

The New York City Council

*City Hall
New York, NY 10007*



Meeting Minutes

Thursday, June 7, 2001

10:00 PM

Recessed Meeting of June 5, 2001

Council Chambers - City Hall

City Council

Peter F. Vallone, Speaker

Members: Michael J. Abel, Herbert E. Berman, Tracy Boyland, Adolfo Carrion, Jr., Una Clarke, Lucy Cruz, Noach Dear, Stephen DiBrienza, Martin Malave-Dilan, June M. Eisland, Ronnie M. Eldridge, Pedro G. Espada, Kenneth K. Fisher, Wendell Foster, Kathryn E. Freed, Martin Golden, Julia Harrison, Lloyd Henry, Karen Koslowitz, Howard L. Lasher, Sheldon S. Leffler, Guillermo Linares, Margarita Lopez, Helen M. Marshall, Walter L. McCaffrey, Stanley E. Michels, A. Gifford Miller, Eva S. Moskowitz, Michael C. Nelson, Jerome X. O'Donovan, James Oddo, Thomas V. Ognibene, William Perkins, Mary Pinkett, Morton Povman, Madeline Provenzano, Christine C. Quinn, Philip Reed, Joel Rivera, Annette M. Robinson, Victor L. Robles, Angel Rodriguez, John D. Sabini, Archie W. Spigner, Al Stabile, Lawrence A. Warden, Juanita E. Watkins, Thomas White, Jr., Priscilla A. Wooten

1. The President Pro Tem (Council Member Spigner) will call the meeting to order.

2. Roll Call

Present,

Speaker Vallone, Abel, Berman, Boyland, Clarke, Dear, DiBrienza, Eisland, Eldridge, Espada, Fisher, Foster, Freed, Golden, Harrison, Henry, Koslowitz, Leffler, Linares, Lopez, Marshall, Malave-Dilan, McCaffrey, Michels, Miller, Moskowitz, Nelson, Oddo, O'Donovan, Perkins, Pinkett, Povman, Provenzano, Quinn, Reed, Rivera, Robinson, Robles, Rodriguez, Sabini, Spigner, Stabile, Warden, Watkins, White, Wooten and Ognibene

Excused,

Carrion, Cruz and Lasher

3. The Clerk will announce the presence of a quorum

The Invocation was delivered by Rev. Wendell Foster (Council Member - 16th Council District, The Bronx).

The Speaker (Council Member Vallone) moved that the invocation be spread in full upon the Minutes and adopted.

1. Adoption of Minutes

Council Member Espada moved that the Minutes of the Stated Meeting of May 9, 2001 be adopted and printed.

2. Messages and Papers from the Mayor

M 1193-2001 Communication from the Mayor - "AN ACT to amend the general municipal law, chapter 130 of the laws of 1998 and chapter 406 of the laws of 1999, both amending the general municipal law relating to temporary investments by local governments, in relation to such investments". S.3814/A.7301

Attachments: Agenda, Committee Report, Fiscal Impact Statement, Hearing Transcript

M 1194-2001 Communication from the Mayor - "AN ACT to amend the vehicle and traffic law and the public officers law, in relation to establishing in each city with a population of one million or more a demonstration program to enforce maximum speed limits by means of speed limit photo devices and providing for the repeal of such provisions upon expiration thereof". S.3799-A/A.7355-A

Attachments: Committee Report, Agenda, Fiscal Impact Statement, Hearing Transcript

3. Communications from City, County, and Borough Offices

M 1195-2001 Communication from the Office of Management & Budget - Pursuant to Section 107(e) of the New York City Charter, appropriate new revenues of \$1,638.9 million in fiscal year 2001. (MN-6)

Attachments: Fiscal Impact Statement, Resolution, Report, Hearing Transcript

M 1196-2001 Communication from the Office of Management & Budget - Pursuant to Section 107(b) of the New York City Charter, transfer City funds between various agencies in fiscal year 2001 to implement changes to the City's expense budget. (MN-7)

Attachments: Fiscal Impact Statement, Resolution, Report, Hearing Transcript

M 1197-2001 Communication from the Office of Management & Budget - Pursuant to Section 107(e) of the New York City Charter, transfer City funds in fiscal year 2001 between the Miscellaneous Budget and the Board of Education and to create a new unit of appropriation within the Board. (MN-8)

Attachments: Fiscal Impact Statement, Resolution, Report, Hearing Transcript

M 1198-2001 Communication from the Economic Development Corporation - Submitting annual report, pursuant to Local Law 69 of 1993.

4. Petitions and Communications

5. Land Use Call-Ups

None.

6. Communications from the Speaker

7. Discussion of General Orders

8. Report of Special Committees

9. Reports of Standing Committees

Report of the Committee on Finance

Int 0929-2001 A Local Law to amend the administrative code of the city of New York, in relation to the additional tax on the city personal income tax.

Attachments: Fiscal Impact Statement, Hearing Transcript, Local Law

Enactment No: 2001/037

- Int 0941-2001** **A Local Law to amend the administrative code of the city of New York, in relation to increasing a credit allowed under the commercial rent or occupancy tax, increasing exemptions from such tax and increasing the filing threshold for such tax.**
- Attachments:** Fiscal Impact Statement, Hearing Transcript, Local Law with Letter of Necessity
- Enactment No:** 2001/038
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- M 1120-2001** **Communication from the Mayor - Submitting the Expense Revenue Contract, for Fiscal Year 2002, pursuant to Section 249 of the New York City Charter.**
- Attachments:** Hearing Transcript
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- Res 1967-2001** **RESOLUTION TO ADOPT A BUDGET APPROPRIATING THE AMOUNTS NECESSARY FOR THE SUPPORT OF THE GOVERNMENT OF THE CITY OF NEW YORK AND THE COUNTIES THEREIN AND FOR THE PAYMENT OF INDEBTEDNESS THEREOF, FOR THE FISCAL YEAR BEGINNING ON JULY 1, 2001 AND ENDING ON JUNE 30, 2002 IN ACCORDANCE WITH THE PROVISIONS OF THE CHARTER OF THE CITY OF NEW YORK.**
- Attachments:** Hearing Transcript
-
- Res 1968-2001** **Resolution to Adopt a Contract Budget setting forth, by agency, Categories of Contractual Services for which Appropriations had been proposed for the Fiscal Year beginning on July 1, 2001 and ending on June 30, 2002, in accordance with the provisions of the Charter of the City of New York.**
- Attachments:** Hearing Transcript
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- M 1122-2001** **Communication from the Mayor - Submitting the Executive Capital Budget for Fiscal Year 2002, pursuant to Section 249 of the New York City Charter.**
- Attachments:** Hearing Transcript

Res 1969-2001 RESOLUTION BY THE NEW YORK CITY COUNCIL PURSUANT TO SECTION 254 OF THE NEW YORK CITY CHARTER, THAT THE CAPITAL BUDGET FOR FISCAL YEAR 2001 AND CAPITAL PROGRAM, BEING THE EXECUTIVE CAPITAL BUDGET FOR FISCAL YEAR 2002 AND PROGRAM AS SUBMITTED BY THE MAYOR ON APRIL 25, 2001, AND BY THE BOROUGH PRESIDENTS PURSUANT TO SECTION 249 OF THE NEW YORK CITY CHARTER, INCLUDING RESCINDMENT OF AMOUNTS FROM PRIOR CAPITAL BUDGETS, BE AND THE SAME ARE HEREBY APPROVED IN ACCORDANCE WITH THE FOLLOWING SCHEDULE OF CHANGES. (RESOLUTION A)

Attachments: Hearing Transcript

Res 1970-2001 RESOLUTION BY THE NEW YORK CITY COUNCIL PURSUANT TO SECTION 254 OF THE NEW YORK CITY CHARTER, THAT THE CAPITAL BUDGET FOR FISCAL YEAR 2002 AND CAPITAL PROGRAM FOR THE ENSUING THREE YEARS, AS SET FORTH IN THE EXECUTIVE CAPITAL BUDGET FOR THE FISCAL YEAR 2002 AND CAPITAL PROGRAM AS SUBMITTED BY THE MAYOR ON APRIL 25, 2001, AS AUGMENTED BY THE BOROUGH PRESIDENTS PURSUANT TO SECTION 249 OF THE NEW YORK CITY CHARTER, AND AMENDED BY THE SCHEDULE OF CHANGES APPROVED UNDER RESOLUTION A, INCLUDING AMOUNTS REALLOCATED BY THE RESCINDMENT OF AMOUNTS FROM PRIOR CAPITAL BUDGET APPROPRIATIONS, IS HEREBY ADOPTED IN THE TOTAL AMOUNTS AS FOLLOWS. (RESOLUTION B)

Attachments: Hearing Transcript

M 1126-2001 Communication from the Mayor - Submitting the Proposed City Fiscal Year 2002 Community Development Program, the Proposed CFY'02 Budget, the Proposed Reallocations - the CD XXVII Funds, Proposed CD XXVIII Statement of Objectives and Budget , dated April 25, 2001.

Attachments: Hearing Transcript

Res 1971-2001 RESOLUTION APPROVING THE FISCAL YEAR 2002 COMMUNITY DEVELOPMENT PROGRAM, REALLOCATION OF TWENTY-SIXTH YEAR COMMUNITY DEVELOPMENT FUNDS, AND THE PROPOSED TWENTY-SEVENTH YEAR COMMUNITY DEVELOPMENT PROGRAM.

Attachments: Hearing Transcript

M 1131-2001 Communication from the Mayor - Submitting the certificate setting forth the maximum amount of debt & reserves which the City, the NYC Transitional Finance Authority, the NYC Municipal Water Finance Authority, the NYS Dormitory Authority & the NYC Health & Hospitals Corporation may soundly incur for capital projects for Fiscal Year 2002 & the ensuing three fiscal years, & the maximum amount of appropriations & expenditures for capital projects which may soundly be made during each fiscal year, pursuant to Section 250 (16) of the NY City Charter.

Attachments: Hearing Transcript

Res 1972-2001 RESOLUTION CONCURRING IN A COMMUNICATION FROM THE MAYOR TRANSMITTING THE CERTIFICATE SETTING FORTH THE MAXIMUM AMOUNT OF DEBT AND RESERVES WHICH THE CITY, THE NEW YORK CITY TRANSITIONAL FINANCE AUTHORITY, THE NEW YORK CITY MUNICIPAL WATER FINANCE AUTHORITY, THE NEW YORK STATE DORMITORY AUTHORITY AND THE NEW YORK CITY HEALTH AND HOSPITALS CORPORATION MAY SOUNDLY INCUR FOR CAPITAL PROJECTS FOR FISCAL YEAR 2001 AND THE ENSUING THREE FISCAL YEARS, AND THE MAXIMUM AMOUNT OF APPROPRIATIONS AND EXPENDITURES FOR CAPITAL PROJECTS WHICH MAY SOUNDLY BE MADE DURING EACH FISCAL YEAR, PURSUANT TO SECTION 250 (16) OF THE NEW YORK CITY CHARTER.

Attachments: Hearing Transcript

M 1199-2001 Report of the Committee on Finance in favor of approving a resolution of the Council of the City of New York fixing the tax rate for the Fiscal Year 2002, adopted June 7, 2001 upon the recommendation of the Committee on Finance of the Council.

Attachments: Hearing Transcript

Affirmative, 43 -

Speaker Vallone, Berman, Boyland, Clarke, Dear, DiBrienza, Eisland, Eldridge, Espada, Speaker Fiala, Fisher, Foster, Freed, Golden, Henry, Koslowitz, Leffler, Linares, Lopez, Marshall, Malave-Dilan, McCaffrey, Michels, Miller, Moskowitz, Nelson, O'Donovan, Perkins, Pinkett, Povman, Provenzano, Quinn, Reed, Rivera, Robinson, Robles, Rodriguez, Sabini, Spigner, Warden, Watkins, White and Wooten

Negative, 5 -

Abel, Harrison, Oddo, Stabile and Ognibene

Excused, 3 -

Carrion, Cruz and Lasher

Res 1973-2001 Resolution to provide the amounts necessary for the support of the Government of the City of New York and the counties therein and for the payment of indebtedness thereof, for the Fiscal Year beginning on July 1, 2001 and ending on June 30, 2002 by the levy of taxes on the Real Property in the City of New York, in accordance with the provisions of the constitution of the State of New York, the Real Property Tax Law and the Charter of the City of New York.

Attachments: Hearing Transcript

Affirmative, 43 -

Speaker Vallone, Berman, Boyland, Clarke, Dear, DiBrienza, Eisland, Eldridge, Espada, Speaker Fiala, Fisher, Foster, Freed, Golden, Henry, Koslowitz, Leffler, Linares, Lopez, Marshall, Malave-Dilan, McCaffrey, Michels, Miller, Moskowitz, Nelson, O'Donovan, Perkins, Pinkett, Povman, Provenzano, Quinn, Reed, Rivera, Robinson, Robles, Rodriguez, Sabini, Spigner, Warden, Watkins, White and Wooten

Negative, 5 -

Abel, Harrison, Oddo, Stabile and Ognibene

Excused, 3 -

Carrion, Cruz and Lasher

Res 1965-2001 Resolution computing and certifying base percentage, current percentage and current base proportion of each class of real property for Fiscal 2002 to the State Board of Real Property Services pursuant to Section 1803-a, Real Property Tax Law.

Attachments: Hearing Transcript

Affirmative, 43 -

Speaker Vallone, Berman, Boyland, Clarke, Dear, DiBrienza, Eisland, Eldridge, Espada, Speaker Fiala, Fisher, Foster, Freed, Golden, Henry, Koslowitz, Leffler, Linares, Lopez, Marshall, Malave-Dilan, McCaffrey, Michels, Miller, Moskowitz, Nelson, O'Donovan, Perkins, Pinkett, Povman, Provenzano, Quinn, Reed, Rivera, Robinson, Robles, Rodriguez, Sabini, Spigner, Warden, Watkins, White and Wooten

Negative, 5 -
Abel, Harrison, Oddo, Stabile and Ognibene

Excused, 3 -
Carrion, Cruz and Lasher

Res 1966-2001 Resolution computing and certifying adjusted base proportion of each class of Real Property for Fiscal 2002 to the State Board of Real Property Services pursuant to Section 1803-a, Real Property Tax Law.

Attachments: Hearing Transcript

Affirmative, 43 -
Speaker Vallone, Berman, Boyland, Clarke, Dear, DiBrienza, Eisland, Eldridge, Espada, Speaker Fiala, Fisher, Foster, Freed, Harrison, Henry, Koslowitz, Leffler, Linares, Lopez, Marshall, Malave-Dilan, McCaffrey, Michels, Miller, Moskowitz, Nelson, O'Donovan, Perkins, Pinkett, Povman, Provenzano, Quinn, Reed, Rivera, Robinson, Robles, Rodriguez, Sabini, Spigner, Warden, Watkins, White and Wooten

Negative, 5 -
Abel, Golden, Oddo, Stabile and Ognibene

Excused, 3 -
Carrion, Cruz and Lasher

M 1187-2001 Communication from the Office of Management & Budget - Implement changes to the expense budget which were reflected in the January and Executive Financial Plan. This modification also includes the distribution of certain collective bargaining funds from the Labor Reserve in the Miscellaneous Budget to individual agencies. (MN - 5)

Attachments: Hearing Transcript

Pursuant to Letter of Withdrawal

Affirmative, 48 -
Speaker Vallone, Abel, Berman, Boyland, Clarke, Dear, DiBrienza, Eisland, Eldridge, Espada, Speaker Fiala, Fisher, Foster, Freed, Golden, Harrison, Henry, Koslowitz, Leffler, Linares, Lopez, Marshall, Malave-Dilan, McCaffrey, Michels, Miller, Moskowitz, Nelson, Oddo, O'Donovan, Perkins, Pinkett, Povman, Provenzano, Quinn, Reed, Rivera, Robinson, Robles, Rodriguez, Sabini, Spigner, Stabile, Warden, Watkins, White, Wooten and Ognibene

Excused, 3 -
Carrion, Cruz and Lasher

- M 1195-2001** **Communication from the Office of Management & Budget - Pursuant to Section 107(e) of the New York City Charter, appropriate new revenues of \$1,638.9 million in fiscal year 2001. (MN-6)**

Attachments: Fiscal Impact Statement, Resolution, Report, Hearing Transcript

- Res 1977-2001** **Resolution approving a Modification pursuant to Section 107(e) of the Charter of the City of New York**

Attachments: Committee Report, Fiscal Impact Memorandum

Affirmative, 48 -

Speaker Vallone, Abel, Berman, Boyland, Clarke, Dear, DiBrienza, Eisland, Eldridge, Espada, Speaker Fiala, Fisher, Foster, Freed, Golden, Harrison, Henry, Koslowitz, Leffler, Linares, Lopez, Marshall, Malave-Dilan, McCaffrey, Michels, Miller, Moskowitz, Nelson, Oddo, O'Donovan, Perkins, Pinkett, Povman, Provenzano, Quinn, Reed, Rivera, Robinson, Robles, Rodriguez, Sabini, Spigner, Stabile, Warden, Watkins, White, Wooten and Ognibene

Excused, 3 -

Carrion, Cruz and Lasher

- M 1196-2001** **Communication from the Office of Management & Budget - Pursuant to Section 107(b) of the New York City Charter, transfer City funds between various agencies in fiscal year 2001 to implement changes to the City's expense budget. (MN-7)**

Attachments: Fiscal Impact Statement, Resolution, Report, Hearing Transcript

- Res 1978-2001** **RESOLUTION APPROVING THE MODIFICATION (MN-7) OF UNITS OF APPROPRIATION AND THE TRANSFER OF CITY FUNDS BETWEEN AGENCIES PROPOSED BY THE MAYOR PURSUANT TO SECTION 107(b) OF THE CHARTER OF THE CITY OF NEW YORK**

Attachments: Committee Report, Fiscal Impact Memorandum

Affirmative, 48 -

Speaker Vallone, Abel, Berman, Boyland, Clarke, Dear, DiBrienza, Eisland, Eldridge, Espada, Speaker Fiala, Fisher, Foster, Freed, Golden, Harrison, Henry, Koslowitz, Leffler, Linares, Lopez, Marshall, Malave-Dilan, McCaffrey, Michels, Miller, Moskowitz, Nelson, Oddo, O'Donovan, Perkins, Pinkett, Povman, Provenzano, Quinn, Reed, Rivera, Robinson, Robles, Rodriguez, Sabini, Spigner, Stabile, Warden, Watkins, White, Wooten and Ognibene

Excused, 3 -

Carrion, Cruz and Lasher

- M 1197-2001** **Communication from the Office of Management & Budget - Pursuant to Section 107(e) of the New York City Charter, transfer City funds in fiscal year 2001 between the Miscellaneous Budget and the Board of Education and to create a new unit of appropriation within the Board. (MN-8)**

Attachments: Fiscal Impact Statement, Resolution, Report, Hearing Transcript

- Res 1979-2001** **RESOLUTION APPROVING A MODIFICATION (MN-8) PURSUANT TO SECTION 107(E) OF THE CHARTER OF THE CITY OF NEW YORK**

Attachments: Committee Report, Fiscal Impact Memorandum

Affirmative, 48 -

Speaker Vallone, Abel, Berman, Boyland, Clarke, Dear, DiBrienza, Eisland, Eldridge, Espada, Speaker Fiala, Fisher, Foster, Freed, Golden, Harrison, Henry, Koslowitz, Leffler, Linares, Lopez, Marshall, Malave-Dilan, McCaffrey, Michels, Miller, Moskowitz, Nelson, Oddo, O'Donovan, Perkins, Pinkett, Povman, Provenzano, Quinn, Reed, Rivera, Robinson, Robles, Rodriguez, Sabini, Spigner, Stabile, Warden, Watkins, White, Wooten and Ognibene

Excused, 3 -

Carrion, Cruz and Lasher

Report of the Committee on State and Federal Legislation

- SLR 0026-2001** **State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Maltese, S.1538, and Assembly Member Seminerio, A.2467, "AN ACT to amend the retirement and social security law, in relation to service credit for correction members of the New York city employees' retirement system".**

Attachments: Agenda, Committee Report, Fiscal Impact Statement, Hearing Transcript

- SLR 0029-2001** **State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Maltese, S.1541, and Assembly Member Seminerio, A.2472, "AN ACT to amend chapter 609 of the laws of 1996, allowing correction members of the New York city employees' retirement system to elect the benefits provided by chapter 936 of the laws of 1990, or chapter 631 of the laws of 1993, in relation to extending the time for such elections".**

Attachments: Agenda, Committee Report, Fiscal Impact Statement, Hearing Transcript

SLR 0080-2001 State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Spano, S.4468, and Committee on Rules, A.8415, "AN ACT to amend the retirement and social security law, in relation to the application of the age fifty-seven retirement program, the mandated physically taxing program and the incumbent fifty-five/twenty-five program for certain employees".

Attachments: Agenda, Committee Report, Fiscal Impact Statement, Hearing Transcript

SLR 0086-2001 State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Johnson, S.3254, and Assembly Member Sweeney, A.6496, "AN ACT in relation to reclassifying the retirement from the New York city police pension fund for ordinary disability of DeForest Taylor as a retirement for accident disability".

Attachments: Agenda, Committee Report, Fiscal Impact Statement, Hearing Transcript

Affirmative, 47 -

Speaker Vallone, Abel, Berman, Boyland, Clarke, Dear, DiBrienza, Eisland, Eldridge, Espada, Speaker Fiala, Fisher, Foster, Golden, Harrison, Henry, Koslowitz, Leffler, Linares, Lopez, Marshall, Malave-Dilan, McCaffrey, Michels, Miller, Moskowitz, Nelson, Oddo, O'Donovan, Perkins, Pinkett, Povman, Provenzano, Quinn, Reed, Rivera, Robinson, Robles, Rodriguez, Sabini, Spigner, Stabile, Warden, Watkins, White, Wooten and Ognibene

Negative, 1 -

Freed

Excused, 3 -

Carrion, Cruz and Lasher

SLR 0100-2001 State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Spano, S.4471, and Assembly Member Vitaliano, A.8414, "AN ACT to permit certain employees at the city of New York and the board of education of the city of New York to withdraw from the twenty-five year early retirement program".

Attachments: Agenda, Committee Report, Fiscal Impact Statement, Hearing Transcript

SLR 0107-2001 State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Leibell, S.4942, and by Committee on Rules A.8440, "AN ACT to amend the civil service law, in relation to provisional appointments".

Attachments: Agenda, Committee Report, Fiscal Impact Statement, Hearing Transcript

Affirmative, 47 -

Speaker Vallone, Abel, Berman, Boyland, Clarke, Dear, DiBrienza, Eisland, Eldridge, Espada, Speaker Fiala, Fisher, Foster, Freed, Golden, Harrison, Henry, Koslowitz, Leffler, Linares, Lopez, Marshall, Malave-Dilan, McCaffrey, Michels, Miller, Moskowitz, Nelson, Oddo, O'Donovan, Perkins, Povman, Provenzano, Quinn, Reed, Rivera, Robinson, Robles, Rodriguez, Sabini, Spigner, Stabile, Warden, Watkins, White, Wooten and Ognibene

Negative, 1 -

Pinkett

Excused, 3 -

Carrion, Cruz and Lasher

M 1185-2001

Communication from the Mayor - "AN ACT in relation to authorizing the city of New York to lease certain parkland, commonly known as Steeplechase Park, with improvements thereon, in the borough of Brooklyn to Brooklyn Baseball Company, LLC or its successors or assignees (BBC) in connection with the construction, operation and maintenance of a stadium, related facilities, and concession facilities for use as the home stadium of a professional minor league baseball team and for other uses". S.3761-A/A.8865

Attachments: Agenda, Committee Report, Fiscal Impact Statement, Hearing Transcript

Affirmative, 47 -

Speaker Vallone, Abel, Berman, Boyland, Clarke, Dear, DiBrienza, Eisland, Espada, Speaker Fiala, Fisher, Foster, Freed, Golden, Harrison, Henry, Koslowitz, Leffler, Linares, Lopez, Marshall, Malave-Dilan, McCaffrey, Michels, Miller, Moskowitz, Nelson, Oddo, O'Donovan, Perkins, Pinkett, Povman, Provenzano, Quinn, Reed, Rivera, Robinson, Robles, Rodriguez, Sabini, Spigner, Stabile, Warden, Watkins, White, Wooten and Ognibene

Negative, 1 -

Eldridge

Excused, 3 -

Carrion, Cruz and Lasher

M 1193-2001

Communication from the Mayor - "AN ACT to amend the general municipal law, chapter 130 of the laws of 1998 and chapter 406 of the laws of 1999, both amending the general municipal law relating to temporary investments by local governments, in relation to such investments". S.3814/A.7301

Attachments: Agenda, Committee Report, Fiscal Impact Statement, Hearing Transcript

10. General Order Calendar

SLR 0024-2001 **State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Maltese, S.1439, and Assembly Member Seminerio, A.771, "AN ACT to amend the administrative code of the city of New York, in relation to the designation of deputy warden (warden level II) in the department of correction of the city of New York ".**

Attachments: Committee Report, Agenda, Hearing Transcript

T1999-86 **Commissioner of Deeds**

Coupled on General Order

Finance

Int 0929-2001 **A Local Law to amend the administrative code of the city of New York, in relation to the additional tax on the city personal income tax.**

Attachments: Fiscal Impact Statement, Hearing Transcript, Local Law

Enactment No: 2001/037

Int 0941-2001 **A Local Law to amend the administrative code of the city of New York, in relation to increasing a credit allowed under the commercial rent or occupancy tax, increasing exemptions from such tax and increasing the filing threshold for such tax.**

Attachments: Fiscal Impact Statement, Hearing Transcript, Local Law

with Message of Necessity

Enactment No: 2001/038

M 1120-2001 **Communication from the Mayor - Submitting the Expense Revenue Contract, for Fiscal Year 2002, pursuant to Section 249 of the New York City Charter.**

Attachments: Hearing Transcript

Res 1967-2001 RESOLUTION TO ADOPT A BUDGET APPROPRIATING THE AMOUNTS NECESSARY FOR THE SUPPORT OF THE GOVERNMENT OF THE CITY OF NEW YORK AND THE COUNTIES THEREIN AND FOR THE PAYMENT OF INDEBTEDNESS THEREOF, FOR THE FISCAL YEAR BEGINNING ON JULY 1, 2001 AND ENDING ON JUNE 30, 2002 IN ACCORDANCE WITH THE PROVISIONS OF THE CHARTER OF THE CITY OF NEW YORK.

Attachments: Hearing Transcript

Res 1968-2001 Resolution to Adopt a Contract Budget setting forth, by agency, Categories of Contractual Services for which Appropriations had been proposed for the Fiscal Year beginning on July 1, 2001 and ending on June 30, 2002, in accordance with the provisions of the Charter of the City of New York.

Attachments: Hearing Transcript

M 1122-2001 Communication from the Mayor - Submitting the Executive Capital Budget for Fiscal Year 2002, pursuant to Section 249 of the New York City Charter.

Attachments: Hearing Transcript

Res 1969-2001 RESOLUTION BY THE NEW YORK CITY COUNCIL PURSUANT TO SECTION 254 OF THE NEW YORK CITY CHARTER, THAT THE CAPITAL BUDGET FOR FISCAL YEAR 2001 AND CAPITAL PROGRAM, BEING THE EXECUTIVE CAPITAL BUDGET FOR FISCAL YEAR 2002 AND PROGRAM AS SUBMITTED BY THE MAYOR ON APRIL 25, 2001, AND BY THE BOROUGH PRESIDENTS PURSUANT TO SECTION 249 OF THE NEW YORK CITY CHARTER, INCLUDING RESCINDMENT OF AMOUNTS FROM PRIOR CAPITAL BUDGETS, BE AND THE SAME ARE HEREBY APPROVED IN ACCORDANCE WITH THE FOLLOWING SCHEDULE OF CHANGES. (RESOLUTION A)

Attachments: Hearing Transcript

Res 1970-2001 RESOLUTION BY THE NEW YORK CITY COUNCIL PURSUANT TO SECTION 254 OF THE NEW YORK CITY CHARTER, THAT THE CAPITAL BUDGET FOR FISCAL YEAR 2002 AND CAPITAL PROGRAM FOR THE ENSUING THREE YEARS, AS SET FORTH IN THE EXECUTIVE CAPITAL BUDGET FOR THE FISCAL YEAR 2002 AND CAPITAL PROGRAM AS SUBMITTED BY THE MAYOR ON APRIL 25, 2001, AS AUGMENTED BY THE BOROUGH PRESIDENTS PURSUANT TO SECTION 249 OF THE NEW YORK CITY CHARTER, AND AMENDED BY THE SCHEDULE OF CHANGES APPROVED UNDER RESOLUTION A, INCLUDING AMOUNTS REALLOCATED BY THE RESCINDMENT OF AMOUNTS FROM PRIOR CAPITAL BUDGET APPROPRIATIONS, IS HEREBY ADOPTED IN THE TOTAL AMOUNTS AS FOLLOWS. (RESOLUTION B)

Attachments: Hearing Transcript

M 1126-2001 Communication from the Mayor - Submitting the Proposed City Fiscal Year 2002 Community Development Program, the Proposed CFY'02 Budget, the Proposed Reallocations - the CD XXVII Funds, Proposed CD XXVIII Statement of Objectives and Budget , dated April 25, 2001.

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Res 1971-2001 RESOLUTION APPROVING THE FISCAL YEAR 2002 COMMUNITY DEVELOPMENT PROGRAM, REALLOCATION OF TWENTY-SIXTH YEAR COMMUNITY DEVELOPMENT FUNDS, AND THE PROPOSED TWENTY-SEVENTH YEAR COMMUNITY DEVELOPMENT PROGRAM.

Attachments: Hearing Transcript

M 1131-2001 Communication from the Mayor - Submitting the certificate setting forth the maximum amount of debt & reserves which the City, the NYC Transitional Finance Authority, the NYC Municipal Water Finance Authority, the NYS Dormitory Authority & the NYC Health & Hospitals Corporation may soundly incur for capital projects for Fiscal Year 2002 & the ensuing three fiscal years, & the maximum amount of appropriations & expenditures for capital projects which may soundly be made during each fiscal year, pursuant to Section 250 (16) of the NY City Charter.

Attachments: Hearing Transcript

Res 1972-2001 **RESOLUTION CONCURRING IN A COMMUNICATION FROM THE MAYOR TRANSMITTING THE CERTIFICATE SETTING FORTH THE MAXIMUM AMOUNT OF DEBT AND RESERVES WHICH THE CITY, THE NEW YORK CITY TRANSITIONAL FINANCE AUTHORITY, THE NEW YORK CITY MUNICIPAL WATER FINANCE AUTHORITY, THE NEW YORK STATE DORMITORY AUTHORITY AND THE NEW YORK CITY HEALTH AND HOSPITALS CORPORATION MAY SOUNDLY INCUR FOR CAPITAL PROJECTS FOR FISCAL YEAR 2001 AND THE ENSUING THREE FISCAL YEARS, AND THE MAXIMUM AMOUNT OF APPROPRIATIONS AND EXPENDITURES FOR CAPITAL PROJECTS WHICH MAY SOUNDLY BE MADE DURING EACH FISCAL YEAR, PURSUANT TO SECTION 250 (16) OF THE NEW YORK CITY CHARTER.**

Attachments: Hearing Transcript

M 1199-2001 **Report of the Committee on Finance in favor of approving a resolution of the Council of the City of New York fixing the tax rate for the Fiscal Year 2002, adopted June 7, 2001 upon the recommendation of the Committee on Finance of the Council.**

Attachments: Hearing Transcript

Res 1973-2001 **Resolution to provide the amounts necessary for the support of the Government of the City of New York and the counties therein and for the payment of indebtedness thereof, for the Fiscal Year beginning on July 1, 2001 and ending on June 30, 2002 by the levy of taxes on the Real Property in the City of New York, in accordance with the provisions of the constitution of the State of New York, the Real Property Tax Law and the Charter of the City of New York.**

Attachments: Hearing Transcript

Res 1965-2001 **Resolution computing and certifying base percentage, current percentage and current base proportion of each class of real property for Fiscal 2002 to the State Board of Real Property Services pursuant to Section 1803-a, Real Property Tax Law.**

Attachments: Hearing Transcript

- Res 1966-2001** **Resolution computing and certifying adjusted base proportion of each class of Real Property for Fiscal 2002 to the State Board of Real Property Services pursuant to Section 1803-a, Real Property Tax Law.**
Attachments: Hearing Transcript
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Attachments: Hearing Transcript
Filed Pursuant to Letter of Withdrawal
- M 1195-2001** **Communication from the Office of Management & Budget - Pursuant to Section 107(e) of the New York City Charter, appropriate new revenues of \$1,638.9 million in fiscal year 2001. (MN-6)**
Attachments: Fiscal Impact Statement, Resolution, Report, Hearing Transcript
- Res 1977-2001** **Resolution approving a Modification pursuant to Section 107(e) of the Charter of the City of New York**
Attachments: Committee Report, Fiscal Impact Memorandum
- M 1196-2001** **Communication from the Office of Management & Budget - Pursuant to Section 107(b) of the New York City Charter, transfer City funds between various agencies in fiscal year 2001 to implement changes to the City's expense budget. (MN-7)**
Attachments: Fiscal Impact Statement, Resolution, Report, Hearing Transcript
- Res 1978-2001** **RESOLUTION APPROVING THE MODIFICATION (MN-7) OF UNITS OF APPROPRIATION AND THE TRANSFER OF CITY FUNDS BETWEEN AGENCIES PROPOSED BY THE MAYOR PURSUANT TO SECTION 107(b) OF THE CHARTER OF THE CITY OF NEW YORK**
Attachments: Committee Report, Fiscal Impact Memorandum

- M 1197-2001** **Communication from the Office of Management & Budget - Pursuant to Section 107(e) of the New York City Charter, transfer City funds in fiscal year 2001 between the Miscellaneous Budget and the Board of Education and to create a new unit of appropriation within the Board. (MN-8)**

Attachments: Fiscal Impact Statement, Resolution, Report, Hearing Transcript

- Res 1979-2001** **RESOLUTION APPROVING A MODIFICATION (MN-8) PURSUANT TO SECTION 107(E) OF THE CHARTER OF THE CITY OF NEW YORK**

Attachments: Committee Report, Fiscal Impact Memorandum

State and Federal Legislation

- SLR 0026-2001** **State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Maltese, S.1538, and Assembly Member Seminerio, A.2467, "AN ACT to amend the retirement and social security law, in relation to service credit for correction members of the New York city employees' retirement system".**

Attachments: Agenda, Committee Report, Fiscal Impact Statement, Hearing Transcript

- SLR 0029-2001** **State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Maltese, S.1541, and Assembly Member Seminerio, A.2472, "AN ACT to amend chapter 609 of the laws of 1996, allowing correction members of the New York city employees' retirement system to elect the benefits provided by chapter 936 of the laws of 1990, or chapter 631 of the laws of 1993, in relation to extending the time for such elections".**

Attachments: Agenda, Committee Report, Fiscal Impact Statement, Hearing Transcript

- SLR 0080-2001** **State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Spano, S.4468, and Committee on Rules, A.8415, "AN ACT to amend the retirement and social security law, in relation to the application of the age fifty-seven retirement program, the mandated physically taxing program and the incumbent fifty-five/twenty-five program for certain employees".**

Attachments: Agenda, Committee Report, Fiscal Impact Statement, Hearing Transcript

- SLR 0086-2001** **State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Johnson, S.3254, and Assembly Member Sweeney, A.6496, "AN ACT in relation to reclassifying the retirement from the New York city police pension fund for ordinary disability of DeForest Taylor as a retirement for accident disability".**
- Attachments:** Agenda, Committee Report, Fiscal Impact Statement, Hearing Transcript
- SLR 0100-2001** **State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Spano, S.4471, and Assembly Member Vitaliano, A.8414, "AN ACT to permit certain employees at the city of New York and the board of education of the city of New York to withdraw from the twenty-five year early retirement program".**
- Attachments:** Agenda, Committee Report, Fiscal Impact Statement, Hearing Transcript
- SLR 0107-2001** **State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Leibell, S.4942, and by Committee on Rules A.8440, "AN ACT to amend the civil service law, in relation to provisional appointments".**
- Attachments:** Agenda, Committee Report, Fiscal Impact Statement, Hearing Transcript
- M 1185-2001** **Communication from the Mayor - "AN ACT in relation to authorizing the city of New York to lease certain parkland, commonly known as Steeplechase Park, with improvements thereon, in the borough of Brooklyn to Brooklyn Baseball Company, LLC or its successors or assignees (BBC) in connection with the construction, operation and maintenance of a stadium, related facilities, and concession facilities for use as the home stadium of a professional minor league baseball team and for other uses". S.3761-A/A.8865**
- Attachments:** Agenda, Committee Report, Fiscal Impact Statement, Hearing Transcript
- M 1193-2001** **Communication from the Mayor - "AN ACT to amend the general municipal law, chapter 130 of the laws of 1998 and chapter 406 of the laws of 1999, both amending the general municipal law relating to temporary investments by local governments, in relation to such investments". S.3814/A.7301**
- Attachments:** Agenda, Committee Report, Fiscal Impact Statement, Hearing Transcript

General Order Calendar

T1999-86 Commissioner of Deeds

The President Pro Tem put the question whether the Council would agree with and adopt such reports which were decided in the affirmative by the following vote:

Affirmative, 48 -

Speaker Vallone, Abel, Berman, Boyland, Clarke, Dear, DiBrienza, Eisland, Eldridge, Espada, Speaker Fiala, Fisher, Foster, Freed, Golden, Harrison, Henry, Koslowitz, Leffler, Linares, Lopez, Marshall, Malave-Dilan, McCaffrey, Michels, Miller, Moskowitz, Nelson, Oddo, O'Donovan, Perkins, Pinkett, Povman, Provenzano, Quinn, Reed, Rivera, Robinson, Robles, Rodriguez, Sabini, Spigner, Stabile, Warden, Watkins, White, Wooten and Ognibene

Excused, 3 -

Carrion, Cruz and Lasher

The following files were removed from the General Order Calendar and voted separately: M-1185, M-1119 & Res 1973, Res 1965, Res 1966, SLR 86 and SLR 107. See files for individual votes.

11. Introduction and Reading of Bills
See Attached
12. General Discussion
13. Extension of Remarks

INTRODUCTION AND READING OF BILLS

Int 0941-2001 A Local Law to amend the administrative code of the city of New York, in relation to increasing a credit allowed under the commercial rent or occupancy tax, increasing exemptions from such tax and increasing the filing threshold for such tax.

Sponsors: By The Speaker (Speaker Vallone) and Council Member Berman (in conjunction with the Mayor); also Council Members Fisher, Povman, Abel and Stabile

Attachments: Fiscal Impact Statement, Hearing Transcript, Local Law

Enactment No: 2001/038

Int 0942-2001 **A Local Law to amend the administrative code of the city of New York, in relation to the general corporation tax and the banking corporation tax, and to repeal subparagraphs 6-a and 13 through 15 of paragraph (b) of subdivision 8 of section 11-602, subparagraphs 2-a through 2-c of paragraph (f) of subdivision 8 of section 11-602, subdivisions 11 through 16 of section 11-602, subdivisions 1-a through 1-f of section 11-608, subdivision (a-2) of section 11-645 and paragraph 1-a of subdivision (b) of section 11-645 of the administrative code of the city of New York relating thereto.**

Sponsors: By Council Members Berman and Stabile (by request of the Mayor)

Attachments: Committee Report - Int. No. 942-A, Hearing Transcript, Local Law

Enactment No: 2001/057

Res 1965-2001 **Resolution computing and certifying base percentage, current percentage and current base proportion of each class of real property for Fiscal 2002 to the State Board of Real Property Services pursuant to Section 1803-a, Real Property Tax Law.**

Sponsors: By Council Member Berman

Attachments: Hearing Transcript

Res 1966-2001 **Resolution computing and certifying adjusted base proportion of each class of Real Property for Fiscal 2002 to the State Board of Real Property Services pursuant to Section 1803-a, Real Property Tax Law.**

Sponsors: By Council Member Berman

Attachments: Hearing Transcript

Int 0943-2001 **A Local Law to amend the administrative code of the city of New York, in relation to the regulation of newsracks.**

Sponsors: By Council Member Dear

Attachments: Committee Report - Int. No. 943-A - 11/29, Committee Report - Int. No. 943-A - 12/10, Hearing Transcript 3/22, Hearing Transcript 11/29

Int 0944-2001 **A Local Law to amend the administrative code of the city of New York in relation to creating a small business lease program for establishing an environment for fair negotiation in order to determine reasonable lease terms.**

Sponsors: By Council Members Linares and Michels ; also Council Member Boyland

SLR 0106-2001 **State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Stafford, S.3782, and by Committee on Rules, A.8362, "AN ACT to amend the general city law and the administrative code of the city of New York, in relation to taxation of calls from public pay telephones".**

Sponsors: By Council Member McCaffrey ; also Council Members Povman and Sabini

SLR 0107-2001 **State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Leibell, S.4942, and by Committee on Rules A.8440, "AN ACT to amend the civil service law, in relation to provisional appointments".**

Sponsors: By The Speaker (Speaker Miller)

Attachments: Agenda, Committee Report, Fiscal Impact Statement, Hearing Transcript

Int 0945-2001 **A Local Law to amend the administrative code of the city of New York, in relation to annual disclosure of financial interests.**

Sponsors: By Council Member Pinkett (by request of the Mayor)

LU 1125-2001 **Uniform Land Use Review Procedure application no. C 010615 ZMK, pursuant to §197-c and §197-d of the New York City Charter, concerning changes to the zoning map, Borough of Brooklyn, Council District no. 33.**

Sponsors: By Council Member Eisland

Sponsors: By Council Member Eisland

LU 1126-2001 **Uniform land use review procedure application no. C 010616 ZSK, pursuant to §197-c and §197-d of the Charter of the City of New York concerning a special permit under the Zoning Resolution in the Borough of Brooklyn, Council District no. 33 to allow modification of height and setback requirements. This application is subject to review and action by the Land Use Committee only if appealed to the Council pursuant to §197-d(b)(2) of the Charter or called-up by vote of the Council pursuant to §197-d(b)(3) of the Charter.**

Sponsors: By Council Member Eisland

Sponsors: By Council Member Eisland

LU 1127-2001 **Uniform land review procedure application no. C 010619 HAK, an Urban Development Action Area Designation, Project and the disposition of such property located at 460 Kent Avenue, Borough of Brooklyn, Council District no. 33. This matter is subject to Council Review and action pursuant to §197-c and §197-d of the New York City Charter and Article 16 of the General Municipal Law.**

Sponsors: By Council Member Eisland

Sponsors: By Council Member Eisland

At this point the Speaker (Council Member Vallone) made the following announcements

At the request of the Speaker (Council Member Vallone), the President Pro Tem (Council Member Spigner) declared the meeting to be in recess.