEMBER GENNARO: Yes.

11 MICHAEL MCSWEENEY: Gentile?

12 COUNCIL MEMBER GENTILE: Aye.

13 MICHAEL MCSWEENEY: Gonzalez?

14 COUNCIL MEMBER GONZALEZ: Aye.

15 MICHAEL MCSWEENEY: Halloran?

16 COUNCIL MEMBER HALLORAN: Aye on

17 all, though I do have some questions about the
18 dolphin and the registration of that dolphin.

19 MICHAEL MCSWEENEY: James?

20 COUNCIL MEMBER JAMES: I'd like to

21 congratulate Council Member Rose, Council Member
22 Lander and all the others on their new committees
23 and their assignments. I would urge Council
24 Member Rose as I prepare a resolution to
25 immediately hold a hearing with regards to the

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stop and frisk practices of NYPD which explode last year.

A New York City police officer has recently come forward to indicate that there is a quota system in the City of New York. That is why there are so many abuses that are being committed by NYPD. There is no correlation between crime and stopping and frisking individuals or the decrease in crime in stopping and frisking individuals. It's just an abuse of individual's civil rights and a violation of our constitution. I vote aye on all.

MICHAEL MCSWEENEY: Koo?

COUNCIL MEMBER KOO: Yes on all.

MICHAEL MCSWEENEY: Koppell?

COUNCIL MEMBER KOPPELL: Aye.

MICHAEL MCSWEENEY: Koslowitz?

COUNCIL MEMBER KOSLOWITZ: Aye on all.

MICHAEL MCSWEENEY: Lander?

COUNCIL MEMBER LANDER: Aye.

MICHAEL MCSWEENEY: Lappin?

COUNCIL MEMBER LAPPIN: Aye on all and permission to vote aye on the Land Use

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calendar as well.

COUNCIL MEMBER RIVERA: So ordered.

MICHAEL MCSWEENEY: Levin?

COUNCIL MEMBER LEVIN: Aye.

MICHAEL MCSWEENEY: Mark-Viverito?

COUNCIL MEMBER MARK-VIVERITO: Aye

on all.

MICHAEL MCSWEENEY: Mealy?

COUNCIL MEMBER MEALY: Aye.

MICHAEL MCSWEENEY: Mendez?

COUNCIL MEMBER MENDEZ: Aye.

MICHAEL MCSWEENEY: Nelson?

COUNCIL MEMBER NELSON: Aye on all.

But O'Reilly reported that the dolphin was spotted
at a Tea Party rally earlier today.

MICHAEL MCSWEENEY: Palma?

COUNCIL MEMBER PALMA: Aye.

MICHAEL MCSWEENEY: Recchia?

COUNCIL MEMBER RECCHIA: Aye.

MICHAEL MCSWEENEY: Reyna?

COUNCIL MEMBER REYNA: Aye on all.

MICHAEL MCSWEENEY: Rodriguez?

COUNCIL MEMBER RODRIGUEZ: Aye.

MICHAEL MCSWEENEY: Rose?

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2 COUNCIL MEMBER ROSE: I vote aye on
3 all General Orders. And with permission, I'd like
4 to vote aye on all Land Use call-ups.

5 COUNCIL MEMBER RIVERA: So ordered.

6 COUNCIL MEMBER ROSE: I'd like to
7 thank Council Member James for the congratulatory
8 words. I'm looking forward to working with her.
9 Thank you.

10 MICHAEL MCSWEENEY: Sanders?

11 COUNCIL MEMBER SANDERS: Aye on
12 all.

13 MICHAEL MCSWEENEY: Seabrook?

14 COUNCIL MEMBER SEABROOK: Aye on
15 all.

16 MICHAEL MCSWEENEY: Ulrich?

17 COUNCIL MEMBER ULRICH: Aye on all.

18 MICHAEL MCSWEENEY: Vacca?

19 COUNCIL MEMBER VACCA: Aye on all.

20 MICHAEL MCSWEENEY: Vallone?

21 COUNCIL MEMBER VALLONE: Aye on
22 all.

23 MICHAEL MCSWEENEY: Van Bramer?

24 COUNCIL MEMBER VAN BRAMER: Aye on
25 all.

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MICHAEL MCSWEENEY: Vann?

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COUNCIL MEMBER VANN: Aye on all.

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MICHAEL MCSWEENEY: Weprin?

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COUNCIL MEMBER WEPRIN: Aye on all.

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MICHAEL MCSWEENEY: Williams?

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COUNCIL MEMBER WILLIAMS:

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Congratulations to Council Member Rose. As an
organizer, I just want to say congratulations to
Vacca on his 2,000 signatures and Ydanis Rodriguez
on collecting 10,000. That's very impressive.
Aye on all.

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MICHAEL MCSWEENEY: Barron?

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COUNCIL MEMBER BARRON: I'd like to

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revise my vote. I'd like to vote no on

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Preconsidered M 0024 and Reso 0063. I know

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Council Member Fidler's intent wasn't to convince

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me to do that but he made a compelling argument

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and I think there is a better way to use \$850,000

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other than for the Public Advocate. So I vote no

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on the budget mod reso.

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COUNCIL MEMBER RIVERA: So ordered.

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MICHAEL MCSWEENEY: Oddo?

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COUNCIL MEMBER ODDO: I vote yes on

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all. This update about the dolphin, it left New

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2 York, it said the taxes were too high. It's going
3 back to Florida.

4 MICHAEL MCSWEENEY: Rivera?

5 COUNCIL MEMBER RIVERA: I vote aye.

6 MICHAEL MCSWEENEY: Speaker Quinn?

7 SPEAKER QUINN: I vote aye.

8 Nothing more to say about the dolphin.

9 COUNCIL MEMBER RIVERA: All items
10 on today's General Order Calendar were adopted by
11 a vote of 49 in the affirmative, zero in the
12 negative and zero abstentions. With the exception
13 of Reso 0078 which was adopted by a vote of 48 in
14 the affirmative and one in the negative and zero
15 abstentions. And M 0024 and Reso 0063 which was
16 adopted by a vote of 48 in the affirmative and one
17 in the negative with zero abstentions. And the
18 revised Land Use call-ups were adopted by a vote
19 of 49 in the affirmative with zero in the
20 negative. Introduction and reading of the bills.

21 SPEAKER QUINN: All bills are
22 referred to committees as indicated on the agenda.
23 I just want to remind my colleagues that the
24 hearings on the Preliminary Budget and the Mayor's
25 Preliminary Management Report begin tomorrow and

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2 if folks could please make note of that schedule
3 which is also attached to the agenda.

4 COUNCIL MEMBER RIVERA: Thank you
5 very much. Discussions of resolutions, Council
6 Member Barron.

7 COUNCIL MEMBER BARRON: Thank you
8 very much, Mr. Chair. I rise to encourage my
9 colleagues. I know there's a Preconsidered
10 Resolution 0054 which would really allow the
11 private sector to purchase 21 public housing
12 units. Of course NYCHA is saying they'll still
13 own the land and still manage the property for 20
14 some odd years and that will be a way of
15 federalizing these developments and getting needed
16 capital.

17 While that might be true and could
18 be beneficial for the moment, this is a dangerous
19 precedence we're setting for privatizing public
20 housing. They're saying no, because they still
21 own the land and nothing is stopping NYCHA from
22 selling the land later. And before you know it,
23 public housing will be no more. So, on that
24 resolution I'm voting no. We need to continue to
25 fight for stimulus money for public housing.

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2 Fight the federal and the state for more funding
3 of federal housing and the city. To do this
4 you're making a big mistake. It's setting a
5 dangerous precedence for privatizing public
6 housing. I want to encourage a no vote on that
7 resolution.

8 COUNCIL MEMBER RIVERA: Thank you.
9 Council Member Fidler?

10 COUNCIL MEMBER FIDLER: Now for
11 something hopefully less controversial.
12 Resolutions 0002 and 0003 regard summer jobs.
13 Resolution 0002 calls upon the state to fully fund
14 the summer job program. As you all know, last
15 year we had 52,500 summer jobs in the city. As it
16 presently stands, we'll have 17,000 this year,
17 leaving 130,000 young people who applied for
18 summer jobs last year unemployed this summer. So
19 I urge you to contact your state legislators and
20 vote yes on Resolution 0002.

21 Resolution 0003 is extraordinarily
22 timely because the Senate has in fact passed a
23 jobs bill that contains zero dollars for summer
24 jobs while the House has passed a bill that does
25 contain money for summer jobs. So those bills are

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2 being conferenced now. So I'd urge each and every
3 one of you to speak to both our senators and our
4 congress people to urge them to include summer job
5 money in the jobs bill. There is no better
6 economic stimulus program than a summer job.

7 We had testimony that of the \$42
8 million that could be tracked in last year's
9 summer job money, \$40 million was spent almost
10 immediately in the communities that the kids live
11 in. So I urge yes votes on Reso 0002 and 0003.

12 COUNCIL MEMBER RIVERA: Thank you
13 very much. Council Member Levin.

14 COUNCIL MEMBER LEVIN: Madame
15 Speaker and Council colleagues, I'm asking you
16 today for your support for Preconsidered
17 Resolution 0054 calling on the United States
18 Department of Housing and Urban Development to
19 approve the plan recently passed by the New York
20 State Legislature under the stewardship of
21 Assembly Housing Chair Vito Lopez which would
22 greatly benefit the New York City Housing
23 Authority and the City of New York by federalizing
24 the 21 state and city developments, thereby
25 bringing in up to \$90 million per year, reducing

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NYCHA's yearly deficit by nearly two-thirds.

This plan which was the result of creative and collaborative thinking by NYCHA, led by Chairman John Rhea, presents a once in a lifetime opportunity by first achieving the long stated goal of bringing these 21 developments which years ago stopped receiving funding from the city and the state under permanent federal stewardship.

Of equal importance, this plan will access federal funds available through President Obama's American Recovery and Reinvestment Act to be joined with capital investment from the private and nonprofit sectors to provide a mixed financing model which through two HDFCs will be under the jurisdiction of the New York City Housing Authority. It's a win/win for the City, NYCHA and the residents of the New York City Housing Authority.

I'd like to thank Chairman Rhea, NYCHA general manager Michael Kelly, Assembly Housing Chair Vito Lopez, Council Housing Chair Erik Dilan, Speaker Quinn and Public Housing Chair Rose Mendez as well as Ben Goodman, Baaba Halm and

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Ashley Thompson for their work on this bill.

COUNCIL MEMBER RIVERA: Thank you.

Now we go to Council Member Nelson.

COUNCIL MEMBER NELSON: Thank you.

I'd like to draw my colleague's attention to Reso
0057. This is urging the United States State
Department to reverse its decision.

COUNCIL MEMBER RIVERA: That's not
under this calendar. That'll be under General
Discussion.

COUNCIL MEMBER NELSON: I jumped
the gun. Sorry.

COUNCIL MEMBER RIVERA: Council
Member Van Bramer. Council Member Lander.

COUNCIL MEMBER LANDER: Thank you.
I just want to add my voice in support of
Preconsidered Intro 0054. As somebody who has
been working for better than a decade to try to
find some way to have the federal government
continue to provide resources to the city and
state built public housing in a way that makes
sense, given the resources the city and the state
have, given the federal government's ongoing but
then terminated commitment. It's a resolution

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2 that makes sense. We looked at about four
3 different ways. We tried to get the federal
4 government to do this over the last decade. This
5 is a smart one. I hear Council Member Barron's
6 concerns, but I believe the HDFC and the way it's
7 structured will make sure that it continues to be
8 under public supervision and at the same time
9 prevent the problem of NYCHA bleeding tens of
10 millions of dollars in the years to come. I urge
11 a vote of aye. Thank you.

12 COUNCIL MEMBER RIVERA: Thank you
13 very much. Now we move on to the vote on
14 resolutions. We have three resolutions. One of
15 them is Reso 0002, calling upon the New York state
16 Legislature to fully fund summer youth employment
17 programs. All in favor, say aye.

18 COUNCIL: Aye.

19 COUNCIL MEMBER RIVERA: All opposed
20 say nay. Any abstentions? The ayes have it.
21 Reso 0003 is a resolution calling upon the United
22 States Congress to include \$500 million in the
23 2010 jobs bills for a summer youth employment
24 program and to pass the bill as soon as possible.
25 All in favor say aye.

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COUNCIL: Aye.

COUNCIL MEMBER RIVERA: All opposed say nay. Any abstentions? The ayes have it. Then we have Preconsidered Reso 0054, a resolution calling upon the United States Department of Housing and Urban Development to approve the New York City Housing Authority's mixed finance modernization plan to transfer or restructure the ownership of certain developments built by the city and the state in order to qualify for federal funding for those developments. All in favor say aye.

COUNCIL: Aye.

COUNCIL MEMBER BARRON: Nay.

COUNCIL MEMBER RIVERA: Any abstentions? The ayes have it. Now we move on to general discussions. Council Member Barron.

COUNCIL MEMBER BARRON: Thank you very much. First I want to rise to say that I have to offer some serious criticism to the Speaker's Office on how they're presenting bills. I have Resolution 0047 and it simply says Resolution from Council Member Barron adding a new rule to the Rules. A new rule to the rules,

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2 nobody in here knows what that means. That's
3 because it's on an equitable distribution of
4 capital and expense money and taking the
5 discretion away from the Speaker. It is not fair
6 when it comes to budget time that the communities
7 that are in need of capital and expense money that
8 don't get the top dollars.

9 As a matter of fact, and I know you
10 all don't like talking about race, but articles
11 and studies have shown that the white communities
12 get far more than communities of color when it
13 comes to capital and expense money because the top
14 receivers of capital and expense are mostly the
15 white members of this Council get the top money.
16 We get some from those who are working well with
17 the Speaker but we need to stop that. We need to
18 free up the Council so that we get an equitable
19 distribution of capital.

20 Those who might get \$5 million will
21 probably be against this. Those who are getting
22 \$500,000 or a million should be for it. We need
23 an equitable distribution. Let's put a committee
24 together to have a needs-based analysis for
25 receiving capital and expense money. I think this

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is fair. It's democratic. It takes some of the power away from the Speaker. It frees some of you up not to worry about how you vote because you won't be punished by getting less capital or less expense.

So I want to encourage you to sign on that bill. Once again, I want to criticize whoever wrote this in here like this. That is wrong. A rule change to the rules, ridiculous. Thank you very much.

COUNCIL MEMBER RIVERA: Council Member Comrie.

COUNCIL MEMBER COMRIE: Members, I want to explain the three Introductions that I have today that are before you. I would encourage you to sign onto Intro 0060 and 0062. Intro 0060 would give an opportunity for small businesses who are getting delayed in public contracts due to administrative foolishness by the City of New York, a way to free that up and clear up a lot of those administrative rules so that the small businesses that are struggling and do have city contracts can get them faster.

Intro 0062 is to ensure that if an

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2 individual suffers a leak in your water pipe due
3 to road construction, utility repair or some other
4 activity that's happening in the street and
5 vibrating and all of the sudden your water pipes
6 are broken as a result of it, even if it happens a
7 block away, oftentimes it requires a major \$5,000-
8 \$10,000 repair through no fault of your own. This
9 would amend that.

10 Also, I want to encourage members
11 to also adopt and sign on to Intro 0061. This
12 would change the Administrative Code of the City
13 of New York. It would give eight points to anyone
14 that's an applicant to become a firefighter who
15 has completed high school, any high school exam,
16 including the GED, including people that were home
17 schooled or in private schools. It would give
18 the, eight points.

19 It would take away right now the
20 residency requirement because most people that
21 completed high school in New York are New York
22 City residents. It would give us a great new pool
23 of people that would be able to become
24 firefighters.

25 It would also give young people

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2 some encouragement that knowing if they can
3 graduate high school they would have an
4 opportunity to be part of the elite, part of a
5 group of people that truly we don't have enough
6 minority applicants for. It would give the city a
7 real opportunity and I hope that we can embrace
8 this bill and get this passed as quickly as
9 possible. Thank you.

10 COUNCIL MEMBER RIVERA: Council
11 Member Garodnick.

12 COUNCIL MEMBER GARODNICK: Thank
13 you very much. I wanted to draw my colleagues
14 attention to Intro 0072, which is legislation that
15 would transfer power to prosecute misconduct cases
16 from the Police Department to the Civilian
17 Complaint Review Board. I believe this is the
18 time to create a more balanced civilian oversight
19 process for police misconduct.

20 We can do this by further
21 empowering and professionalizing the CCRB. The
22 current system I believe is failing to instill
23 confidence in the public that their complaints
24 against officers are handled fairly. The NYPD
25 today is acting as prosecutor, judge and jury.

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2 This bill would remove the prosecutorial element
3 from the police department; put it in the CCRB
4 while allowing the NYPD to continue serving as the
5 judge and the jury.

6 In 2008, the police department
7 pursued no discipline against officers in 33% of
8 the cases where the Civilian Complaint Review
9 Board determined that there was reasonable
10 evidence of misconduct, the so-called
11 substantiated cases. That figure, 33%, has
12 increased exponentially from just 1% in 2003.
13 Even as the number of cases substantiated by the
14 board has dropped.

15 In 2008, the Police Department
16 undertook only 19 administrative trials against
17 officers, down from 90 in 2003 and 88 in 2004.
18 While the NYPD and the CCRB have announced a pilot
19 program to give the CCRB prosecutorial authority,
20 their plan does not dictate the terms of the
21 prosecutions and it does not detail how it will
22 create greater independence or transparency.

23 We need legislation to ensure that
24 meaningful concrete reform is realized. We need
25 to go the rest of the way and grant the CCRB the

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2 independence to do its job. This reform will
3 ensure that civilian complaint review has the
4 balance and credibility that New Yorkers deserve.
5 Thank you. I ask my colleagues to take a look and
6 sign on to this legislation.

7 COUNCIL MEMBER RIVERA: Thank you
8 very much, Council Member Nelson.

9 COUNCIL MEMBER NELSON: Thank you.
10 I want to draw my colleagues' attention to Reso
11 0057 which urges the U.S. State Department to
12 reverse its decision to no longer require foreign
13 governments to pay property taxes on non-exempt
14 diplomatic residences. If they're living here,
15 they're enjoying themselves and they probably want
16 to live here. They should pay taxes.

17 Not even to mention the fact that
18 this is really so open for fraud. How many
19 embassies could say we have another 10 diplomats
20 or 20 diplomats and they buy this property and
21 they don't have to pay taxes on it? So we really
22 should all be signed onto that. It just doesn't
23 make any good sense. Thank you.

24 COUNCIL MEMBER RIVERA: Council
25 Member Levin.

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COUNCIL MEMBER LEVIN: Thank you.
Just to speak to the concerns with Preconsidered
Resolution 0054 about privatization. I know a
number of people have come to me and to NYCHA
Chairman Rhea with those concerns. I initially
had those concerns as well.

The plan's financing structure
ensures through a 15-year term for the HDFCs which
remain under NYCHA control and through low income
housing tax credits--

COUNCIL MEMBER RIVERA:
[interposing] Council Member, that's actually not
to be discussed under this section. Thank you.
Next we move on to Council Member Rodriguez.

COUNCIL MEMBER RODRIGUEZ: Thank
you. I would like to have the support of all the
members for a resolution that together with
Council Member Fidler and Reyna I'm presenting
today which calls for the support of the
legislation pending in the New York State
Legislature that seeks to penalize some businesses
for selling alcohol to minors. As you know, there
have been a couple of articles in the Daily News
about that issue that is happening, especially in

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poor communities. We're calling on this

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resolution to support the State Legislature. This

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is on Resolution 0059.

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COUNCIL MEMBER RIVERA: Thank you

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very much. Seeing no others, this meeting is

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adjourned.

C E R T I F I C A T E

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

Signature *Donna Hintze*

Date April 2, 2010