

The New York City Council

City Hall
New York, NY 10007



Meeting Minutes

Wednesday, June 8, 2005

1:30 PM

Council Chambers - City Hall

City Council

A. Gifford Miller, Speaker

Members: Joseph P. Addabbo, Jr., Tony Avella, Maria Baez, Charles Barron, Tracy L. Boyland, Gale A. Brewer, Yvette D. Clarke, Leroy G. Comrie, Jr., Bill de Blasio, Maria del Carmen Arroyo, Erik Martin Dilan, Simcha Felder, Lewis A. Fidler, Helen D. Foster, Dennis P. Gallagher, James F. Gennaro, Vincent J. Gentile, Alan J. Gerson, Eric N. Gioia, Sara M. Gonzalez, Robert Jackson, Letitia James, Allan W. Jennings, Jr., Melinda R. Katz, G. Oliver Koppell, Andrew J. Lanza, John C. Liu, Margarita Lopez, Miguel Martinez, Michael E. McMahon, Hiram Monserrate, Eva S. Moskowitz, Michael C. Nelson, James Oddo, Annabel Palma, William Perkins, Madeline Provenzano, Christine C. Quinn, Domenic M. Recchia, Jr., Philip Reed, Diana Reyna, Joel Rivera, James Sanders, Jr., Larry B. Seabrook, Helen Sears, Kendall B. Stewart, Peter F. Vallone, Jr., Albert Vann, David I. Weprin and David Yassky

The Public Advocate (Ms. Gotbaum)

1. Roll Call

Present,

Speaker Miller, Addabbo Jr., Avella, Baez, Barron, Brewer, Clarke, Comrie Jr., Dilan, de Blasio, Felder, Fidler, Foster, Gallagher, Gennaro, Gentile, Gerson, Gioia, Gonzalez, Jackson, James, Jennings Jr., Katz, Koppell, Lanza, Liu, Lopez, Martinez, McMahon, Monserrate, Moskowitz, Nelson, Oddo, Palma, Perkins, Provenzano, Quinn, Recchia Jr., Reed, Reyna, Rivera, Seabrook, Sears, Stewart, Vallone Jr., Vann, Weprin, Yassky and Arroyo

Excused,

Boyland and Sanders Jr.

The presence of a quorum was announced by The Public Advocate (Ms. Gotbaum).

2. Invocation

The Invocation was delivered by: Father James P. Hayes, St. Andrew's Roman Catholic Church, Cardinal Hayes Place, New York, N.Y. 10007

Council Member Addabbo moved to spread the Invocation in full upon the Record.

3. Adoption of Minutes

Council Member Lopez moved that the Minutes of the Stated Meeting of April 20, 2005 be adopted as printed.

4. Messages & Papers from the Mayor

M 0581-2005

Communication from the Mayor - Submitting certificate setting forth the maximum amount of debt and reserves which the City, the NYC Transitional Finance Authority, the NYC Municipal Water Finance Authority, the NYS Dormitory Authority and the NYC Health and Hospitals Corporation may soundly incur for capital projects for Fiscal Year 2006 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 NY City Charter.

This Mayor's Message was Referred to Comm by Council to the Committee on Finance

5. Communications from City, County & Borough Offices

- M 0582-2005** **Communication from the New York City Banking Commission - Transmitting recommendation of the discount rate to be allowed for prepayment of real estate taxes for Fiscal Year 2006, pursuant to the City Charter.**

Attachments: Hearing Transcript - Stated Meeting 6/8

This Communication was Referred to Comm by Council to the Committee on Finance

- M 0583-2005** **Communication from the New York City Banking Commission - Transmitting recommendations of the interest rate to be charged for Fiscal Year 2006 for non-payment of taxes on real estate, for non-payment of charges for work performed pursuant to orders of the Board of Health or Department of Health and Mental Hygiene and for non-payment of water and sewer rents.**

Attachments: Hearing Transcript - Stated Meeting 6/8

This Communication was Referred to Comm by Council to the Committee on Finance

6. Petitions and Communications
7. Land Use Call-Ups

- M 0584-2005** **By Council Member Arroyo:
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 030537 MMX, an amendment to the City Map special permit shall be subject to Council review.**

Attachments: Hearing Transcript - Stated Meeting 6/8

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

M 0585-2005 **By the Chair of the Land Use Committee Council Member Katz:**
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 Applications no. C 050098 MMM, C 050170 GFM, and C 050219 PQM, shall be subject to Council review. These applications are related to application no. N 050169 ZRM that is subject to Council review pursuant to Section 197-d of the New York City Charter.

Attachments: Hearing Transcript - Stated Meeting 6/8

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

M 0586-2005 **By the Chair of the Land Use Committee Council Member Katz:**
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 050163 PCM, a site selection and acquisition shall be subject to Council review. This application is related to application number 050162 (A) ZMM which is subject to Council review pursuant to Section 197-d of the New York City Charter.

Attachments: Hearing Transcript - Stated Meeting 6/8

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

M 0587-2005 **By the Chair of the Land Use Committee Council Member Katz:**
Pursuant to Rule 11.20(b) of the Council and Section 20-226(g) of the New York City Administrative Code, the Council resolves that the action of the Department of Transportation approving an enclosed sidewalk café located at 107-02 Queens Blvd, Borough of Queens, Council District no. 29, shall be subject to review by the Council. (Application no. 20055032 TCQ.)

Attachments: Hearing Transcript - Stated Meeting 6/8

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

M 0588-2005

By Council Member Koppell:

Pursuant to Rule 11.20(b) of the Council and Section 20-226(g) of the New York City Administrative Code, the Council resolves that the action of the Department of Transportation approving an enclosed sidewalk café located at 4292 Katonah Avenue, Borough of the Bronx, Council District no. 11, shall be subject to review by the Council. (Application no. 20055499 TCX.)

Attachments: Hearing Transcript - Stated Meeting 6/8

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

The Public Advocate (Ms. Gotbaum) put the question whether the Council would agree with and adopt such motion which was decided in the affirmative by the following vote:

A motion was made that these files be approved by consent vote.

Affirmative, 49 -

Speaker Miller, Addabbo Jr., Avella, Baez, Barron, Brewer, Clarke, Comrie Jr., Dilan, de Blasio, Felder, Fidler, Foster, Gallagher, Gennaro, Gentile, Gerson, Gioia, Gonzalez, Jackson, James, Jennings Jr., Katz, Koppell, Lanza, Liu, Lopez, Martinez, McMahon, Monserrate, Moskowitz, Nelson, Oddo, Palma, Perkins, Provenzano, Quinn, Recchia Jr., Reed, Reyna, Rivera, Seabrook, Sears, Stewart, Vallone Jr., Vann, Weprin, Yassky and Arroyo

Excused, 2 -

Boyland and Sanders Jr.

8. Communication from the Speaker

9. Discussion of General Orders

10. Reports of Special Committees

None

11. Reports of Standing Committees

Report of the Committee on Finance

M 0582-2005

Communication from the New York City Banking Commission - Transmitting recommendation of the discount rate to be allowed for prepayment of real estate taxes for Fiscal Year 2006, pursuant to the City Charter.

Attachments: Hearing Transcript - Stated Meeting 6/8

A motion was made that this Communication be Approved, by Council approved by consent Roll Call.

Res 1011-2005 **Resolution to establish that the discount percentage for early payment of real estate taxes be set at 1.5% per annum for Fiscal Year 2006.**

Attachments: Committee Report, Hearing Transcript - Stated Meeting 6/8

A motion was made that this Resolution be Approved, by Council approved by consent Roll Call.

M 0583-2005 **Communication from the New York City Banking Commission - Transmitting recommendations of the interest rate to be charged for Fiscal Year 2006 for non-payment of taxes on real estate, for non-payment of charges for work performed pursuant to orders of the Board of Health or Department of Health and Mental Hygiene and for non-payment of water and sewer rents.**

Attachments: Hearing Transcript - Stated Meeting 6/8

A motion was made that this Communication be Approved, by Council approved by consent Roll Call.

Res 1012-2005 **Resolution to establish that the interest rate be 9% per annum for Fiscal Year 2006 for non-payment of taxes on properties with an assessed value of not more than \$80,000, or not more than \$80,000 per residential unit for cooperative apartments.**

Attachments: Committee Report, Hearing Transcript - Stated Meeting 6/8

A motion was made that this Resolution be Approved, by Council approved by consent Roll Call.

Res 1013-2005 **Resolution to establish that the interest rate be 18% per annum for Fiscal Year 2006 for non-payment of taxes on properties with an assessed value of over \$80,000, or over \$80,000 per residential unit for cooperative apartments.**

Attachments: Committee Report, Hearing Transcript - Stated Meeting 6/8

A motion was made that this Resolution be Approved, by Council approved by consent Roll Call.

- Res 1014-2005** **Resolution to establish that the interest rate to be charged for Fiscal Year 2006 for non-payment of water rents and sewer rents be 18% per annum for real property where the assessed value is over \$80,000, or over \$80,000 per residential unit for cooperative apartments; and 9% per annum for real property where the assessed value is not more than \$80,000, or not more \$80,000 per residential unit for cooperative apartments.**

Attachments: Committee Report, Hearing Transcript - Stated Meeting 6/8

A motion was made that this Resolution be Approved, by Council approved by consent Roll Call.

Report of the Committee on Land Use

- LU 0401-2005** **Uniform Land Use Review Procedure application no. 040389 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. 37.**

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

- Res 1015-2005** **Resolution approving the decision of the City Planning Commission on ULURP No. C 040389 ZMK, a Zoning Map change (L.U. No. 401).**

Attachments: Committee Report, Hearing Transcript - Stated Meeting 6/8

A motion was made that this Resolution be Approved, by Council approved by consent Roll Call.

- LU 0410-2005** **Uniform land use review procedure application no. C 050248 HAX, an Urban Development Action Area Designation and Project, located on the block bounded by Prospect and Westchester Avenues and East 162nd Street, and the disposition of the city-owned property, Borough of the Bronx, Council District no. 17. 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.**

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

Res 1016-2005 Resolution approving the decision of the City Planning Commission on an application submitted by the Department of Housing Preservation and Development, ULURP No. C 050248 HAX, approving the designation of 876, 882, 884, 886, 892, 894, 896 and 900 Prospect Avenue, (Block 2690, Lots 4, 6-8, 11, 12, 14 and 17) and 863, 861, 859, 857, 855, 853, 851 and 896R Westchester Avenue (Block 2690, Lots 50, 54-59 and 314), the Bronx, as an Urban Development Action Area, approving the project for the area as an Urban Development Action Area Project, and approving the disposition of 876, 882, 884, 886, 892, 894, 896 and 900 Prospect Avenue (Block 2690, Lots 4, 6-8, 11, 12, 14 and 17) and 896R, 851, 853, 855, 857, 859, 861 Westchester Avenue (Block 2690, Lots 314, 54-59) to a developer selected by the Department of Housing Preservation and Development (L.U. No. 410; C 050248 HAX).

Attachments: Committee Report, Hearing Transcript - Stated Meeting 6/8

A motion was made that this Resolution be Approved, by Council approved by consent Roll Call.

LU 0412-2005 Uniform land use review procedure application no. C 050259 HAK, an Urban Development Action Area Designation and Project, located at 63, 61, 59, 57, 55, 53 and 51 Central Avenue, and the disposition of such property, Borough of Brooklyn, Council District no. 34. 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.

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

Res 1017-2005 Resolution approving the decision of the City Planning Commission on an application submitted by the Department of Housing Preservation and Development, ULURP No. C 050259 HAK, approving the designation of 63, 61, 59, 57, 55, 53 and 51 Central Avenue (Block 3157, Lots 1, 3-8), Brooklyn, as an Urban Development Action Area, approving the project for the area as an Urban Development Action Area Project, and approving the disposition of such property to a developer selected by the Department of Housing Preservation and Development (L.U. No. 412; C 050259 HAK).

Attachments: Committee Report, Hearing Transcript - Stated Meeting 6/8

A motion was made that this Resolution be Approved, by Council approved by consent Roll Call.

LU 0444-2005 **Uniform land use review procedure application no. C 050204 HAM, an Urban Development Action Area Designation and Project, located at 350, 352, 354 and 356 West 124th Street and the disposition of such property, Borough of Manhattan, Council District no. 9. 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.**

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

Res 1018-2005 **Resolution approving the decision of the City Planning Commission on an application submitted by the Department of Housing Preservation and Development, ULURP No. C 050204 HAM, approving the designation of 350, 352, 354 and 356 West 124th Street (Block 1950, Lots 57-60), Manhattan, as an Urban Development Action Area, approving the project for the area as an Urban Development Action Area Project, and approving the disposition of such property to a developer selected by the Department of Housing Preservation and Development (L.U. No. 444; C 050204 HAM).**

Attachments: Committee Report, Hearing Transcript - Stated Meeting 6/8

A motion was made that this Resolution be Approved, by Council approved by consent Roll Call.

LU 0451-2005 **Application no. 20055492 HAM, an Urban Development Action Area Project located at 24 East 125th Street, Council District no. 9, Borough of Manhattan. This matter is subject to Council review and action pursuant to Article 16 of the New York General Municipal Law, at the request of the New York City Department of Housing Preservation and Development.**

Attachments: Hearing Transcript - Planning 5/3/05

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

- Res 1019-2005** **Resolution approving an Urban Development Action Area Project located at 24 East 125th Street (Block 1749/Lot 60), Manhattan, and waiving the urban development action area designation requirement and the Uniform Land Use Review Procedure, pursuant to Sections 693 and 694 of the General Municipal Law (L.U. No. 451; 20055492 HAM).**

Attachments: Committee Report, Hearing Transcript - Stated Meeting 6/8

A motion was made that this Resolution be Approved, by Council approved by consent Roll Call.

- LU 0464-2005** **Uniform Land Use Review Procedure application no. 040509 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. 35.**

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

- Res 1020-2005** **Resolution approving the decision of the City Planning Commission on ULURP No. C 040509 ZMK, a Zoning Map change (L.U. No. 464).**

Attachments: Committee Report, Hearing Transcript - Stated Meeting 6/8

A motion was made that this Resolution be Approved, by Council approved by consent Roll Call.

- LU 0465-2005** **Uniform Land Use Review Procedure application no. 040043 ZMQ, pursuant to §197-c and §197-d of the New York City Charter, concerning changes to the zoning map, Borough of Queens, Council District no. 20.**

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

- Res 1021-2005** **Resolution approving the decision of the City Planning Commission on ULURP No. C 040043 ZMQ, a Zoning Map change (L.U. No. 465).**

Attachments: Committee Report, Hearing Transcript - Stated Meeting 6/8

A motion was made that this Resolution be Approved, by Council approved by consent Roll Call.

LU 0468-2005 **Uniform land use review procedure application no. 050173 PCM, pursuant to §197-c and §197-d of the New York City Charter, concerning the site selection and acquisition of real property located at 91st Street , Borough of Manhattan, Council District no. 5, for use as a Marine Transfer Station. 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.**

Attachments: Mayor's Veto Message - Cover, Disapproved Copy of Resolution, Mayor's Veto Message, Hearing Transcript - Landmarks 5/17/05, Hearing Transcript - Landmarks 6/8/05

Motion to Disapprove

A motion was made that this Land Use Application be Disapproved by Council approved by Roll Call.

Affirmative, 29 -

Speaker Miller, Addabbo Jr., Brewer, Dilan, Fidler, Gallagher, Gennaro, Gentile, Gerson, Gioia, Jackson, Katz, Koppell, Liu, Lopez, Martinez, McMahon, Monserrate, Moskowitz, Nelson, Oddo, Quinn, Recchia Jr., Reed, Seabrook, Stewart, Vallone Jr., Vann and Weprin

Negative, 19 -

Avella, Baez, Barron, Clarke, Comrie Jr., de Blasio, Felder, Foster, Gonzalez, James, Lanza, Palma, Perkins, Provenzano, Reyna, Rivera, Sears, Yassky and Arroyo

Excused, 2 -

Boyland and Sanders Jr.

Abstain, 1 -

Jennings Jr.

Res 1022-2005 **Resolution disapproving the decision of the City Planning Commission on ULURP No. C 050173 PCM (L.U. No. 468), a site selection and acquisition of property located at East 91st Street and the East River (Block 1587, Lot 27, property adjacent to Lot 27 in the East River, a part of Block 1587, Lot 1, and a portion of property over the Franklin D. Roosevelt Drive), Manhattan, for use as a Marine Transfer Station.**

Attachments: Committee Report, Mayor's Veto Message - Cover, Disapproved Copy of Resolution, Mayor's Veto Message, Hearing Transcript - Stated Meeting 6/8

Motion to Disapprove

A motion was made that this Resolution be Disapproved by Council approved by Roll Call.

Affirmative, 29 -

Speaker Miller, Addabbo Jr., Brewer, Dilan, Fidler, Gallagher, Gennaro, Gentile, Gerson, Gioia, Jackson, Katz, Koppell, Liu, Lopez, Martinez, McMahon, Monserrate, Moskowitz, Nelson, Oddo, Quinn, Recchia Jr., Reed, Seabrook, Stewart, Vallone Jr., Vann and Weprin

Negative, 19 -

Avella, Baez, Barron, Clarke, Comrie Jr., de Blasio, Felder, Foster, Gonzalez, James, Lanza, Palma, Perkins, Provenzano, Reyna, Rivera, Sears, Yassky and Arroyo

Excused, 2 -

Boyland and Sanders Jr.

Abstain, 1 -

Jennings Jr.

LU 0469-2005

Uniform land use review procedure application no. 050175 PSK, pursuant to §197-c and §197-d of the New York City Charter, concerning site selection for a capital project to be located at 1824 Shore Parkway , Borough of Brooklyn, Council District no. 47. 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.

Attachments: Disapproved Copy of Resolution, Mayor's Veto Message - Cover, Mayor's Veto Message, Hearing Transcript - Landmarks 5/17/05

Motion to Disapprove

A motion was made that this Land Use Application be Disapproved by Council approved by Roll Call.

Affirmative, 29 -

Speaker Miller, Addabbo Jr., Brewer, Dilan, Fidler, Gallagher, Gennaro, Gentile, Gerson, Gioia, Jackson, Katz, Koppell, Liu, Lopez, Martinez, McMahon, Monserrate, Moskowitz, Nelson, Oddo, Quinn, Recchia Jr., Reed, Seabrook, Stewart, Vallone Jr., Vann and Weprin

Negative, 19 -

Avella, Baez, Barron, Clarke, Comrie Jr., de Blasio, Felder, Foster, Gonzalez, James, Lanza, Palma, Perkins, Provenzano, Reyna, Rivera, Sears, Yassky and Arroyo

Excused, 2 -

Boyland and Sanders Jr.

Abstain, 1 -

Jennings Jr.

Res 1023-2005 Resolution disapproving the decision of the City Planning Commission on ULURP No. C 050175 PSK (L.U. No. 469), a site selection of property located at 1824 Shore Parkway (Block 6943, part of Lot 30), Brooklyn, for use as a Marine Transfer Station.

Attachments: Committee Report, Mayor's Veto Message - Cover, Mayor's Veto Message, Disapproved Copy of Resolution, Hearing Transcript - Stated Meeting 6/8

Motion to Disapprove

A motion was made that this Resolution be Approved, by Council approved by Roll Call.

Affirmative, 29 -

Speaker Miller, Addabbo Jr., Brewer, Dilan, Fidler, Gallagher, Gennaro, Gentile, Gerson, Gioia, Jackson, Katz, Koppell, Liu, Lopez, Martinez, McMahon, Monserrate, Moskowitz, Nelson, Oddo, Quinn, Recchia Jr., Reed, Seabrook, Stewart, Vallone Jr., Vann and Weprin

Negative, 19 -

Avella, Baez, Barron, Clarke, Comrie Jr., de Blasio, Felder, Foster, Gonzalez, James, Lanza, Palma, Perkins, Provenzano, Reyna, Rivera, Sears, Yassky and Arroyo

Excused, 2 -

Boyland and Sanders Jr.

Abstain, 1 -

Jennings Jr.

LU 0470-2005 Uniform land use review procedure application no. 050176 PSK, pursuant to §197-c and §197-d of the New York City Charter, concerning site selection for a capital project to be located at 488 Hamilton Avenue, Borough of Brooklyn, Council District no. 38. 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.

Attachments: Mayor's Veto Message - Cover, Mayor's Veto Message, Disapproved Copy of Resolution, Hearing Transcript - Landmarks 5/17/05, Hearing Transcript - Land Use 6/8/05

Motion to Disapprove

A motion was made that this Land Use Application be Disapproved by Council approved by Roll Call.

Affirmative, 30 -

Speaker Miller, Addabbo Jr., Brewer, Dilan, Fidler, Gallagher, Gennaro, Gentile, Gerson, Gioia, Jackson, Katz, Koppell, Liu, Lopez, Martinez, McMahon, Monserrate, Moskowitz, Nelson, Oddo, Palma, Quinn, Recchia Jr., Reed, Seabrook, Stewart, Vallone Jr., Vann and Weprin

Negative, 18 -

Avella, Baez, Barron, Clarke, Comrie Jr., de Blasio, Felder, Foster, Gonzalez, James, Lanza, Perkins, Provenzano, Reyna, Rivera, Sears, Yassky and Arroyo

Excused, 2 -

Boyland and Sanders Jr.

Abstain, 1 -

Jennings Jr.

Res 1024-2005 Resolution disapproving the decision of the City Planning Commission on ULURP No. C 050176 PSK (L.U. No. 470), a site selection of property located at 488 Hamilton Avenue (Block 625, part of Lot 2 and part of Lot 250), Brooklyn, for use as a Marine Transfer Station.

Attachments: Committee Report, Mayor's Veto Message - Cover, Mayor's Veto Message, Disapproved Copy of Resolution, Hearing Transcript - Stated Meeting 6/8

Motion to Disapprove

A motion was made that this Resolution be Approved, by Council approved by Roll Call.

Affirmative, 30 -

Speaker Miller, Addabbo Jr., Brewer, Dilan, Fidler, Gallagher, Gennaro, Gentile, Gerson, Gioia, Jackson, Katz, Koppell, Liu, Lopez, Martinez, McMahon, Monserrate, Moskowitz, Nelson, Oddo, Palma, Quinn, Recchia Jr., Reed, Seabrook, Stewart, Vallone Jr., Vann and Weprin

Negative, 18 -

Avella, Baez, Barron, Clarke, Comrie Jr., de Blasio, Felder, Foster, Gonzalez, James, Lanza, Perkins, Provenzano, Reyna, Rivera, Sears, Yassky and Arroyo

Excused, 2 -

Boyland and Sanders Jr.

Abstain, 1 -

Jennings Jr.

LU 0491-2005 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, an primary/intermediate school facility , to be located at 965 East 107th Street, Borough of Brooklyn, Council District no. 42. (Non-ULURP no. 20055132 SCK)

Filed Pursuant to a Letter of Withdrawal

A motion was made that this Land Use Application be Filed by Council approved by consent Roll Call.

- Res 1025-2005** **Resolution approving a motion to file pursuant to withdrawal of the site plan for a primary/intermediate public school facility located at 965 East 107th Street (Block 8215/Lots 12 and 21), Brooklyn (Non-ULURP No. 20055132 SCK; L.U. No. 491).**

Attachments: Committee Report, Hearing Transcript - Stated Meeting 6/8

Filed Pursuant to a Letter of Withdrawal

A motion was made that this Resolution be Filed by Council approved by consent Roll Call.

Report of the Committee on State and Federal Legislation

- SLR 0007-2005** **State Legislation Resolution requesting the New York State Legislature to pass a bill introduced by Senator Maltese S. 2516 and Assembly Member Cymbrowitz A.5273, "An Act to amend the general municipal law, in relation to certain impairments of health presumed accidental or incurred in the performance of duty."**

Attachments: Agenda, Committee Report, Hearing Transcript - Stated Meeting 6/8

A motion was made that this SLR be Approved, by Council approved by consent Roll Call.

- SLR 0056-2005** **State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Marchi, S.4009 and Assembly Member Abbate, A.6942, "AN ACT to amend the retirement and social security law and the administrative code of the city of New York, in relation to permitting certain New York city sanitation members to borrow from their accumulated member contributions and to repeal certain provisions of the retirement and social security law relating thereto".**

Attachments: Agenda, Committee Report, Hearing Transcript - Stated Meeting 6/8

A motion was made that this SLR be Approved, by Council approved by consent Roll Call.

- SLR 0094-2005** **State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Padavan, S.3217, and Assembly Member McLaughlin, A.6302, "AN ACT to amend the vehicle and traffic law and the state finance law, in relation to the imposition of a mandatory surcharge on speeding violations committed within a work zone and the creation of a photo radar monitoring enforcement demonstration program".**

Attachments: Agenda, Committee Report, Hearing Transcript - Stated Meeting 6/8

A motion was made that this SLR be Approved, by Council approved by Roll Call.

Affirmative, 48 -

Speaker Miller, Addabbo Jr., Avella, Baez, Barron, Brewer, Clarke, Comrie Jr., de Blasio, Felder, Fidler, Foster, Gallagher, Gennaro, Gentile, Gerson, Gioia, Gonzalez, Jackson, James, Jennings Jr., Katz, Koppell, Lanza, Liu, Lopez, Martinez, McMahon, Monserrate, Moskowitz, Nelson, Oddo, Palma, Perkins, Provenzano, Quinn, Recchia Jr., Reed, Reyna, Rivera, Seabrook, Sears, Stewart, Vallone Jr., Vann, Weprin, Yassky and Arroyo

Negative, 1 -

Dilan

Excused, 2 -

Boyland and Sanders Jr.

- SLR 0110-2005 State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Golden, S.4530-A, and Assembly Member Abbate, A.7392-A, “AN ACT to amend the retirement and social security law and the administrative code of the city of New York, in relation to coverage for additional members of the New York city employees’ retirement system”.**

Attachments: Agenda, Committee Report, Hearing Transcript - Stated Meeting 6/8

A motion was made that this SLR be Approved, by Council approved by consent Roll Call.

- SLR 0111-2005 State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Marchi, S.5417, and Assembly Member Abbate, A.8372, “AN ACT to amend chapter 697 of the laws of 2004, amending the general municipal law relating to certain disabilities incurred by members of the uniformed force of sanitation departments, in relation to the effectiveness of such chapter”.**

Attachments: Agenda, Committee Report, Hearing Transcript - Stated Meeting 6/8

A motion was made that this SLR be Approved, by Council approved by consent Roll Call.

- M 0537-2005 Communication from the Mayor - “AN ACT to authorize the city of New York to discontinue certain land as park land.” A.8046 / S.5373**

Attachments: Agenda, Committee Report, Hearing Transcript - Stated Meeting 6/8

A motion was made that this Mayor's Message be Approved, by Council approved by consent Roll Call.

M 0538-2005 Communication from the Mayor - "AN ACT to amend the business corporation law, the not-for-profit corporation law and the administrative code of the city of New York, in relation to the dissolution of a corporation responsible for the payment of taxes to the city of New York." A.7459 / S.5170

Attachments: Agenda, Committee Report, Hearing Transcript - Stated Meeting 6/8

A motion was made that this Mayor's Message be Approved, by Council approved by consent Roll Call.

12. General Orders Calendar

Int 0521-2004 A Local Law to amend the New York City Charter, in relation to procurement.

Attachments: Committee Report 1/24/05, Hearing Transcript 1/24/05, Committee Report 4/19/05, Hearing Transcript 4/19/05, Committee Report 5/11/05, Hearing Transcript - Stated Meeting 4/20/05, Hearing Transcript - Stated Meeting 10/11/05

This Introduction was Laid Over by Council

T2004-0073 Commissioner of Deeds

Attachments: Hearing Transcript - Charter Meeting 1/7/04, Hearing Transcript - Stated Meeting 1/2/04, Hearing Transcript - Stated Meeting 2/4/04, Hearing Transcript - Stated Meeting 2/26/04, Hearing Transcript - Stated Meeting 3/10/04, Hearing Transcript - Stated Meeting 3/24/04, Hearing Transcript - Stated Meeting 4/1/04, Hearing Transcript - Stated Meeting 4/21/04, Hearing Transcript - Stated Meeting 5/5/04, Hearing Transcript - Stated Meeting 5/19/04, Hearing Transcript - Stated Meeting 6/7/04, Hearing Transcript - Stated Meeting 6/21/04, Hearing Transcript - Stated Meeting 6/22/04, Hearing Transcript - Stated Meeting 6/24/04, Hearing Transcript - Stated Meeting 6/28/04, Hearing Transcript - Stated Meeting 7/21/04, Hearing Transcript - Stated Meeting 8/12/04, Hearing Transcript - Stated Meeting 9/9/04, Hearing Transcript - Stated Meeting 9/28/04, Hearing Transcript - Stated Meeting 10/13/04, Hearing Transcript - Stated Meeting 10/27/04, Hearing Transcript - Stated Meeting 11/10/04, Hearing Transcript - Stated Meeting 11/23/04, Hearing Transcript - Stated Meeting 12/7/04, Hearing Transcript - Stated Meeting 12/15/04, Hearing Transcript - Charter Meeting, Hearing Transcript - Stated Meeting 1/19/05, Hearing Transcript - Stated Meeting 2/2/05, Hearing Transcript - Stated Meeting 2/16/05, Hearing Transcript - Stated Meeting 3/9/05, Hearing Transcript - Stated Meeting 4/20/05, Hearing Transcript - Stated Meeting 6/8/05, Hearing Transcript - Stated Meeting 10/11/05

A motion was made that this Commissioner of Deeds be Approved, by Council approved by consent Roll Call.

Coupled on General Order Calendar

Finance

- M 0582-2005** **Communication from the New York City Banking Commission - Transmitting recommendation of the discount rate to be allowed for prepayment of real estate taxes for Fiscal Year 2006, pursuant to the City Charter.**

Attachments: Hearing Transcript - Stated Meeting 6/8

- Res 1011-2005** **Resolution to establish that the discount percentage for early payment of real estate taxes be set at 1.5% per annum for Fiscal Year 2006.**

Attachments: Committee Report, Hearing Transcript - Stated Meeting 6/8

- M 0583-2005** **Communication from the New York City Banking Commission - Transmitting recommendations of the interest rate to be charged for Fiscal Year 2006 for non-payment of taxes on real estate, for non-payment of charges for work performed pursuant to orders of the Board of Health or Department of Health and Mental Hygiene and for non-payment of water and sewer rents.**

Attachments: Hearing Transcript - Stated Meeting 6/8

- Res 1012-2005** **Resolution to establish that the interest rate be 9% per annum for Fiscal Year 2006 for non-payment of taxes on properties with an assessed value of not more than \$80,000, or not more than \$80,000 per residential unit for cooperative apartments.**

Attachments: Committee Report, Hearing Transcript - Stated Meeting 6/8

- Res 1013-2005** **Resolution to establish that the interest rate be 18% per annum for Fiscal Year 2006 for non-payment of taxes on properties with an assessed value of over \$80,000, or over \$80,000 per residential unit for cooperative apartments.**

Attachments: Committee Report, Hearing Transcript - Stated Meeting 6/8

Res 1014-2005 **Resolution to establish that the interest rate to be charged for Fiscal Year 2006 for non-payment of water rents and sewer rents be 18% per annum for real property where the assessed value is over \$80,000, or over \$80,000 per residential unit for cooperative apartments; and 9% per annum for real property where the assessed value is not more than \$80,000, or not more \$80,000 per residential unit for cooperative apartments.**

Attachments: Committee Report, Hearing Transcript - Stated Meeting 6/8

Land Use

Res 1015-2005 **Resolution approving the decision of the City Planning Commission on ULURP No. C 040389 ZMK, a Zoning Map change (L.U. No. 401).**

Attachments: Committee Report, Hearing Transcript - Stated Meeting 6/8

Res 1016-2005 **Resolution approving the decision of the City Planning Commission on an application submitted by the Department of Housing Preservation and Development, ULURP No. C 050248 HAX, approving the designation of 876, 882, 884, 886, 892, 894, 896 and 900 Prospect Avenue, (Block 2690, Lots 4, 6-8, 11, 12, 14 and 17) and 863, 861, 859, 857, 855, 853, 851 and 896R Westchester Avenue (Block 2690, Lots 50, 54-59 and 314), the Bronx, as an Urban Development Action Area, approving the project for the area as an Urban Development Action Area Project, and approving the disposition of 876, 882, 884, 886, 892, 894, 896 and 900 Prospect Avenue (Block 2690, Lots 4, 6-8, 11, 12, 14 and 17) and 896R, 851, 853, 855, 857, 859, 861 Westchester Avenue (Block 2690, Lots 314, 54-59) to a developer selected by the Department of Housing Preservation and Development (L.U. No. 410; C 050248 HAX).**

Attachments: Committee Report, Hearing Transcript - Stated Meeting 6/8

Res 1017-2005 Resolution approving the decision of the City Planning Commission on an application submitted by the Department of Housing Preservation and Development, ULURP No. C 050259 HAK, approving the designation of 63, 61, 59, 57, 55, 53 and 51 Central Avenue (Block 3157, Lots 1, 3-8), Brooklyn, as an Urban Development Action Area, approving the project for the area as an Urban Development Action Area Project, and approving the disposition of such property to a developer selected by the Department of Housing Preservation and Development (L.U. No. 412; C 050259 HAK).

Attachments: Committee Report, Hearing Transcript - Stated Meeting 6/8

Res 1018-2005 Resolution approving the decision of the City Planning Commission on an application submitted by the Department of Housing Preservation and Development, ULURP No. C 050204 HAM, approving the designation of 350, 352, 354 and 356 West 124th Street (Block 1950, Lots 57-60), Manhattan, as an Urban Development Action Area, approving the project for the area as an Urban Development Action Area Project, and approving the disposition of such property to a developer selected by the Department of Housing Preservation and Development (L.U. No. 444; C 050204 HAM).

Attachments: Committee Report, Hearing Transcript - Stated Meeting 6/8

Res 1019-2005 Resolution approving an Urban Development Action Area Project located at 24 East 125th Street (Block 1749/Lot 60), Manhattan, and waiving the urban development action area designation requirement and the Uniform Land Use Review Procedure, pursuant to Sections 693 and 694 of the General Municipal Law (L.U. No. 451; 20055492 HAM).

Attachments: Committee Report, Hearing Transcript - Stated Meeting 6/8

Res 1020-2005 Resolution approving the decision of the City Planning Commission on ULURP No. C 040509 ZMK, a Zoning Map change (L.U. No. 464).

Attachments: Committee Report, Hearing Transcript - Stated Meeting 6/8

Res 1021-2005 **Resolution approving the decision of the City Planning Commission on ULURP No. C 040043 ZMQ, a Zoning Map change (L.U. No. 465).**

Attachments: Committee Report, Hearing Transcript - Stated Meeting 6/8

LU 0496-2005 **Zoning resolution amendment application no. N 050169 ZRM, pursuant to Sections 197-d and 201 of the New York City Charter, relating to Article VIII, Section 2 (Special Lincoln Square District), concerning permitted signage.**

Res 1023-2005 **Resolution disapproving the decision of the City Planning Commission on ULURP No. C 050175 PSK (L.U. No. 469), a site selection of property located at 1824 Shore Parkway (Block 6943, part of Lot 30), Brooklyn, for use as a Marine Transfer Station.**

Attachments: Committee Report, Mayor's Veto Message - Cover, Mayor's Veto Message, Disapproved Copy of Resolution, Hearing Transcript - Stated Meeting 6/8

Res 1024-2005 **Resolution disapproving the decision of the City Planning Commission on ULURP No. C 050176 PSK (L.U. No. 470), a site selection of property located at 488 Hamilton Avenue (Block 625, part of Lot 2 and part of Lot 250), Brooklyn, for use as a Marine Transfer Station.**

Attachments: Committee Report, Mayor's Veto Message - Cover, Mayor's Veto Message, Disapproved Copy of Resolution, Hearing Transcript - Stated Meeting 6/8

Res 1025-2005 **Resolution approving a motion to file pursuant to withdrawal of the site plan for a primary/intermediate public school facility located at 965 East 107th Street (Block 8215/Lots 12 and 21), Brooklyn (Non-ULURP No. 20055132 SCK; L.U. No. 491).**

Attachments: Committee Report, Hearing Transcript - Stated Meeting 6/8

State and Federal Legislation

SLR 0007-2005 **State Legislation Resolution requesting the New York State Legislature to pass a bill introduced by Senator Maltese S. 2516 and Assembly Member Cymbrowitz A.5273, "An Act to amend the general municipal law, in relation to certain impairments of health presumed accidental or incurred in the performance of duty."**

Attachments: Agenda, Committee Report, Hearing Transcript - Stated Meeting 6/8

SLR 0056-2005 State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Marchi, S.4009 and Assembly Member Abbate, A.6942, “AN ACT to amend the retirement and social security law and the administrative code of the city of New York, in relation to permitting certain New York city sanitation members to borrow from their accumulated member contributions and to repeal certain provisions of the retirement and social security law relating thereto”.

Attachments: Agenda, Committee Report, Hearing Transcript - Stated Meeting 6/8

SLR 0094-2005 State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Padavan, S.3217, and Assembly Member McLaughlin, A.6302, “AN ACT to amend the vehicle and traffic law and the state finance law, in relation to the imposition of a mandatory surcharge on speeding violations committed within a work zone and the creation of a photo radar monitoring enforcement demonstration program”.

Attachments: Agenda, Committee Report, Hearing Transcript - Stated Meeting 6/8

SLR 0110-2005 State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Golden, S.4530-A, and Assembly Member Abbate, A.7392-A, “AN ACT to amend the retirement and social security law and the administrative code of the city of New York, in relation to coverage for additional members of the New York city employees’ retirement system”.

Attachments: Agenda, Committee Report, Hearing Transcript - Stated Meeting 6/8

SLR 0111-2005 State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Marchi, S.5417, and Assembly Member Abbate, A.8372, “AN ACT to amend chapter 697 of the laws of 2004, amending the general municipal law relating to certain disabilities incurred by members of the uniformed force of sanitation departments, in relation to the effectiveness of such chapter”.

Attachments: Agenda, Committee Report, Hearing Transcript - Stated Meeting 6/8

M 0537-2005 Communication from the Mayor - “AN ACT to authorize the city of New York to discontinue certain land as park land.” A.8046 / S.5373

Attachments: Agenda, Committee Report, Hearing Transcript - Stated Meeting 6/8

- M 0538-2005** **Communication from the Mayor - "AN ACT to amend the business corporation law, the not-for-profit corporation law and the administrative code of the city of New York, in relation to the dissolution of a corporation responsible for the payment of taxes to the city of New York." A.7459 / S.5170**

Attachments: Agenda, Committee Report, Hearing Transcript - Stated Meeting 6/8

General Order Calendar

- T2004-0073** **Commissioner of Deeds**

Attachments: Hearing Transcript - Charter Meeting 1/7/04, Hearing Transcript - Stated Meeting 1/2/04, Hearing Transcript - Stated Meeting 2/4/04, Hearing Transcript - Stated Meeting 2/26/04, Hearing Transcript - Stated Meeting 3/10/04, Hearing Transcript - Stated Meeting 3/24/04, Hearing Transcript - Stated Meeting 4/1/04, Hearing Transcript - Stated Meeting 4/21/04, Hearing Transcript - Stated Meeting 5/5/04, Hearing Transcript - Stated Meeting 5/19/04, Hearing Transcript - Stated Meeting 6/7/04, Hearing Transcript - Stated Meeting 6/21/04, Hearing Transcript - Stated Meeting 6/22/04, Hearing Transcript - Stated Meeting 6/24/04, Hearing Transcript - Stated Meeting 6/28/04, Hearing Transcript - Stated Meeting 7/21/04, Hearing Transcript - Stated Meeting 8/12/04, Hearing Transcript - Stated Meeting 9/9/04, Hearing Transcript - Stated Meeting 9/28/04, Hearing Transcript - Stated Meeting 10/13/04, Hearing Transcript - Stated Meeting 10/27/04, Hearing Transcript - Stated Meeting 11/10/04, Hearing Transcript - Stated Meeting 11/23/04, Hearing Transcript - Stated Meeting 12/7/04, Hearing Transcript - Stated Meeting 12/15/04, Hearing Transcript - Charter Meeting, Hearing Transcript - Stated Meeting 1/19/05, Hearing Transcript - Stated Meeting 2/2/05, Hearing Transcript - Stated Meeting 2/16/05, Hearing Transcript - Stated Meeting 3/9/05, Hearing Transcript - Stated Meeting 4/20/05, Hearing Transcript - Stated Meeting 6/8/05, Hearing Transcript - Stated Meeting 10/11/05

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

A motion was made that these files be approved by consent vote.

Affirmative, 49 -

Speaker Miller, Addabbo Jr., Avella, Baez, Barron, Brewer, Clarke, Comrie Jr., Dilan, de Blasio, Felder, Fidler, Foster, Gallagher, Gennaro, Gentile, Gerson, Gioia, Gonzalez, Jackson, James, Jennings Jr., Katz, Koppell, Lanza, Liu, Lopez, Martinez, McMahon, Monserrate, Moskowitz, Nelson, Oddo, Palma, Perkins, Provenzano, Quinn, Recchia Jr., Reed, Reyna, Rivera, Seabrook, Sears, Stewart, Vallone Jr., Vann, Weprin, Yassky and Arroyo

Excused, 2 -

Boyland and Sanders Jr.

*The following files were removed from the General Order Calendar and voted separately:
LU No. 468 & Res No. 1022, LU No. 469 & Res No. 1023 and LU No. 470 & Res No.
1024 and SLR No. 94.*

See files for individual votes.

13. Introduction & Reading of Bills
See Attached

14. Discussion of Resolutions

15. Resolutions

Res 0978-2005 Resolution calling upon President George W. Bush and the federal Department of Housing and Urban Development (HUD) not to revise the operating subsidy formula for funding public housing that will cost New York City up to \$166 million annually, and calls upon Congress to reject this change if imposed by HUD.

Attachments: Committee Report, Hearing Transcript - Stated Meeting 6/8

Pursuant to Rule 8.50 of the Council, the Public Advocate (Ms. Gotbaum) called for a voice vote. Hearing no objections, the Public Advocate (Ms. Gotbaum) declared the Resolution to be adopted.

Adopted unanimously by the Council by voice-vote.

A motion was made that this Resolution be Approved, by Council approved by Voice Vote.

Affirmative,

Speaker Miller, Addabbo Jr., Avella, Baez, Barron, Brewer, Clarke, Comrie Jr., Dilan, de Blasio, Felder, Fidler, Foster, Gallagher, Gennaro, Gentile, Gerson, Gioia, Gonzalez, Jackson, James, Jennings Jr., Katz, Koppell, Lanza, Liu, Lopez, Martinez, McMahon, Monserrate, Moskowitz, Nelson, Oddo, Palma, Perkins, Provenzano, Quinn, Recchia Jr., Reed, Reyna, Rivera, Seabrook, Sears, Stewart, Vallone Jr., Vann, Weprin, Yassky and Arroyo

Excused,

Boyland and Sanders Jr.

16. General Discussion

17. Extension of Remarks

INTRODUCTION AND READING OF BILLS

- Int 0656-2005** **A Local Law to amend the administrative code of the city of New York, in relation to information provided on canopies identifying commercial establishments.**
- Sponsors:** By Council Members Avella, Gonzalez, Jennings Jr., Stewart, Gallagher, Lanza and Oddo
- This Introduction was Referred to Comm by Council to the Committee on Transportation
- Res 1004-2005** **Resolution calling upon the Land Use Committee to file an application to amend the text of the Zoning Resolution in regard to language requirements on signs.**
- Sponsors:** By Council Members Avella, Oddo, Jennings Jr., Gallagher and Lanza
- This Resolution was Referred to Comm by Council to the Committee on Land Use
- Res 1005-2005** **Resolution supporting enactment of S.291 and A.00330, which would amend the New York State domestic relations law to establish a presumption in favor of shared parenting of minor children in matrimonial proceedings.**
- Sponsors:** By Council Members Barron, Comrie Jr., Gonzalez and Martinez
- This Resolution was Referred to Comm by Council to the Committee on General Welfare
- Int 0657-2005** **A Local Law to amend the New York City Charter, in relation to permitting anyone who is otherwise eligible to register and vote, and who is at least sixteen years old, to register to vote in municipal elections.**
- Sponsors:** By Council Members Brewer, Barron, Liu, Seabrook and Stewart
- This Introduction was Referred to Comm by Council to the Committee on Governmental Operations
- Int 0658-2005** **A Local Law to amend the administrative code of the city of New York, in relation to prohibiting the standing or parking of large vehicles within six feet from all residential and commercial driveways.**
- Sponsors:** By Council Members Clarke, Comrie Jr., Gonzalez, James, Nelson and Seabrook
- This Introduction was Referred to Comm by Council to the Committee on Transportation

Int 0659-2005 **A Local Law to amend the administrative code of the city of New York, in relation to requiring that the city clerk provide a standardized copy of both a living will and a health care proxy to all grooms, brides and domestic partners.**

Sponsors: By Council Members Clarke, Barron, Foster, Gonzalez, James, Nelson, Reed, Seabrook, Stewart, Weprin and Liu

This Introduction was Referred to Comm by Council to the Committee on Governmental Operations

Int 0660-2005 **A Local Law to amend the administrative code of the city of New York, in relation to the determination of certain buildings built prior to 1921 for landmark status.**

Sponsors: By Council Members Gennaro, Gonzalez, Seabrook and Gentile

This Introduction was Referred to Comm by Council to the Committee on Land Use

Int 0661-2005 **A Local Law to amend the administrative code of the city of New York, in relation to reducing the emission of global warming pollution.**

Sponsors: By Council Members Gennaro, Barron, Fidler, Gonzalez, James, Jennings Jr., Koppell, Seabrook, Weprin, Liu, Vallone Jr., Lopez, Moskowitz, Avella, Yassky, Recchia Jr., McMahon, Katz, Perkins, Nelson, de Blasio, Sanders Jr., Palma, Gentile, Brewer, Gerson, The Speaker (Speaker Quinn), Gioia, Jackson, Reyna, The Speaker (Speaker Miller) and The Public Advocate (Public Advocate Gotbaum)

Attachments: Committee Report, Hearing Transcript

This Introduction was Referred to Comm by Council to the Committee on Environmental Protection

Res 1006-2005 **Resolution (1) to permit Mutual Redevelopment Houses, Inc. (Housing Company) to impose a five percent increase in carrying charges beginning July 1, 2005; (2) to permit the Housing Company to impose an additional fifteen percent increase in carrying charges in future years, in appropriate amounts as and when needed to meet further increases in operating expenses, in consultation with the New York City Department of Housing Preservation and Development (HPD); (3) to approve a Fourth Amendatory Agreement to the Contract between the City of New York and the Housing Company which (i) provides the Housing Company with the authority to impose future increases in carrying charges for utility, fuel and energy costs based on actual costs incurred, with the permission of HPD but without the need for approval from the City Council, and (ii) modifies the language with regard to succession and occupancy rights in the Housing Company, in place of the Fourth Amendatory Agreement previously approved by the City Council but not implemented; (4) to authorize the Mayor or any Deputy Mayor or the Commissioner of Housing Preservation and Development to execute the Fourth Amendatory Agreement when approved as to form by the Corporation Counsel and directs the City Clerk to attest to the same and to affix the seal of the City thereto; and (5) to permit a program by the Housing Company to impose a one-time capital assessment to be paid by purchasers on the first sale of shares of each apartment after the effective date of such program.**

Sponsors: By The Speaker (Speaker Quinn) and Council Member James

Attachments: Committee Report

This Resolution was Referred to Comm by Council to the Committee on Housing and Buildings

Res 1007-2005 **Resolution calling upon the New York State Legislature to adopt and the Governor to sign A.7379A and S.1450A legislation permitting direct-to-consumer wine shipments in and out of New York State.**

Sponsors: By Council Members Reed, Brewer, Foster, Gerson, Nelson and Liu

This Resolution was Referred to Comm by Council to the Committee on Consumer Affairs

SLR 0104-2005 **State Legislation Resolution requesting the New York State Legislature to pass bills introduced by the Senate Committee on Rules, S.5469, and Assembly Member Abbate, A.8298, “AN ACT to make the widow and children of a former uniformed employee of the New York city department of corrections eligible for special accidental death benefits pursuant to section 208-f of the general municipal law”.**

Sponsors: By Council Members Rivera, Fidler, Seabrook and Stewart

This SLR was Referred to Comm by Council to the Committee on State and Federal Legislation

SLR 0105-2005 **State Legislation Resolution requesting the New York State Legislature to pass bills introduced by the Senate Committee on Rules, S.5437, and Assembly Member Abbate, A.8245, “AN ACT to amend the retirement and social security law and the administrative code of the city of New York, in relation to the establishment of a twenty-five year/age fifty-five retirement program for members of the New York city employees’ retirement system employed as a mortuary/quality assurance member subject to articles 11 and 15 of the retirement and social security law”.**

Sponsors: By Council Members Rivera, Fidler and Seabrook

Attachments: Agenda, Committee Report, Hearing Transcript

This SLR was Referred to Comm by Council to the Committee on State and Federal Legislation

SLR 0106-2005 **State Legislation Resolution requesting the New York State Legislature to pass bills introduced by the Senate Committee on Rules, S.5487, and Assembly Member Abbate, A.8314, “AN ACT to amend the civil service law, in relation to suspension of employees of the department of parks in cities having a population of one million or more”.**

Sponsors: By Council Members Rivera and Monserrate

Attachments: Agenda, Committee Report

This SLR was Referred to Comm by Council to the Committee on State and Federal Legislation

SLR 0107-2005 **State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Golden, S.5034-A, and Assembly Member Abbate, A.8214, “AN ACT to amend the retirement and social security law, in relation to disability benefits of New York city sanitation members”.**

Sponsors: By Council Members Rivera, Fidler, Monserrate and Nelson

This SLR was Referred to Comm by Council to the Committee on State and Federal Legislation

SLR 0108-2005 **State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Golden, S.5373, and Assembly Member Abbate, A.8046, “AN ACT to authorize the city of New York to discontinue certain land as park land”.**

Sponsors: By Council Member Rivera

This SLR was Referred to Comm by Council to the Committee on State and Federal Legislation

SLR 0109-2005 **State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Golden, S.4713-A, and Assembly Member Abbate, A.7613-A, “AN ACT to amend the administrative code of the city of New York, in relation to the establishment of a twenty year retirement program for members of the New York city employees’ retirement system employed as emergency medical technicians and advanced emergency medical technicians (paramedics); and to amend the retirement and social security law, in relation to the establishment of twenty year retirement programs for such members who are subject to articles 11 and 15 of such law”.**

Sponsors: By Council Members Rivera, Fidler, Monserrate and Seabrook

This SLR was Referred to Comm by Council to the Committee on State and Federal Legislation

SLR 0110-2005 **State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Golden, S.4530-A, and Assembly Member Abbate, A.7392-A, “AN ACT to amend the retirement and social security law and the administrative code of the city of New York, in relation to coverage for additional members of the New York city employees’ retirement system”.**

Sponsors: By Council Members Rivera and Fidler

Attachments: Agenda, Committee Report, Hearing Transcript - Stated Meeting 6/8

This SLR was Referred to Comm by Council to the Committee on State and Federal Legislation

SLR 0111-2005 **State Legislation Resolution requesting the New York State Legislature to pass bills introduced by Senator Marchi, S.5417, and Assembly Member Abbate, A.8372, “AN ACT to amend chapter 697 of the laws of 2004, amending the general municipal law relating to certain disabilities incurred by members of the uniformed force of sanitation departments, in relation to the effectiveness of such chapter”.**

Sponsors: By Council Members Rivera and McMahon

Attachments: Agenda, Committee Report, Hearing Transcript - Stated Meeting 6/8

This SLR was Referred to Comm by Council to the Committee on State and Federal Legislation

Res 1008-2005 **Resolution supporting proposed bipartisan federal legislation for comprehensive immigration reform and urging Congress and President Bush to adopt such legislation.**

Sponsors: By Council Members Stewart, James, Weprin, Liu, Martinez, Palma and Jackson

Attachments: Committee Report 6/24/05, Committee Report 12/15/05

This Resolution was Referred to Comm by Council to the Committee on Immigration

Res 1009-2005 **Resolution expressing continued opposition to the REAL ID Act of 2005, included as part of the Emergency Supplemental Appropriations Act passed by Congress and signed by President Bush in May 2005 and urging New York State to opt out of implementing the law's provisions regarding issuance of driver's licenses to immigrants.**

Sponsors: By Council Members Stewart, James, Weprin, Liu, The Speaker (Speaker Quinn), de Blasio, Vann, Comrie Jr., Arroyo, Felder, Nelson, Palma, Lopez, Clarke, Perkins, Jackson, Katz, Monserrate, Sears, Boyland, Reyna, Jennings Jr., Barron, Foster, Brewer and Martinez

Attachments: Committee Report 6/24/05, Committee Report 12/15/05

This Resolution was Referred to Comm by Council to the Committee on Immigration

Res 1010-2005 **Resolution calling on the State Legislature to amend the penal law and the criminal procedure law to make stalking by technological means illegal, and to increase the penalties for such acts.**

Sponsors: By Council Members Vallone Jr., Brewer, Fidler, Gentile, Gerson, Gonzalez, Koppell, Nelson, Stewart, Weprin, Liu, Lanza and Oddo

This Resolution was Referred to Comm by Council to the Committee on Public Safety

Res 1011-2005 **Resolution to establish that the discount percentage for early payment of real estate taxes be set at 1.5% per annum for Fiscal Year 2006.**

Sponsors: By Council Members Weprin and Fidler

Attachments: Committee Report, Hearing Transcript - Stated Meeting 6/8

This Resolution was Referred to Comm by Council to the Committee on Finance

Res 1012-2005 **Resolution to establish that the interest rate be 9% per annum for Fiscal Year 2006 for non-payment of taxes on properties with an assessed value of not more than \$80,000, or not more than \$80,000 per residential unit for cooperative apartments.**

Sponsors: By Council Members Weprin and Fidler

Attachments: Committee Report, Hearing Transcript - Stated Meeting 6/8

This Resolution was Referred to Comm by Council to the Committee on Finance

Res 1013-2005 **Resolution to establish that the interest rate be 18% per annum for Fiscal Year 2006 for non-payment of taxes on properties with an assessed value of over \$80,000, or over \$80,000 per residential unit for cooperative apartments.**

Sponsors: By Council Member Weprin

Attachments: Committee Report, Hearing Transcript - Stated Meeting 6/8

This Resolution was Referred to Comm by Council to the Committee on Finance

Res 1014-2005 **Resolution to establish that the interest rate to be charged for Fiscal Year 2006 for non-payment of water rents and sewer rents be 18% per annum for real property where the assessed value is over \$80,000, or over \$80,000 per residential unit for cooperative apartments; and 9% per annum for real property where the assessed value is not more than \$80,000, or not more \$80,000 per residential unit for cooperative apartments.**

Sponsors: By Council Member Weprin

Attachments: Committee Report, Hearing Transcript - Stated Meeting 6/8

This Resolution was Referred to Comm by Council to the Committee on Finance

Int 0662-2005 **A Local Law to amend the New York city charter, in relation to the establishment of a Responsible Prosecution Review Board.**

Sponsors: By Council Members Yassky, Koppell and Stewart

This Introduction was Referred to Comm by Council to the Committee on Public Safety

LU 0496-2005 **Zoning resolution amendment application no. N 050169 ZRM, pursuant to Sections 197-d and 201 of the New York City Charter, relating to Article VIII, Section 2 (Special Lincoln Square District), concerning permitted signage.**

Sponsors: By Council Member Katz

This Land Use Application was Referred to Comm by Council to the Committee on Land Use

This Land Use Application was Referred to Comm by Council to the Subcommittee on Zoning and Franchises

LU 0497-2005 Uniform land use review procedure application no. C 050098 MMM, pursuant to §197-c and §197-d of the New York City Charter concerning an amendment to the City Map, Borough of Manhattan, Council District no. 6. 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 Katz

Attachments: Hearing Transcript - Land Use 6/16/05

This Land Use Application was Referred to Comm by Council to the Committee on Land Use

Attachments: Hearing Transcript - Land Use 6/16/05

This Land Use Application was Referred to Comm by Council to the Subcommittee on Zoning and Franchises

LU 0498-2005 Uniform land use review procedure application no. C 050170 GFM, pursuant to §197-c and §197-d of the New York City Charter concerning a revocable consent to construct and maintain kiosks on the south side of West 65th Street between Amsterdam Avenue and Broadway, Borough of Manhattan, Council District no. 6. 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 Katz

This Land Use Application was Referred to Comm by Council to the Committee on Land Use

This Land Use Application was Referred to Comm by Council to the Subcommittee on Zoning and Franchises

LU 0499-2005 Uniform land use review procedure application no. C 050219 PQM, pursuant to §197-c and §197-d of the New York City Charter concerning the acquisition of easements, located south of West 66th Street between Amsterdam Avenue and Broadway, Borough of Manhattan, Council District no. 6. 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 Katz

This Land Use Application was Referred to Comm by Council to the Committee on Land Use

This Land Use Application was Referred to Comm by Council to the Subcommittee on Zoning and Franchises

- LU 0500-2005** **Application no. 20055499 TCX, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition Rambling House Inc., to establish, maintain and operate an unenclosed sidewalk café located at 4292 Katonah Avenue, Borough of the Bronx, Council District no. 11. This application is subject to review and action by the Land Use Committee only if called-up by vote of the Council pursuant to Rule 11.20b of the Council and §20-226(g) of the New York City Administrative Code.**

Sponsors: By Council Member Katz

This Land Use Application was Referred to Comm by Council to the Committee on Land Use

This Land Use Application was Referred to Comm by Council to the Subcommittee on Zoning and Franchises

- LU 0501-2005** **Uniform Land Use Review Procedure application no. 050162 (A) ZMM, pursuant to §197-c and §197-d of the New York City Charter, concerning changes to the zoning map, Borough of Manhattan, Council District no. 3.**

Sponsors: By Council Member Katz

This Land Use Application was Referred to Comm by Council to the Committee on Land Use

This Land Use Application was Referred to Comm by Council to the Subcommittee on Zoning and Franchises

- LU 0502-2005** **Zoning resolution amendment application no. 050161 (A), pursuant to §197-d and §200 of the New York City Charter, concerning changes in the text of the zoning resolution, Borough of Manhattan, Council District no. 3, relating: modification of railroad right- of- way provisions.**

Sponsors: By Council Member Katz

This Land Use Application was Referred to Comm by Council to the Committee on Land Use

This Land Use Application was Referred to Comm by Council to the Subcommittee on Zoning and Franchises

LU 0503-2005 Uniform land use review procedure application no. 050163 PCM, pursuant to §197-c and §197-d of the New York City Charter, concerning the site selection and acquisition of real property known as the Highline elevated rail structure, Borough of Manhattan, Council District no. 3, for use as a public Open space. 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 Katz

This Land Use Application was Referred to Comm by Council to the Committee on Land Use

This Land Use Application was Referred to Comm by Council to the Subcommittee on Zoning and Franchises

LU 0504-2005 Landmarks Preservation Commission designation no. DL – 360, LP – 2162, pursuant to §3020 of the New York City Charter, concerning the designation of the Germania Bank Building, located at 190 Bowery (aka 1-3 Spring Street) , Borough of Manhattan, Council District no. 1, as a landmark. (Non-ULURP no. 20055504 HKM).

Sponsors: By Council Member Katz

This Land Use Application was Referred to Comm by Council to the Committee on Land Use

This Land Use Application was Referred to Comm by Council to the Subcommittee on Landmarks, Public Siting and Maritime Uses

LU 0505-2005 Uniform land use review procedure application no. C 030537 MMX, pursuant to §197-c and §197-d of the New York City Charter concerning an amendment to the City Map, Borough of the Bronx, Council District no. 17. 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 Katz

This Land Use Application was Referred to Comm by Council to the Committee on Land Use

This Land Use Application was Referred to Comm by Council to the Subcommittee on Planning, Dispositions and Concessions

LU 0506-2005 **Application no. 20055032 TCQ pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of 107-02 Queens Boulevard Corp. to establish, maintain and operate an unenclosed small sidewalk café located at 107-02 Queens Boulevard, Borough of Queens, Council District no. 29. This application is subject to review and action by the Land Use Committee only if called-up by vote of the Council pursuant to Rule 11.20b of the Council and §20-226(g) of the New York City Administrative Code.**

Sponsors: By Council Member Katz

Attachments: Hearing Transcript - Zoning 6/15/05

This Land Use Application was Referred to Comm by Council to the Committee on Land Use

Attachments: Hearing Transcript - Zoning 6/15/05

This Land Use Application was Referred to Comm by Council to the Subcommittee on Zoning and Franchises

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

Whereupon on motion of the Speaker (Council Member Miller), the Public Advocate (Ms. Gotbaum) recessed the Meeting.