

**The New York
City Council**
*New York City Council
City Hall
New York, NY 10007*



Meeting Minutes

Thursday, September 17, 2009

1:30 PM

Council Chambers - City Hall

City Council

Christine C. Quinn, Speaker

Members: Maria Del Carmen Arroyo, Tony Avella, Maria Baez, Charles Barron, Gale A. Brewer, Leroy G. Comrie, Jr., Elizabeth Crowley, Bill de Blasio, Inez E. Dickens, Erik Martin Dilan, Mathieu Eugene, Simcha Felder, Julissa Ferreras, Lewis A. Fidler, Helen D. Foster, Daniel R. Garodnick, James F. Gennaro, Vincent J. Gentile, Alan J. Gerson, Eric N. Gioia, Sara M. Gonzalez, Vincent M. Ignizio, Robert Jackson, Letitia James, Melinda R. Katz, G. Oliver Koppell, Jessica S. Lappin, John C. Liu, Melissa Mark-Viverito, Darlene Mealy, Rosie Mendez, Kenneth C. Mitchell, Michael C. Nelson, James S. Oddo, Annabel Palma, Domenic M. Recchia, Jr., Diana Reyna, Joel Rivera, James Sanders, Jr., Larry B. Seabrook, Helen Sears, Kendall B. Stewart, Eric A. Ulrich, James Vacca, Peter F. Vallone, Jr., Albert Vann, David I. Weprin, Thomas White, Jr. and David Yassky

*The President Pro Tempore (Council Member Rivera)
Acting Presiding Officer*

1. Roll Call

Present,

Avella, Barron, Brewer, Comrie Jr., Crowley, de Blasio, Dickens, Dilan, Eugene, Felder, Ferreras, Fidler, Foster, Garodnick, Gennaro, Gentile, Gerson, Gioia, Gonzalez, Ignizio, Jackson, James, Katz, Koppell, Lappin, Liu, Mark-Viverito, Mealy, Mendez, Mitchell, Nelson, Oddo, Palma, Speaker Quinn, Recchia Jr., Reyna, Rivera, Sanders Jr., Seabrook, Sears, Stewart, Ulrich, Vacca, Vallone Jr., Vann, Weprin and Yassky

Excused,

Arroyo, Baez, White Jr. and Gotbaum

The presence of a quorum was announced by The President Pro Tempore (Council Member Rivera).

2. Invocation

The Invocation was delivered by: Rabbi Bob Kaplan, Director, Cause-NY, a division of the Jewish Community Relations Council of New York, 70 West 36th Street, New York, N.Y. 10018.

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

3. Adoption of Minutes

Council Member Lappin moved that the Minutes of the Stated Meeting of June 10, 2009 and Recessed Meetings of June 15 and 19, 2009 be adopted as printed.

4. Messages & Papers from the Mayor

5. Communications from City, County & Borough Offices

M 1569-2009

Arva R. Rice, candidate for appointment by the Council to the New York City Equal Employment Practices Commission pursuant to § 830 of the New York City Charter.

Attachments: Resume, Committee Report, Resolution

This Communication was Referred to Comm by Council to the Committee on Rules, Privileges and Elections

6. Petitions and Communications

None.

7. Land Use Call-Ups

M 1563-2009 **By the Speaker (Council Member Quinn):**
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 Consumer Affairs approving an unenclosed sidewalk café located at 119 Macdougall Street, Manhattan, CB 2, Application no. 20085246 TCM shall be subject to review by the Council.

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

M 1564-2009 **By the Speaker (Council Member Quinn):**
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 090431 ZSM and C090432 ZSM shall be subject to review by the Council.

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

M 1565-2009 **By Council Member Gerson:**
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 Consumer Affairs approving an unenclosed sidewalk café located at 106 Kenmare Street, Manhattan, CB 2, Application no. 20095244 TCM shall be subject to review by the Council.

Coupled on Call – Up Vote

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

M 1566-2009 **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 Consumer Affairs approving an unenclosed sidewalk café located at 3535 Riverdale Avenue, Borough, CB 8, Application no. 20095528 TCX shall be subject to review by the Council.

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

M 1567-2009 **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 090443 ZSK , and shall be subject to
Council review. This application is related to Uniform Land Use
Procedure Application nos. C 090441 ZMK, N 090442.

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

M 1568-2009 **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 090445 ZSK, and shall be subject to
Council review. This application is related to Uniform Land Use
Procedure Application nos. C 090444 ZMK, C 090446 HAK.

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

The President Pro Tempore (Council Member Rivera) put the question whether the Council would agree with and adopt such motion which was decided in the affirmative by the following vote:

Passed The Consent Agenda

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

Affirmative, 47 -

Avella, Barron, Brewer, Comrie Jr., Crowley, de Blasio, Dickens, Dilan, Eugene, Felder, Ferreras, Fidler, Foster, Garodnick, Gennaro, Gentile, Gerson, Gioia, Gonzalez, Ignizio, Jackson, James, Katz, Koppell, Lappin, Liu, Mark-Viverito, Mealy, Mendez, Mitchell, Nelson, Oddo, Palma, Speaker Quinn, Recchia Jr., Reyna, Rivera, Sanders Jr., Seabrook, Sears, Stewart, Ulrich, Vacca, Vallone Jr., Vann, Weprin and Yassky

Excused, 3 -

Arroyo, Baez and White Jr.

At this point, the President Pro Tempore (Council Member Rivera) declared that the aforementioned items were adopted and referred to the Committee on Land Use and to the appropriate Land Use Subcommittee.

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 Environmental Protection

Int 0622-2007 A Local Law to amend the administrative code of the city of New York, in relation to retrofitting of and age limitations on diesel fuel-powered school buses.

Attachments: Int. No. 622 - 9/25/09, Proposed Int. No. 622-A - 9/8/09, Committee Report 9/8/09, Committee Report 9/17/09, Fiscal Impact Statement

A motion was made that this Introduction be Approved by Council approved by Consent Roll Call.

Report of the Committee on Finance

Int 1065-2009 A Local Law to amend the administrative code of the city of New York, in relation to providing a biotechnology credit against the general corporation tax, and the unincorporated business tax.

Attachments: Cover Sheet, Memo In Support, Committee Report 9/17/09, Fiscal Impact Statement

A motion was made that this Introduction be Approved by Council approved by Consent Roll Call.

Res 2174-2009 Resolution concerning the extension of the Times Square Business Improvement District in the Borough of Manhattan and setting the date, time and place for the public hearing to hear all persons interested in the extension of such district.

Attachments: Committee Report

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

Res 2175-2009 Resolution concerning an amendment to the District Plan of the Times Square Business Improvement District that provides for a change in the method of assessment upon which the district charge is based, and setting the date, time and place for the public hearing of the local law authorizing a change in the method of assessment upon which the district charge in the Times Square Business Improvement District is based.

Attachments: Committee Report

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

- LU 1197-2009** **Parkview Senior Citizens Apartments Block 3044, Lot 17, Bronx, Council District No. 15**
- Attachments:** Memorandum, Resolution
- A motion was made that this Land Use Application be Approved, by Council approved by Consent Roll Call.
- Res 2176-2009** **Resolution approving a partial exemption from real property taxes for property located at (Block 3044, Lot 17) the Bronx, pursuant to Section 577 of the Real Property Tax Law (Preconsidered L.U. No. 1197).**
- Attachments:** Memorandum
- A motion was made that this Resolution be Approved, by Council approved by Consent Roll Call.
- LU 1198-2009** **Sebco Houses for the Elderly Block 2746, Lot 30 Bronx, Council District No. 17**
- Attachments:** Memorandum, Resolution
- A motion was made that this Land Use Application be Approved, by Council approved by Consent Roll Call.
- Res 2177-2009** **Resolution approving a partial exemption from real property taxes for property located at (Block 2746, Lot 30) the Bronx, pursuant to Section 577 of the Real Property Tax Law (Preconsidered L.U. No. 1198).**
- Attachments:** Memorandum
- A motion was made that this Resolution be Approved, by Council approved by Consent Roll Call.
- LU 1199-2009** **United Odd Fellows Section 202 Housing Program for the Elderly 1040 Havemeyer Avenue Bronx, Council District No. 18**
- Attachments:** Memorandum, Resolution
- A motion was made that this Land Use Application be Approved, by Council approved by Consent Roll Call.
- Res 2178-2009** **Resolution approving a partial exemption from real property taxes for property located at 1040 Havemeyer Avenue (Block 3827, Lots p/o 221 and p/o 216), The Bronx, pursuant to Section 422 of the Real Property Tax Law (Preconsidered L.U. No. 1199).**
- Attachments:** Memorandum
- A motion was made that this Resolution be Approved, by Council approved by Consent Roll Call.

LU 1200-2009 Findlay Plaza, Block 2435, Lot 45, Bronx, Council District No. 16

Attachments: Memorandum, Resolution

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

Res 2179-2009 Resolution approving an amendment to a resolution approved by the Board of Estimate on November 16, 1978 for property located at (Block 2435, Lots 45) Bronx, with respect to a real property exemption pursuant to Section 577 of the Private Housing Finance Law (Preconsidered L.U. No. 1200).

Attachments: Memorandum

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

LU 1201-2009 Section 577 of Private Housing Finance Law, Impac Houses, 1428 Fifth Avenue, a/k/a 2-24 West 117th Street Block 1600, Lot 20 New York, Community District No. 10 Council District No. 9

Attachments: Memorandum, Resolution

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

Res 2180-2009 Resolution approving a partial exemption from real property taxes for property located at 1428 Fifth Avenue (Block 1600, Lot 20) Manhattan, pursuant to Section 577 of the Private Housing Finance Law (Preconsidered L.U. No 1201).

Attachments: Memorandum

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

Report of the Committee on Fire and Criminal

Int 0986-2009 A Local Law to amend the administrative code of the city of New York and the New York city building code, in relation to hydrostatic pressure testing of standpipes and sprinklers.

Attachments: Int. No. 986 - 5/20/09, Committee Report 6/2/09, Hearing Transcript 6/2/09, Hearing Testimony 6/2/09, Committee Report 9/17/09, Fiscal Impact Statement

A motion was made that this Introduction be Approved by Council approved by Consent Roll Call.

Int 1004-2009 **A Local Law to amend the administrative code of the city of New York, the New York city building code and the New York city fire code, in relation to an air pressurized alarm system for standpipes.**

Attachments: Int. No. 1004 - 5/20/09, Committee Report 6/2/09, Hearing Transcript 6/2/09, Hearing Testimony 6/2/09, Committee Report 9/17/09, Fiscal Impact Statement

With Message of Necessity

A motion was made that this Introduction be Approved by Council approved by Consent Roll Call.

Report of the Committee on Land Use

LU 1188-2009 **Application no. 20105030 HAX, an amended Urban Development Action Area Project located at 2228 Givan Avenue, Council District no. 12, Borough of the Bronx. 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, and pursuant to Section 422 of the Real Property Tax Law for a partial exemption from real property taxes.**

Attachments: Land Use Calendar - Week of August 17 - August 21, 2009, Land Use Calendar - Week of September 7 - September 11, 2009, Hearing Transcript - Planning 8/18/09

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

Res 2181-2009 **Application no. 20105030 HAX, an amended Urban Development Action Area Project located at 2228 Givan Avenue, Council District no. 12, Borough of the Bronx. 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, and pursuant to Section 422 of the Real Property Tax Law for a partial exemption from real property taxes.**

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

LU 1189-2009 **Application no. 20105031 HAQ, an Urban Development Action Area Project located at 69-21 Bayfield Avenue and 69-30 Elizabeth Avenue, Council District no. 31, Borough of Queens. 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, and pursuant to Section 696 of the General Municipal Law for a partial exemption from real property taxes.**

Attachments: Land Use Calendar - Week of August 17 - August 21, 2009, Land Use Calendar - Week of September 7 - September 11, 2009, Hearing Transcript - Planning 8/18/09

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

Res 2182-2009 **Application no. 20105031 HAQ, an Urban Development Action Area Project located at 69-21 Bayfield Avenue and 69-30 Elizabeth Avenue, Council District no. 31, Borough of Queens. 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, and pursuant to Section 696 of the General Municipal Law for a partial exemption from real property taxes.**

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

LU 1194-2009 **Application no. 20095598 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition for RRBV Associates LLC d/b/a Harbor NY, to establish, maintain and operate an unenclosed sidewalk café located at 290 Hudson Street (Block 579, Lot 5), Borough of Manhattan, Council District no.3. 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.**

Attachments: Land Use Calendar - Week of September 7 - September 11, 2009

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

Res 2183-2009 **Application no. 20095598 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition for RRBV Associates LLC d/b/a Harbor NY, to establish, maintain and operate an unenclosed sidewalk café located at 290 Hudson Street (Block 579, Lot 5), Borough of Manhattan, Council District no.3. 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.**

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

LU 1195-2009 **Application no. 20095695 TCQ, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition for A & A Food Enterprises LLC d/b/a. Aged Bar N Grill, to establish, maintain and operate an unenclosed sidewalk café located at 107-02 70th Road (Block 3239, Lot 32), 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.**

Attachments: Land Use Calendar - Week of September 7 - September 11, 2009

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

Res 2184-2009 **Application no. 20095695 TCQ, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition for A & A Food Enterprises LLC d/b/a. Aged Bar N Grill, to establish, maintain and operate an unenclosed sidewalk café located at 107-02 70th Road (Block 3239, Lot 32), 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.**

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

LU 1196-2009 **Application no. 20095133 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition for Greek Kitchen Inc. d.b.a. Greek Kitchen, to construct, maintain and use an enclosed sidewalk café located at 885-889 Tenth Avenue (Block 1086, Lot 34), Borough of Manhattan, Council District no.6. 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.**

Attachments: Land Use Calendar - Week of September 7 - September 11, 2009

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

Res 2185-2009 **Application no. 20095133 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition for Greek Kitchen Inc. d.b.a. Greek Kitchen, to construct, maintain and use an enclosed sidewalk café located at 885-889 Tenth Avenue (Block 1086, Lot 34), Borough of Manhattan, Council District no.6. 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.**

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

LU 1202-2009 **Application no. 20105018 HKM (N 100003 HKM), pursuant to §3020 of the Charter of the City of New York, concerning the designation (List No.414, LP-2327) by the Landmarks Preservation Commission of the John Pierce Residence, (Block 1287, Lot 10) as an historic landmark, Council District no. 3.**

Attachments: Land Use Calendar - Week of September 7 - September 11, 2009

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

Res 2186-2009 **Application no. 20105018 HKM (N 100003 HKM), pursuant to §3020 of the Charter of the City of New York, concerning the designation (List No.414, LP-2327) by the Landmarks Preservation Commission of the John Pierce Residence, (Block 1287, Lot 10) as an historic landmark, Council District no. 3.**

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

LU 1203-2009 **Application no. 20105019 HKM (N 100004 HKM), pursuant to §3020 of the Charter of the City of New York, concerning the designation (List No.414, LP-2320) by the Landmarks Preservation Commission of the Mount Olive Fire Baptized Holiness Church, located at 308 West 122nd street (aka 304-308 West 122nd Street) as an historic landmark, Council District no. 9.**

Attachments: Land Use Calendar - Week of September 7 - September 11, 2009

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

Res 2187-2009 **Application no. 20105019 HKM (N 100004 HKM), pursuant to §3020 of the Charter of the City of New York, concerning the designation (List No.414, LP-2320) by the Landmarks Preservation Commission of the Mount Olive Fire Baptized Holiness Church, located at 308 West 122nd street (aka 304-308 West 122nd Street) as an historic landmark, Council District no. 9.**

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

LU 1204-2009 **Application no. 20105021 HKK (N 100002 HKK), pursuant to §3020 of the Charter of the City of New York, concerning the designation (List No.414, LP-2314) by the Landmarks Preservation Commission of Prospect Heights as a historic district, Council District no. 35.**

Attachments: Land Use Calendar - Week of September 7 - September 11, 2009

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

Res 2188-2009 **Application no. 20105021 HKK (N 100002 HKK), pursuant to §3020 of the Charter of the City of New York, concerning the designation (List No.414, LP-2314) by the Landmarks Preservation Commission of Prospect Heights as a historic district, Council District no. 35.**

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

Report of the Committee on Rules, Privileges, and Elections

M 1569-2009 **Arva R. Rice, candidate for appointment by the Council to the New York City Equal Employment Practices Commission pursuant to § 830 of the New York City Charter.**

Attachments: Resume, Committee Report, Resolution

This Communication was Approved, by Council

**Res 2189-2009 RESOLUTION APPROVING THE APPOINTMENT BY THE COUNCIL
OF ARVA R. RICE AS A MEMBER OF THE EQUAL EMPLOYMENT
PRACTICES COMMISSION.**

Attachments: Committee Report, Resume

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

12. General Orders Calendar

T2006-0001

Commissioner of Deeds

Attachments: Hearing Transcript - Charter Meeting 1/4/06, Hearing Transcript - Stated Meeting 1/18/06, Hearing Transcript - Stated Meeting 2/1/06, Hearing Transcript - Stated Meeting 2/15/06, Hearing Transcript - Stated Meeting 3/1/06, Hearing Transcript - Stated Meeting 3/22/06, Hearing Transcript - Stated Meeting 4/5/06, Hearing Transcript - Stated Meeting 4/26/06, Hearing Transcript - Stated Meeting 5/10/06, Hearing Transcript - Stated Meeting 5/24/06, Hearing Transcript - Stated Meeting 6/13/06, Hearing Transcript - Stated Meeting 6/20/06, Hearing Transcript - Stated Meeting 6/29/06, Hearing Transcript - Stated Meeting 7/19/06, Hearing Transcript - Stated Meeting 8/16/06, Hearing Transcript - Stated Meeting 9/13/06, Hearing Transcript - Stated Meeting 9/27/06, Hearing Transcript - Stated Meeting 10/11/06, Hearing Transcript - Stated Meeting 10/25/06, Hearing Transcript - Stated Meeting 11/15/06, Hearing Transcript - Stated Meeting 11/29/06, Hearing Transcript - Stated Meeting 12/6/06, Hearing Transcript - Stated Meeting 12/20/06, Hearing Transcript - Stated Meeting 1/3/07, Hearing Transcript - Stated Meeting 1/9/07, Hearing Transcript - Stated Meeting 2/1/07, Hearing Transcript - Stated Meeting 2/28/07, Hearing Transcript - Stated Meeting 3/14/07, Hearing Transcript - Stated Meeting 3/28/07, Hearing Transcript - Stated Meeting 4/12/07, Hearing Transcript - Stated Meeting 4/23/07, Hearing Transcript - Stated Meeting 5/9/07, Hearing Transcript - Stated Meeting 5/30/07, Hearing Transcript - Stated Meeting 6/5/07, Hearing Transcript - Stated Meeting 6/15/07, Hearing Transcript - Stated Meeting 6/27/07, Hearing Transcript - Stated Meeting 7/25/07, Hearing Transcript - Stated Meeting 8/6/07, Hearing Transcript - Stated Meeting 8/22/07, Hearing Transcript - Stated Meeting 9/10/07, Hearing Transcript - Stated Meeting 9/25/07, Hearing Transcript - Stated Meeting 10/17/07, Hearing Transcript - Stated Meeting 10/23/07, Hearing Transcript - Stated Meeting 10/29/07, Hearing Transcript - Stated Meeting 11/15/07, Hearing Transcript - Stated Meeting 11/28/07, Hearing Transcript - Stated Meeting 12/11/07, Hearing Transcript - Stated Meeting 12/19/07, Hearing Transcript - Charter Meeting 1/9/08, Hearing Transcript - Stated Meeting 1/30/08, Hearing Transcript - Stated Meeting 2/13/08, Hearing Transcript - Stated Meeting 2/27/08, Hearing Transcript - Stated Meeting 3/12/08, Hearing Transcript - Stated Meeting 3/26/08, Hearing Transcript - Stated Meeting 3/31/08, Hearing Transcript - Stated Meeting 4/16/08, Hearing Transcript - Stated Meeting 4/30/08, Hearing Transcript - Stated Meeting 5/14/08, Hearing Transcript - Stated Meeting 5/28/08, Hearing Transcript - Recessed Stated Meeting 5/28/08, Hearing Transcript - Stated Meeting 6/12/08, Hearing Transcript - Recessed Stated Meeting 6-23-08, Hearing Transcript - Stated Meeting 6/29/08, Hearing Transcript - Stated Meeting 7/23/08, Hearing Transcript - Stated Meeting 8/14/08, Hearing Transcript - Stated Meeting 9/4/08, Hearing Transcript - Stated Meeting 9/24/08, Hearing Transcript - Stated Meeting 10/7/08, Hearing Transcript - Stated Meeting 10/23/08, Hearing Transcript - Stated Meeting 11/13/08, Hearing Transcript - Stated Meeting 11/19/08, Hearing Transcript - Stated Meeting 12/9/08, Hearing Transcript - Charter Meeting 1/7/09, Hearing Transcript - Stated Meeting 1/28/09, Hearing Transcript - Stated Meeting 2/11/09, Hearing Transcript - Stated Meeting 3/11/09, Hearing Transcript - Stated Meeting 3/24/09, Hearing Transcript - Stated Meeting 4/2/09, Hearing Transcript - Stated Meeting 4/22/09, Hearing Transcript - Stated Meeting 5/6/09, Hearing Transcript - Stated Meeting 5/20/09, Hearing

Transcript - Stated Meeting 6/10/09, Hearing Transcript - Stated Meeting 6/19/09, Hearing Transcript - Stated Meeting 6/30/09, Hearing Transcript - Stated Meeting 7/29/09, Hearing Transcript - Stated Meeting 8/20/09

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

Coupled on General Order Calendar

Environmental Protection

Int 0622-2007 A Local Law to amend the administrative code of the city of New York, in relation to retrofitting of and age limitations on diesel fuel-powered school buses.

Attachments: Int. No. 622 - 9/25/09, Proposed Int. No. 622-A - 9/8/09, Committee Report 9/8/09, Committee Report 9/17/09, Fiscal Impact Statement

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Attachments: Memorandum

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With Message of Necessity

Land Use

Res 2181-2009 **Application no. 20105030 HAX, an amended Urban Development Action Area Project located at 2228 Givan Avenue, Council District no. 12, Borough of the Bronx. 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, and pursuant to Section 422 of the Real Property Tax Law for a partial exemption from real property taxes.**

Res 2182-2009 **Application no. 20105031 HAQ, an Urban Development Action Area Project located at 69-21 Bayfield Avenue and 69-30 Elizabeth Avenue, Council District no. 31, Borough of Queens. 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, and pursuant to Section 696 of the General Municipal Law for a partial exemption from real property taxes.**

Res 2183-2009 **Application no. 20095598 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition for RRBV Associates LLC d/b/a Harbor NY, to establish, maintain and operate an unenclosed sidewalk café located at 290 Hudson Street (Block 579, Lot 5), Borough of Manhattan, Council District no.3. 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.**

- Res 2184-2009** **Application no. 20095695 TCQ, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition for A & A Food Enterprises LLC d/b/a. Aged Bar N Grill, to establish, maintain and operate an unenclosed sidewalk café located at 107-02 70th Road (Block 3239, Lot 32), 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.**
- Res 2185-2009** **Application no. 20095133 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition for Greek Kitchen Inc. d.b.a. Greek Kitchen, to construct, maintain and use an enclosed sidewalk café located at 885-889 Tenth Avenue (Block 1086, Lot 34), Borough of Manhattan, Council District no.6. 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.**
- Res 2186-2009** **Application no. 20105018 HKM (N 10003 HKM), pursuant to §3020 of the Charter of the City of New York, concerning the designation (List No.414, LP-2327) by the Landmarks Preservation Commission of the John Pierce Residence, (Block 1287, Lot 10) as an historic landmark, Council District no. 3.**
- Res 2187-2009** **Application no. 20105019 HKM (N 10004 HKM), pursuant to §3020 of the Charter of the City of New York, concerning the designation (List No.414, LP-2320) by the Landmarks Preservation Commission of the Mount Olive Fire Baptized Holiness Church, located at 308 West 122nd street (aka 304-308 West 122nd Street) as an historic landmark, Council District no. 9.**
- Res 2188-2009** **Application no. 20105021 HKK (N 10002 HKK), pursuant to §3020 of the Charter of the City of New York, concerning the designation (List No.414, LP-2314) by the Landmarks Preservation Commission of Prospect Heights as a historic district, Council District no. 35.**

Rules, Privileges, and Elections

**Res 2189-2009 RESOLUTION APPROVING THE APPOINTMENT BY THE COUNCIL
OF ARVA R. RICE AS A MEMBER OF THE EQUAL EMPLOYMENT
PRACTICES COMMISSION.**

Attachments: Committee Report, Resume

General Order Calendar

T2006-0001

Commissioner of Deeds

Attachments: Hearing Transcript - Charter Meeting 1/4/06, Hearing Transcript - Stated Meeting 1/18/06, Hearing Transcript - Stated Meeting 2/1/06, Hearing Transcript - Stated Meeting 2/15/06, Hearing Transcript - Stated Meeting 3/1/06, Hearing Transcript - Stated Meeting 3/22/06, Hearing Transcript - Stated Meeting 4/5/06, Hearing Transcript - Stated Meeting 4/26/06, Hearing Transcript - Stated Meeting 5/10/06, Hearing Transcript - Stated Meeting 5/24/06, Hearing Transcript - Stated Meeting 6/13/06, Hearing Transcript - Stated Meeting 6/20/06, Hearing Transcript - Stated Meeting 6/29/06, Hearing Transcript - Stated Meeting 7/19/06, Hearing Transcript - Stated Meeting 8/16/06, Hearing Transcript - Stated Meeting 9/13/06, Hearing Transcript - Stated Meeting 9/27/06, Hearing Transcript - Stated Meeting 10/11/06, Hearing Transcript - Stated Meeting 10/25/06, Hearing Transcript - Stated Meeting 11/15/06, Hearing Transcript - Stated Meeting 11/29/06, Hearing Transcript - Stated Meeting 12/6/06, Hearing Transcript - Stated Meeting 12/20/06, Hearing Transcript - Stated Meeting 1/3/07, Hearing Transcript - Stated Meeting 1/9/07, Hearing Transcript - Stated Meeting 2/1/07, Hearing Transcript - Stated Meeting 2/28/07, Hearing Transcript - Stated Meeting 3/14/07, Hearing Transcript - Stated Meeting 3/28/07, Hearing Transcript - Stated Meeting 4/12/07, Hearing Transcript - Stated Meeting 4/23/07, Hearing Transcript - Stated Meeting 5/9/07, Hearing Transcript - Stated Meeting 5/30/07, Hearing Transcript - Stated Meeting 6/5/07, Hearing Transcript - Stated Meeting 6/15/07, Hearing Transcript - Stated Meeting 6/27/07, Hearing Transcript - Stated Meeting 7/25/07, Hearing Transcript - Stated Meeting 8/6/07, Hearing Transcript - Stated Meeting 8/22/07, Hearing Transcript - Stated Meeting 9/10/07, Hearing Transcript - Stated Meeting 9/25/07, Hearing Transcript - Stated Meeting 10/17/07, Hearing Transcript - Stated Meeting 10/23/07, Hearing Transcript - Stated Meeting 10/29/07, Hearing Transcript - Stated Meeting 11/15/07, Hearing Transcript - Stated Meeting 11/28/07, Hearing Transcript - Stated Meeting 12/11/07, Hearing Transcript - Stated Meeting 12/19/07, Hearing Transcript - Charter Meeting 1/9/08, Hearing Transcript - Stated Meeting 1/30/08, Hearing Transcript - Stated Meeting 2/13/08, Hearing Transcript - Stated Meeting 2/27/08, Hearing Transcript - Stated Meeting 3/12/08, Hearing Transcript - Stated Meeting 3/26/08, Hearing Transcript - Stated Meeting 3/31/08, Hearing Transcript - Stated Meeting 4/16/08, Hearing Transcript - Stated Meeting 4/30/08, Hearing Transcript - Stated Meeting 5/14/08, Hearing Transcript - Stated Meeting 5/28/08, Hearing Transcript - Recessed Stated Meeting 5/28/08, Hearing Transcript - Stated Meeting 6/12/08, Hearing Transcript - Recessed Stated Meeting 6-23-08, Hearing Transcript - Stated Meeting 6/29/08, Hearing Transcript - Stated Meeting 7/23/08, Hearing Transcript - Stated Meeting 8/14/08, Hearing Transcript - Stated Meeting 9/4/08, Hearing Transcript - Stated Meeting 9/24/08, Hearing Transcript - Stated Meeting 10/7/08, Hearing Transcript - Stated Meeting 10/23/08, Hearing Transcript - Stated Meeting 11/13/08, Hearing Transcript - Stated Meeting 11/19/08, Hearing Transcript - Stated Meeting 12/9/08, Hearing Transcript - Charter Meeting 1/7/09, Hearing Transcript - Stated Meeting 1/28/09, Hearing Transcript - Stated Meeting 2/11/09, Hearing Transcript - Stated Meeting 3/11/09, Hearing Transcript - Stated Meeting 3/24/09, Hearing Transcript - Stated Meeting 4/2/09, Hearing Transcript - Stated Meeting 4/22/09, Hearing Transcript - Stated Meeting 5/6/09, Hearing Transcript - Stated Meeting 5/20/09, Hearing

Transcript - Stated Meeting 6/10/09, Hearing Transcript - Stated Meeting 6/19/09, Hearing Transcript - Stated Meeting 6/30/09, Hearing Transcript - Stated Meeting 7/29/09, Hearing Transcript - Stated Meeting 8/20/09

The President Pro Tempore (Council Member Rivera) put the question whether the Council would agree with and adopt such reports, which were decided in the affirmative by the following vote:

Passed The Consent Agenda

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

Affirmative, 47 -

Avella, Barron, Brewer, Comrie Jr., Crowley, de Blasio, Dickens, Dilan, Eugene, Felder, Ferreras, Fidler, Foster, Garodnick, Gennaro, Gentile, Gerson, Gioia, Gonzalez, Ignizio, Jackson, James, Katz, Koppell, Lappin, Liu, Mark-Viverito, Mealy, Mendez, Mitchell, Nelson, Oddo, Palma, Speaker Quinn, Recchia Jr., Reyna, Rivera, Sanders Jr., Seabrook, Sears, Stewart, Ulrich, Vacca, Vallone Jr., Vann, Weprin and Yassky

Excused, 3 -

Arroyo, Baez and White Jr.

13. Introduction & Reading of Bills
See Attached

14. Discussion of Resolutions

15. Resolutons

None.

16. General Discussion

17. Extension of Remarks

INTRODUCTION AND READING OF BILLS

Res 2166-2009 Resolution calling upon the United States House of Representatives to pass both H.R. 22, the United States Postal Service Financial Relief Act, and H.R. 658, the Access to Postal Services Act, which would stop the unnecessary closure of neighborhood post offices and would increase community input as the Post Office reorganizes branches throughout the city of New York.

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

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

Int 1073-2009 A Local Law to amend the administrative code of the city of New York, in relation to commercial recycling.

Sponsors: By Council Member de Blasio

This Introduction was Referred to Comm by Council to the Committee on Sanitation and Solid Waste Management

Int 1074-2009 A Local Law to amend the administrative code of the city of New York, in relation to the installation of cigarette waste receptacles outside of all city-owned buildings.

Sponsors: By Council Member Felder

This Introduction was Referred to Comm by Council to the Committee on Sanitation and Solid Waste Management

Res 2167-2009 Resolution calling upon the United States Congress to pass H.R. 2695, an act that would allow merchants to collectively negotiate with credit card providers over interchange fees.

Sponsors: By Council Member Felder

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

Res 2168-2009 Resolution calling on the Mayor of the City of New York to examine how the City's economic policies can be strengthened to address the disparate unemployment rate and joblessness of black New Yorkers which have increased due to the current recession.

Sponsors: By Council Member Foster

This Resolution was Referred to Comm by Council to the Committee on Civil Service and Labor

Int 1075-2009 A Local Law to amend the administrative code of the city of New York, in relation to requiring retail stores to have lights off when closed.

Sponsors: By Council Member Gennaro

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

Res 2169-2009 **Resolution calling upon the New York State Legislature to pass and the Governor to sign A.1255/S.1735, which authorizes homeowners and not-for-profit agencies in New York City to receive an abatement of real property taxes up to two thousand dollars for the cost of installing sewer improvement check valve devices on certain dwellings.**

Sponsors: By Council Member Gennaro

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

Int 1076-2009 **A Local Law to amend the administrative code of the city of New York, in relation to notification of changes in parking meter regulations.**

Sponsors: By Council Members Gentile, Vacca and Vallone Jr.

This Introduction was Referred to Comm by Council to the Committee on Transportation

Int 1077-2009 **A Local Law to amend the administrative code of the city of New York, in relation to community board review of transportation pilot projects.**

Sponsors: By Council Members Gentile and Vacca

This Introduction was Referred to Comm by Council to the Committee on Transportation

Int 1078-2009 **A Local Law to amend the administrative code of the city of New York, in relation to requiring exterior lighting to contain fully shielded fixtures.**

Sponsors: By Council Member Gerson

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

Int 1079-2009 **A Local Law to amend the administrative code of the city of New York, in relation to licensing newsstands.**

Sponsors: By Council Member Gerson

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

Int 1080-2009 **A Local Law to amend the administrative code of the city of New York, in relation to requiring the commissioner of the department of correction to report on race and ethnicity, zip code of residence, precinct of arrest and charged offense of adolescents admitted to city jails.**

Sponsors: By Council Member James

This Introduction was Referred to Comm by Council to the Committee on Fire and Criminal Justice Services

Int 1081-2009 **A Local Law to amend the administrative code of the city of New York, in relation to establishing a temporary task force to review outsourcing by City agencies.**

Sponsors: By Council Member James

This Introduction was Referred to Comm by Council to the Committee on Contracts

Int 1082-2009 **A Local Law to amend the administrative code of the city of New York, in relation to requiring containers for foods packaged on premises to be made of recyclable material.**

Sponsors: By Council Member Lappin

This Introduction was Referred to Comm by Council to the Committee on Sanitation and Solid Waste Management

Res 2170-2009 **Resolution calling upon the New York City Department of Education to ensure the strict enforcement of all current laws and regulations regarding the sale of foods and beverages which are not part of the school nutrition program, follow all recommendations contained in the State Comptroller's report on New York City Department of Education School Nutrition, and monitor carefully the content and accessibility of school vending machines.**

Sponsors: By Council Member Lappin

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

Int 1083-2009 **A Local Law to amend the administrative code of the city of New York, in relation to requiring local representation on park conservancies.**

Sponsors: By Council Member Mark-Viverito

This Introduction was Referred to Comm by Council to the Committee on Parks and Recreation

- Int 1084-2009** **A Local Law to amend the administrative code of the city of New York, in relation to the location of concessions within a park.**
- Sponsors:** By Council Member Nelson
- This Introduction was Referred to Comm by Council to the Committee on Parks and Recreation
- Int 1085-2009** **A Local Law to amend the administrative code of the city of New York in relation to permissible parking of vehicles when alternate side of the street rules are in effect for purposes of street cleaning.**
- Sponsors:** By Council Member Rivera
- This Introduction was Referred to Comm by Council to the Committee on Transportation
- Res 2171-2009** **Resolution calling on the New York State Legislature to amend the New York State Labor Law in relation to apprenticeship training programs, to enable the City of New York to reverse chronic long term unemployment in certain neighborhoods.**
- Sponsors:** By Council Member Seabrook
- This Resolution was Referred to Comm by Council to the Committee on Civil Service and Labor
- Res 2172-2009** **Resolution calling upon the United States Congress to pass the Uniting American Families Act of 2009 (H.R.1024/S. 424) or other legislation which would provide a mechanism under the Immigration and Nationality Act to allow United States citizens and legal permanent residents in binational same-sex relationships to sponsor their foreign-born partners for lawful permanent resident status in a manner consistent with the legal requirements and rights currently enjoyed by opposite-sex couples.**
- Sponsors:** By Council Member Stewart and The Speaker (Speaker Quinn)
- This Resolution was Referred to Comm by Council to the Committee on Immigration
- Int 1086-2009** **A Local Law to amend the administrative code of the city of New York, in relation to prohibiting the sale or installation of a motorcycle exhaust device without federal EPA required labeling.**
- Sponsors:** By Council Member Vallone Jr.
- This Introduction was Referred to Comm by Council to the Committee on Environmental Protection

Res 2173-2009 **Resolution calling upon the United States Congress to pass and the President to sign H.R.1549/S.619, the Preservation of Antibiotics for Medical Treatment Act of 2009, legislation that would prohibit the routine use of certain types of antibiotics in farm animals in an effort to reduce the spread of dangerous bacteria in humans.**

Sponsors: By Council Member Vallone Jr.

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

Res 2174-2009 **Resolution concerning the extension of the Times Square Business Improvement District in the Borough of Manhattan and setting the date, time and place for the public hearing to hear all persons interested in the extension of such district.**

Sponsors: By Council Members Weprin and Comrie Jr.

Attachments: Committee Report

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

Res 2175-2009 **Resolution concerning an amendment to the District Plan of the Times Square Business Improvement District that provides for a change in the method of assessment upon which the district charge is based, and setting the date, time and place for the public hearing of the local law authorizing a change in the method of assessment upon which the district charge in the Times Square Business Improvement District is based.**

Sponsors: By Council Members Weprin and Comrie Jr.

Attachments: Committee Report

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

LU 1197-2009 **Parkview Senior Citizens Apartments Block 3044, Lot 17, Bronx, Council District No. 15**

Sponsors: By Council Member Weprin

Attachments: Memorandum, Resolution

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

- LU 1198-2009 Sebco Houses for the Elderly Block 2746, Lot 30 Bronx, Council District No. 17**
- Sponsors:** By Council Member Weprin
- Attachments:** Memorandum, Resolution
- This Land Use Application was Referred to Comm by Council to the Committee on Finance**
-
- LU 1199-2009 United Odd Fellows Section 202 Housing Program for the Elderly 1040 Havemeyer Avenue Bronx, Council District No. 18**
- Sponsors:** By Council Member Weprin
- Attachments:** Memorandum, Resolution
- This Land Use Application was Referred to Comm by Council to the Committee on Finance**
-
- LU 1200-2009 Findlay Plaza, Block 2435, Lot 45, Bronx, Council District No. 16**
- Sponsors:** By Council Member Weprin
- Attachments:** Memorandum, Resolution
- This Land Use Application was Referred to Comm by Council to the Committee on Finance**
-
- LU 1201-2009 Section 577 of Private Housing Finance Law, Impac Houses, 1428 Fifth Avenue, a/k/a 2-24 West 117th Street Block 1600, Lot 20 New York, Community District No. 10 Council District No. 9**
- Sponsors:** By Council Member Weprin
- Attachments:** Memorandum, Resolution
- This Land Use Application was Referred to Comm by Council to the Committee on Finance**
-
- LU 1202-2009 Application no. 20105018 HKM (N 100003 HKM), pursuant to §3020 of the Charter of the City of New York, concerning the designation (List No.414, LP-2327) by the Landmarks Preservation Commission of the John Pierce Residence, (Block 1287, Lot 10) as an historic landmark, Council District no. 3.**
- Sponsors:** By Council Member Katz
- Attachments:** Land Use Calendar - Week of September 7 - September 11, 2009
- This Land Use Application was Referred to Comm by Council to the Committee on Land Use**

Attachments: Land Use Calendar - Week of September 7 - September 11, 2009

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

LU 1203-2009

Application no. 20105019 HKM (N 10004 HKM), pursuant to §3020 of the Charter of the City of New York, concerning the designation (List No.414, LP-2320) by the Landmarks Preservation Commission of the Mount Olive Fire Baptized Holiness Church, located at 308 West 122nd street (aka 304-308 West 122nd Street) as an historic landmark, Council District no. 9.

Sponsors: By Council Member Katz

Attachments: Land Use Calendar - Week of September 7 - September 11, 2009

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

Attachments: Land Use Calendar - Week of September 7 - September 11, 2009

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

LU 1204-2009

Application no. 20105021 HKK (N 10002 HKK), pursuant to §3020 of the Charter of the City of New York, concerning the designation (List No.414, LP-2314) by the Landmarks Preservation Commission of Prospect Heights as a historic district, Council District no. 35.

Sponsors: By Council Member Katz

Attachments: Land Use Calendar - Week of September 7 - September 11, 2009

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

Attachments: Land Use Calendar - Week of September 7 - September 11, 2009

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

LU 1205-2009

Application no. N 090364 ZRY, submitted by the Department of City Planning pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, establishing two new zoning districts: C6-3D and R9D and modifying related regulations.

Sponsors: By Council Member Katz

Attachments: Land Use Calendar - Week of September 7 - September 11, 2009

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

Attachments: Land Use Calendar - Week of September 7 - September 11, 2009

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

LU 1206-2009 Application no. N 090365 ZMX, submitted by the Department of City Planning pursuant to Sections 197-c and 201 of the New York City Charter, for an amendment of the Zoning Map of the City of New York, Section Nos. 3b and 6a.

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 1207-2009 Uniform land use review procedure application no. C 090379 HAK, an Urban Development Action Area Designation and Project, located at 640 Broadway and the disposition of such property, 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 Katz

Attachments: Land Use Calendar - Week of September 21 - September 25, 2009

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

Attachments: Land Use Calendar - Week of September 21 - September 25, 2009

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

LU 1208-2009 Application no. 20105020 HKM (N 100001 HKM), pursuant to §3020 of the Charter of the City of New York, concerning the designation (List No.414, LP-2218) by the Landmarks Preservation Commission of 94 Greenwich Street (aka 14-18 Rector Street), (Block 53, Lot 41) as an historic landmark, Council District no. 1.

Sponsors: By Council Member Katz

Attachments: Land Use Calendar - Week of September 7 - September 11, 2009, Land Use Calendar - Week of September 21 - September 25, 2009

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

Attachments: Land Use Calendar - Week of September 7 - September 11, 2009, Land Use Calendar - Week of September 21 - September 25, 2009

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

LU 1209-2009 **Application no. 20095528 TCX, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of Jasper's Pizza & More, LLC d/b/a Jasper's Italian Cuisine, to establish, maintain and operate an unenclosed sidewalk café at 3535 Riverdale 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

Attachments: Land Use Calendar - Week of September 21 - September 25, 2009

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

Attachments: Land Use Calendar - Week of September 21 - September 25, 2009

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

LU 1210-2009 **Application no. C 090441 ZMK, submitted by Atara Vanderbilt, LLC, pursuant to Sections 197-c and 201 of the New York City Charter, for an amendment of the Zoning Map, Section No. 16c.**

Sponsors: By Council Member Katz

Attachments: Land Use Calendar - Week of September 21 - September 25, 2009

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

Attachments: Land Use Calendar - Week of September 21 - September 25, 2009

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

LU 1211-2009 **Application no. N 090442 ZRK, submitted by Atara Vanderbilt, LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, concerning Article II, Chapter 3 (Bulk regulations for Residential Buildings in Residence Districts), Section 23-90, relating to the application of the Inclusionary Housing Program to R9A districts.**

Sponsors: By Council Member Katz

Attachments: Land Use Calendar - Week of September 21 - September 25, 2009

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

Attachments: Land Use Calendar - Week of September 21 - September 25, 2009

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

LU 1212-2009

Application no. C 090443 ZSK, submitted by Atara Vanderbilt, LLC, pursuant to Sections 197-c and 201 of the New York City Charter, for a special permit pursuant to Section 74-743 (a) of the Zoning Resolution to modify requirements of Section 23-145, Section 23-852 and Section 35-24 to facilitate a mixed use development on property located at 470 Vanderbilt Avenue (Block 2009, Lots 1, 19, 20, 23, 26, 31-44). 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: Land Use Calendar - Week of September 21 - September 25, 2009

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

Attachments: Land Use Calendar - Week of September 21 - September 25, 2009

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

LU 1213-2009

Application no. C 060551 ZMQ, submitted by Briarwood Organization LLC, pursuant to Sections 197-c and 201 of the New York City Charter, for an amendment of the Zoning Map, Section No. 11a., by establishing within an existing R4 District a C2-2 District..

Sponsors: By Council Member Katz

Attachments: Land Use Calendar - Week of September 21 - September 25, 2009

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

Attachments: Land Use Calendar - Week of September 21 - September 25, 2009

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

LU 1214-2009 **Application no. N 090444 ZMK, submitted by the Department of Housing Preservation and Development pursuant to Sections 197-c and 201 of the New York City Charter, for an amendment of the Zoning Map of the City of New York, Section No 12d.**

Sponsors: By Council Member Katz

Attachments: Land Use Calendar - Week of September 21 - September 25, 2009

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

Attachments: Land Use Calendar - Week of September 21 - September 25, 2009

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

LU 1215-2009 **Application no. C 090445 ZSK, submitted by the Department of Housing Preservation and Development, pursuant to Sections 197-c and 201 of the New York City Charter, for a special permit pursuant to Section 78-312 (d) of the Zoning Resolution to modify requirements of Section 23-632 to facilitate construction of a mixed use development on property located at 136-50 Flushing Avenue(Block 2033, Lot 1). 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: Land Use Calendar - Week of September 21 - September 25, 2009

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

Attachments: Land Use Calendar - Week of September 21 - September 25, 2009

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

LU 1216-2009 **Uniform Land Use Review Procedure application no. N 090446 HAK, submitted by the Department of Housing Preservation and Development, an Urban Development Action Area Designation and Project, located at 136-50 Flushing Ave, Borough of Brooklyn, Council District no. 35. 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 Katz

Attachments: Land Use Calendar - Week of September 21 - September 25, 2009

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

Attachments: Land Use Calendar - Week of September 21 - September 25, 2009

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

LU 1217-2009 **Application no. 20095244 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of 114 Kenmare Associates LLC d/b/a Corner Deli, to continue to maintain and operate an unenclosed sidewalk café at 106 Kenmare Street, Borough of Manhattan, Council District no. 1. 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 1218-2009 **Application no. 20085246 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of Fabrizio Cavallacci d/b/a Café Reggio, to continue to maintain and operate an unenclosed sidewalk café at 119 Macdougall Street, Borough of Manhattan, Council District no. 3. 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 1219-2009 **Application no. C 090431 ZSM, submitted by W2005/Hines West Fifty-Third Realty, LLC pursuant to Sections 197-c and 201 of the New York City Charter, for a special permit pursuant to Sections 81-212 and 74-79 of the Zoning Resolution to allow the transfer of 136,000 square feet of floor area to facilitate the development of an 85-story mixed use building in Council District 3. 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 1220-2009 **Application no. C 090432 ZSM, submitted by W2005/Hines West Fifty-Third Realty, LLC pursuant to Sections 197-c and 201 of the New York City Charter, for a special permit pursuant to Sections 74-711 and 81-277 of the Zoning Resolution to facilitate the development of an 85-story mixed use building on property located at 53 West 53rd Street (Block 1269, Lots 5,6,7,8,9,11,12, 13,14, 20, 30, 58,66, 69 and 165). 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 1221-2009 **Application no. 20105058 HAK, an Urban Development Action Area Project located at 480-482 Warwick Street, Council District no. 42 Borough of Brooklyn. 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, and pursuant to Section 696 of the General Municipal Law for an exemption from real property taxes.**

Sponsors: By Council Member Katz

Attachments: Land Use Calendar - Week of September 21 - September 25, 2009

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

Attachments: Land Use Calendar - Week of September 21 - September 25, 2009

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

LU 1222-2009 **Application no. 20105059 HAM, an Urban Development Action Area Project located at 46-48 East 129th 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, and pursuant to Section 577 of the Private Housing Finance Law for an exemption from real property taxes.**

Sponsors: By Council Member Katz

Attachments: Land Use Calendar - Week of September 21 - September 25, 2009

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

Attachments: Land Use Calendar - Week of September 21 - September 25, 2009

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

LU 1223-2009 **Application no. 20105060 HAM, an Urban Development Action Area located at 3603-3605 Broadway, Council District no. 7 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, and pursuant to Section 577 of the Private Housing Finance Law for an exemption from real property taxes.**

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

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

Whereupon on motion of the Speaker (Council Member Quinn), the Clerk of the Council adjourned to meet again on Wednesday, September 30, 2009.

*MICHAEL M. McSWEENEY, City Clerk
Clerk of the Council*