

The New York City Council

*City Hall
New York, NY 10007*



Meeting Minutes

Friday, September 21, 2001

1:30 PM

Recessed Meeting of September 13, 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 Public Advocate will call the meeting to order

2 Roll Call

Present,

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

Excused,

Cruz, Henry, Lasher, Marshall and Warden

3 The Clerk will announce the presence of a quorum

4 The Public Advocate will adjourn the recessed meeting

The Stated Meeting of September 21, 2001

1. Roll Call

2. Invocation

The Invocation was delivered by Rev. Wendell Foster.

Council Member Carrion moved that the invocation be spread in full upon the Minutes and adopted.

3. Adoption of Minutes

Council Member Quinn moved that the Minutes of the Stated Meeting of July 26, 2001 be adopted and printed.

4. Messages and Papers from the Mayor

None.

5. Communications from City, County, and Borough Offices

None.

6. Petitions and Communications

None.

7. Land Use Call-Ups

M 1290-2001 **By the Chair of the Land Use Committee Council Member Eisland: Pursuant to Rule 11.20(c) of the Council and Section 197-d (b)(3) of the New York City Charter, the Council hereby resolves that the action of the City Planning Commission on Uniform Land Use Procedure Application Number 010484 ZSK, a special permit shall be subject to Council review. This application is related to application number 010483 ZMK which is subject to Council review pursuant to Section 197-d of the New York City Charter.**

A motion was made that this Land Use Call-Up be Approved, by Council approved by consent Roll Call.

M 1291-2001 **By the Chair of the Land Use Committee Council Member Eisland: Pursuant to Rule 11.20(c) of the Council and Section 197-d (b)(3) of the New York City Charter, the Council hereby resolves that the action of the City Planning Commission on Uniform Land Use Procedure Application Number 010486 ZSK, a special permit shall be subject to Council review. This application is related to application number 010483 ZMK which is subject to Council review pursuant to Section 197-d of the New York City Charter.**

M 1292-2001 **By the Chair of the Land Use Committee Council Member Eisland: Pursuant to Rule 11.20(c) of the Council and Section 197-d (b)(3) of the New York City Charter, the Council hereby resolves that the action of the City Planning Commission on Uniform Land Use Procedure Application Number 010026 MMK, a special permit shall be subject to Council review. This application is related to application number 010483 ZMK which is subject to Council review pursuant to Section 197-d of the New York City Charter.**

The Public Advocate (Mr. Green) put the question whether the Council would agree with and adopt such motions which were decided in the affirmative by the following vote:

Affirmative, 45 -

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

Excused, 5 -

Cruz, Henry, Lasher, Marshall and Warden

8. Communications from the Speaker
9. Discussion of General Orders

10. Report of Special Committees

None.

11. Reports of Standing Committees

Report of the Committee on Land Use

**Int 0977-2001 A Local Law in relation to the extension of land use review periods
under the new york city charter and administrative code.**

Attachments: Local Law

Enactment No: 2001/058

Report of the Committee on Rules, Privileges, and Elections

**M 1279-2001 Communication from the Mayor - Submitting the name of Lee A.
Mayersohn to the Council for its advice and consent regarding his
reappointment as a member of the New York City Tax Commission,
pursuant to Section 31 and 153 of the New York City Charter.**

Res 2059-2001 **Report of the Committee on Rules, Privileges and Elections consenting to the reappointment of LEE A. MAYERSOHN, as a Member of the New York City Tax Commission.**

The Committee on Rules, Privileges and Elections which was referred to on August 22, 2001, respectfully

REPORTS

Pursuant to Section 31 and Section 153 of the New York City Charter, the Committee on Rules, Privileges and Elections hereby approves the reappointment of LEE A. MAYERSOHN, as a Member of the New York City Tax Commission, for the remainder of a six year term that began on January 7, 2000 and will expire on January 6, 2006.

Res. No. 2059

Resolution consenting to the appointment of LEE A. MAYERSOHN, as a Member of the New York City Tax Commission

By Council Member Povman:

Resolved, that pursuant to Section 31 and Section 153 of the New York City Charter, the Council does hereby approve the reappointment of LEE A. MAYERSOHN, as a Member of the New York City Tax Commission, for the remainder of a six year term that began on January 7, 2000 and will expire on January 6, 2006.

M 1280-2001 **Communication from the Mayor - Submitting the name of Ben Celaj to the Council for its advice and consent regarding his appointment as a member of the New York City Tax Commission, pursuant to Section 31 and 153 of the New York City Charter.**

Res 2060-2001 Report of the Committee on Rules, Privileges and Elections consenting to the appointment of BEN CELAJ, as a Member of the New York City Tax Commission.

The Committee on Rules, Privileges and Elections which was referred to on August 22, 2001, respectfully

REPORTS

Pursuant to Section 31 and Section 153 of the New York City Charter, the Committee on Rules, Privileges and Elections hereby approves the appointment of BEN CELAJ, as a Member of the New York City Tax Commission, for the term, which will expire on January 6, 2006.

Res. No. 2060

Resolution consenting to the appointment of BEN CELAJ, as a Member of the New York City Tax Commission

By Council Member Povman:

Resolved, that pursuant to Section 31 and Section 153 of the New York City Charter, the Council does hereby approve the appointment of BEN CELAJ, as a Member of the New York City Tax Commission, for the term, which will expire on January 6, 2006.

12. General Order Calendar

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.

Attachments: Local Law

Enactment No: 2001/057

LU 1147-2001 Uniform land use review procedure application no. C 990066 PPR, pursuant to §197-c and §197-d of the New York City Charter concerning the disposition of two city-owned properties, located in Community Board 3, Borough of Staten Island, Council District no. 51. 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.

Res 2061-2001 Resolution approving with modifications the decision of the City Planning Commission on ULURP No. C 990066 PPR, the disposition of two (2) city-owned properties located at Amboy Road (Block 4645/Lot 32) and Clarke Avenue (Block 4470/Lot 148), Staten Island (L.U. No. 1147).

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 ".

Coupled on General Order

Land Use

Int 0977-2001 A Local Law in relation to the extension of land use review periods under the new york city charter and administrative code.

Attachments: Local Law

Enactment No: 2001/058

Rules, Privileges, and Elections

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General Order Calendar

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Attachments: Local Law

Enactment No: 2001/057

Res 2061-2001 Resolution approving with modifications the decision of the City Planning Commission on ULURP No. C 990066 PPR, the disposition of two (2) city-owned properties located at Amboy Road (Block 4645/Lot 32) and Clarke Avenue (Block 4470/Lot 148), Staten Island (L.U. No. 1147).

The Public Advocate (Mr. Green) put the question whether the Council would agree with and adopt such reports which were decided in the affirmative by the following vote:

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Affirmative, 45 -

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

Excused, 5 -

Cruz, Henry, Lasher, Marshall and Warden

13. Introduction and Reading of Bills
See Attached

14. General Discussion

INTRODUCTION AND READING OF BILLS

Int 0976-2001 A Local Law to amend the Charter of the City of New York to create a Lower Manhattan/Financial District Redevelopment Commission.

Sponsors: By The Speaker (Speaker Vallone) and Council Members Berman, O'Donovan, Pinkett, Dear, Michels, Nelson, Abel, Stabile, Harrison, Koslowitz, Leffler and Povman

Also Referred to the Finance and Governmental Operations Committees.

Int 0977-2001 A Local Law in relation to the extension of land use review periods under the new york city charter and administrative code.

Sponsors: By The Speaker (Speaker Vallone) and Council Members Eisland, McCaffrey, Sabini, Linares, Abel and Stabile (in conjunction with the Mayor); also Council Members Harrison and Koslowitz

Attachments: Local Law

Enactment No: 2001/058

- Int 0978-2001 A Local Law in relation to a street name, Lee Strasberg Way, Borough of Manhattan.**
- Sponsors:** By Council Members Foster, Michels, Boyland, Abel and Stabile (by request of the Mayor); also Council Members O'Donovan and Povman
- Attachments:** Local Law
- Enactment No:** 2001/066
-
- Res 2058-2001 Resolution calling upon the New York State Assembly to adopt A. 8627, in relation to amending the public health law to authorize and direct the Commissioner of the New York State Department of Health to promulgate rules and regulations for the sterilization or other treatment of endoscopic instruments.**
- Sponsors:** By Council Members Sabini, Boyland and Golden ; also Council Members Harrison, Koslowitz and Michels
-
- Int 0979-2001 A Local Law to amend the New York city charter, to require the board of education to provide information on certain performance indicators relating to managerial accountability for city schools.**
- Sponsors:** By Council Members Wooten, Dear, Nelson, Abel, Golden and Stabile (by request of the Mayor); also Council Members Boyland, Koslowitz, Leffler and O'Donovan
-
- LU 1187-2001 Uniform land use review procedure application no. 010484 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. 45 to allow an unattended parking garage with a maximum capacity of 552 spaces. 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 1188-2001 Uniform land use review procedure application no. 010486 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. 45 to allow portions of railroad right of way which is completely covered by a platform to be included in the lot area of a development. 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 1189-2001 Uniform land use review procedure, application no. C 010026 MMK, pursuant to §197-c and §197-d of the New York City Charter, changes to the City Map, Borough of Brooklyn, Council District no. 45. This application is subject to Council review and action only if appealed to the Council pursuant to §197-d(b)(2) of the Charter or called-up by a vote of the Council pursuant to §197-d(b)(3) of the Charter and §11.20 of the Rules of the Council.

Sponsors: By Council Member Eisland

Sponsors: By Council Member Eisland

LU 1190-2001 Uniform Land Use Review Procedure application no. 010483 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. 45.

Sponsors: By Council Member Eisland

Sponsors: By Council Member Eisland

LU 1191-2001 The submission of a site plan by the New York City School Construction Authority, pursuant to §1732 of the New York State Public Authorities Law, for a school, P.S. 244-Q , to be located at 137-20 and 138-02 Franklin Avenue, Borough of Queens, Council District no. 20. (Non-ULURP no. 20015387 SCQ)

Sponsors: By Council Member Eisland

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LU 1192-2001 **Landmarks Preservation Commission designation no. DL - 329, LP - 2086, pursuant to §3020 of the New York City Charter, concerning the designation of the Benevolent and Protective Order of Elks, Lodge Number 878, located at 82-10 Queens Boulevard, Borough of Queens, Council District no. 25, as a landmark. (Non-ULURP no. 20025030 HKQ).**

Sponsors: By Council Member Eisland

Sponsors: By Council Member Eisland

LU 1193-2001 **Zoning resolution amendment application no. 020037 ZRY, pursuant to §197-d and §200 f the New York City Charter, concerning changes in the text of the zoning resolution, Borough of Citywide, zoning text amendment to establish roadway and streetscape requirements for the use of private roads.**

Sponsors: By Council Member Eisland

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LU 1194-2001 **Zoning resolution amendment application no. 010564(A) ZRK, pursuant to §197-d and §200 of the New York City Charter, concerning changes in the text of the zoning resolution, Borough of Brooklyn, Council District no. 34 and 35, relating: the legalization of certain loft residences in specified manufacturing districts**

Sponsors: By Council Member Eisland

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LU 1195-2001 **Uniform land use review procedure application no. C 990291 PPR, pursuant to §197-c and §197-d of the New York City Charter concerning the disposition of nine city-owned properties, located in Community Board 1, Borough of Staten Island, Council District no. 49. 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

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

Whereupon on motion of the Speaker (Council Member Vallone), the Clerk of the Council adjourned to meet again on Friday, October 12, 2001.

*CARLOS CUEVAS, City Clerk
Clerk of the Council*