

The New York City Council

*City Hall
New York, NY 10007*



Meeting Minutes

Wednesday, October 28, 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)

1. Roll Call

Present,

Arroyo, 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, Seabrook, Sears, Stewart, Ulrich, Vacca, Vallone Jr., Vann, Weprin, White Jr. and Yassky

Excused,

Baez, Sanders 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: Bishop Fernando Rodriguez, Pastor, One Way to Heaven Church, 1112 Garrison Avenue, the Bronx, N.Y. 10474.

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

3. Adoption of Minutes

Council Member Palma moved that the Minutes of the Stated Meeting of September 17, 2009 be adopted as printed.

4. Messages & Papers from the Mayor

None

5. Communications from City, County & Borough Offices

M 1629-2009

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a new base station license A Door to Door Transportation Inc., Council District 17, pursuant to Section 19-511(i), of the administrative code of the city of New York.

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

M 1630-2009

Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a new base station license The New Discovery Car & Limousine LLC., Council District 10, pursuant to Section 19-511(i), of the administrative code of the city of New York.

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

- M 1631-2009 Communication from the Taxi & Limousine Commission –
Submitting its approval of an application for a renewal base station
license A & R Golden Express Inc., Council District 43, pursuant to
Section 19-511(i), of the administrative code of the city of New York.**

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

- M 1632-2009 Communication from the Taxi & Limousine Commission –
Submitting its approval of an application for a renewal base station
license America United Multiplex Car Service Corp., Council District
33, pursuant to Section 19-511(i), of the administrative code of the
city of New York.**

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

- M 1633-2009 Communication from the Taxi & Limousine Commission –
Submitting its approval of an application for a renewal base station
license B.A.L. Car Service, Council District 41, pursuant to Section
19-511(i), of the administrative code of the city of New York.**

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

- M 1634-2009 Communication from the Taxi & Limousine Commission –
Submitting its approval of an application for a renewal base station
license Barrios Car Service, Council District 8, pursuant to Section
19-511(i), of the administrative code of the city of New York.**

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

- M 1635-2009 Communication from the Taxi & Limousine Commission –
Submitting its approval of an application for a renewal base station
license City Line Car Service Inc., Council District 32, pursuant to
Section 19-511(i), of the administrative code of the city of New York.**

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

- M 1636-2009** **Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal base station license Dial 7 Car & Limousine Service Inc., Council District 26, pursuant to Section 19-511(i), of the administrative code of the city of New York.**

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

- M 1637-2009** **Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal base station license Harlem Transportation Corp., Council District 9, pursuant to Section 19-511(i), of the administrative code of the city of New York.**

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

- M 1638-2009** **Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal base station license High Class Bronx Limo. Car Service Corp., Council District 14, pursuant to Section 19-511(i), of the administrative code of the city of New York.**

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

- M 1639-2009** **Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal base station license Mexicana Car Service Inc., Council District 25, pursuant to Section 19-511(i), of the administrative code of the city of New York.**

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

- M 1640-2009** **Communication from the Taxi & Limousine Commission – Submitting its approval of an application for a renewal base station license Personal Touch Car Service, Council District 27, pursuant to Section 19-511(i), of the administrative code of the city of New York.**

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

- M 1641-2009 Communication from the Taxi & Limousine Commission –
Submitting its approval of an application for a renewal base station
license Rainbow Radio Dispatch Inc., Council District 35, pursuant
to Section 19-511(i), of the administrative code of the city of New
York.**

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

- M 1642-2009 Communication from the Taxi & Limousine Commission –
Submitting its approval of an application for a renewal base station
license Rocapulco, Council District 32, pursuant to Section
19-511(i), of the administrative code of the city of New York.**

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

- M 1643-2009 Communication from the Taxi & Limousine Commission –
Submitting its approval of an application for a renewal base station
license Rosedale Base Car Service Corp., Council District 31,
pursuant to Section 19-511(i), of the administrative code of the city
of New York.**

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

- M 1644-2009 Communication from the Taxi & Limousine Commission –
Submitting its approval of an application for a renewal base station
license Spring Creek Management Inc., Council District 46,
pursuant to Section 19-511(i), of the administrative code of the city
of New York.**

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

- M 1645-2009 Communication from the Taxi & Limousine Commission –
Submitting its approval of an application for a renewal base station
license Target Transportation Corp., Council District 11, pursuant
to Section 19-511(i), of the administrative code of the city of New
York.**

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

- M 1646-2009 Communication from the Taxi & Limousine Commission –
Submitting its approval of an application for a renewal base station
license Yours Car Service Inc., Council District 43, pursuant to
Section 19-511(i), of the administrative code of the city of New York.**

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

- M 1647-2009 Communication from the Taxi & Limousine Commission –
Submitting its approval of an application for a renewal and
relocation base station license U.C. Columbus Radio Dispatcher
Inc., Council District 8, pursuant to Section 19-511(i), of the
administrative code of the city of New York.**

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

- M 1648-2009 Communication from the Taxi & Limousine Commission –
Submitting its approval of an application for a renewal and
ownership change base station license Easy Limo. Leasing Inc.,
Council District 24, pursuant to Section 19-511(i), of the
administrative code of the city of New York.**

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

- M 1649-2009 Communication from the Taxi & Limousine Commission –
Submitting its approval of an application for a renewal and
ownership change base station license Island-Wide Car & Limo.
Service Inc., Council District 50, pursuant to Section 19-511(i), of
the administrative code of the city of New York.**

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

6. Petitions and Communications

None

7. Land Use Call-Ups

M 1650-2009 **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 202 West 14th Street, Community Board 2, Application 20105191 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 1651-2009 **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 212 Lafayette Street, Community Board 2, Application 20095546 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 1652-2009 **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 98 Kenmare Street, Community Board 2, Application 20105053 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 1653-2009 **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 nos. C 090236 MMX, C 090237 MMX and C090438 PPX and shall be subject to Council review. These applications are related to application no. C 090437 ZMX that is subject to Council review pursuant to Section 197-d of the New York City Charter.

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

M 1654-2009 **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 090408 MMM, C 090435 ZSM and
C090436 ZSM and shall be subject to Council review. These
applications are related to application nos. N 090429 ZRM, C 090430
ZMM, C 090433 ZMM and N 090434 ZRM that is subject to Council
review pursuant to Section 197-d of the New York City Charter.

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

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, 48 -

Arroyo, 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, Seabrook, Sears, Stewart,
 Ulrich, Vacca, Vallone Jr., Vann, Weprin, White Jr. and Yassky

Excused, 2 -

Baez and Sanders 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 Consumer Affairs

Int 1070-2009 A Local Law to amend the administrative code of the city of New York, in relation to distressed property consultants.

Attachments: Int. No. 1070 - 8/20/09, Committee Report 10/6/09, Hearing Transcript 10/6/09, Committee Report 10/27/09, 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

Res 2240-2009 Resolution approving the new designation and changes in the designation of certain organizations to receive funding in the Fiscal 2010 Expense Budget.

Attachments: Committee Report

This Resolution was Approved, by Council

LU 1243-2009 228 West 17th Street Manhattan, Community District No. 4, Council District No. 3.

Attachments: Memorandum, Resolution

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

Res 2241-2009 Resolution approving a full exemption from real property taxes for property located at 228 West 17th Street (Block 766, Lot 60) Manhattan, pursuant to Section 577 of the Private Housing Finance Law (L.U. No. 1243).

Attachments: Memorandum

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

Report of the Committee on Housing and Buildings

Int 0874-2008 A Local Law to amend the administrative code of the city of New York, in relation to methane and radon gas vent piping, the approval of mechanical joint piping systems and the approval of non-code prescribed drainage vent systems.

Attachments: Int. No. 874 - 11/19/08, Proposed Int. No. 874-A - 1/23/09, Witness List, Committee Report 10/15/09, Hearing Transcript 10/15/09, Committee Report 10/28/09, Committee Report - Stated Meeting 10/28/09, Fiscal Impact Statement

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

Report of the Committee on Land Use

LU 1225-2009 **Uniform land use review procedure application no. C 090447 HAK, an Urban Development Action Area Designation and Project, located at 228 Riverdale Avenue, and the disposition of such property, Borough of Brooklyn, Council District no. 42. 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.**

Attachments: Land Use Calendar - Week of October 5 - October 9, 2009, Hearing Transcript - Planning 10/6/09, Land Use Calendar - Week of October 26 - October 30, 2009, Deferral of the Planning Subcommittee Meeting to 10-27-2009

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

Res 2242-2009 **Uniform land use review procedure application no. C 090447 HAK, an Urban Development Action Area Designation and Project, located at 228 Riverdale Avenue, and the disposition of such property, Borough of Brooklyn, Council District no. 42. 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 Resolution be Approved, by Council approved by Consent Roll Call.

LU 1226-2009 **Uniform land use review procedure application no. C 090374 HAM, an Urban Development Action Area Designation and Project, located at 138-150 West 128th 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.**

Attachments: Land Use Calendar - Week of October 26 - October 30, 2009, Deferral of the Planning Subcommittee Meeting to 10-27-2009

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

Res 2243-2009 Uniform land use review procedure application no. C 090374 HAM, an Urban Development Action Area Designation and Project, located at 138-150 West 128th 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 Resolution be Approved, by Council approved by Consent Roll Call.

LU 1231-2009 Uniform land use review procedure application no. C 090467 HAK, an Urban Development Action Area Designation and Project, located at 660 Jerome Avenue and 741 Barbey Street, and the disposition of such property, Borough Brooklyn, Council District no. 42. 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.

Attachments: Land Use Calendar - Week of October 26 - October 30, 2009, Deferral of the Planning Subcommittee Meeting to 10-27-2009

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

Res 2244-2009 Uniform land use review procedure application no. C 090467 HAK, an Urban Development Action Area Designation and Project, located at 660 Jerome Avenue and 741 Barbey Street, and the disposition of such property, Borough Brooklyn, Council District no. 42. 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 Resolution be Approved, by Council approved by Consent Roll Call.

LU 1232-2009 **Application no. 20095520 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of Taboon Restaurant Corp., to continue to, maintain and operate an unenclosed sidewalk café located at 773 Tenth Avenue, 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 October 26 - October 30, 2009

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

Res 2245-2009 **Application no. 20095520 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of Taboon Restaurant Corp., to continue to, maintain and operate an unenclosed sidewalk café located at 773 Tenth Avenue, 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 1236-2009 **Application no. C 060419 ZMQ, submitted by Parkway Properties, LLC, 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 19b, by establishing within an existing R3-1 District a C1-3 District.**

Attachments: Land Use Calendar - Week of October 5 - October 9, 2009, Land Use Calendar - Week of October 26 - October 30, 2009, Reconvening of the Recessed Subcommittee Meeting, Hearing Transcript - Zoning 10/6/09, Hearing Transcript - Zoning 10/8/09

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

Res 2246-2009 **Application no. C 060419 ZMQ, submitted by Parkway Properties, LLC, 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 19b, by establishing within an existing R3-1 District a C1-3 District.**

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

LU 1241-2009 **Application no. 20105079 HAK, an Urban Development Action Area Project known as ACA Site 3, located in Community Boards 4, 5 and 16, Council District no. 37 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.**

Attachments: Land Use Calendar - Week of October 5 - October 9, 2009, Land Use Calendar - Week of October 26 - October 30, 2009, Hearing Transcript - Planning 10/6/09, Deferral of the Planning Subcommittee Meeting to 10-27-2009

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

Res 2247-2009 **Application no. 20105079 HAK, an Urban Development Action Area Project known as ACA Site 3, located in Community Boards 4, 5 and 16, Council District no. 37 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.**

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

LU 1242-2009 **Application no. 20105080 HAK, an Urban Development Action Area Project known as ACA Site 2, located in Community Board 3, Council District no. 36 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.**

Attachments: Land Use Calendar - Week of October 5 - October 9, 2009, Land Use Calendar - Week of October 26 - October 30, 2009, Hearing Transcript - Planning 10/6/09, Deferral of the Planning Subcommittee Meeting to 10-27-2009

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

Res 2248-2009 **Application no. 20105080 HAK, an Urban Development Action Area Project known as ACA Site 2, located in Community Board 3, Council District no. 36 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.**

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

LU 1245-2009 **Application no. C 090462 ZMK 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, Section Nos. 16a and 16c.**

Attachments: Land Use Calendar - Week of October 26 - October 30, 2009

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

Res 2249-2009 **Application no. C 090462 ZMK 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, Section Nos. 16a and 16c.**

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

LU 1246-2009 **Application no. C 090308 ZMK submitted by the Eldert Lane Residential Development, Ltd. and the Department of Parks and Recreation pursuant to Sections 197-c and 201 of the New York City Charter, for an amendment of the Zoning Map, Section Nos. 18a to rezone two city blocks from R5 to R6A.**

Attachments: Land Use Calendar - Week of October 26 - October 30, 2009

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

Res 2250-2009 **Application no. C 090308 ZMK submitted by the Eldert Lane Residential Development, Ltd. and the Department of Parks and Recreation pursuant to Sections 197-c and 201 of the New York City Charter, for an amendment of the Zoning Map, Section Nos. 18a to rezone two city blocks from R5 to R6A.**

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

LU 1247-2009 **Application no. C 090307 MMK submitted by the Eldert Lane Residential Development, Ltd and the Department of Parks and Recreation pursuant to §197-c and 199 of the New York City Charter and Section 5-430 of the Administrative Code an amendment of the City Map, Community Board 5, Borough of Brooklyn .**

Attachments: Land Use Calendar - Week of October 26 - October 30, 2009

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

Res 2251-2009 **Application no. C 090307 MMK submitted by the Eldert Lane Residential Development, Ltd and the Department of Parks and Recreation pursuant to §197-c and 199 of the New York City Charter and Section 5-430 of the Administrative Code an amendment of the City Map, Community Board 5, Borough of Brooklyn .**

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

LU 1248-2009 **Application no. 20095703 SCX, a proposed site for a new approximately 380 seat Primary School Facility, to be located at 2126 Barnes Avenue (Block 4293, Lot 31), Council District No. 13, Borough of The Bronx. This matter is subject to Council review and action pursuant Section 1732 of the New York State Public Authorities Law.**

Attachments: Land Use Calendar - Week of October 26 - October 30, 2009

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

Res 2252-2009 **Application no. 20095703 SCX, a proposed site for a new approximately 380 seat Primary School Facility, to be located at 2126 Barnes Avenue (Block 4293, Lot 31), Council District No. 13, Borough of The Bronx. This matter is subject to Council review and action pursuant Section 1732 of the New York State Public Authorities Law.**

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

LU 1249-2009 **Application no. 20105185 HAR, an amendment to an Urban Development Action Area Project located at 551 and 571 Bay Street, Council District no. 49 Borough of Staten Island. This matter is subject to Council review and action pursuant to Article 16 of the New York General Municipal Law.**

Attachments: Deferral of the Planning Subcommittee Meeting to 10-27-2009

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

Res 2253-2009 **Application no. 20105185 HAR, an amendment to an Urban Development Action Area Project located at 551 and 571 Bay Street, Council District no. 49 Borough of Staten Island. This matter is subject to Council review and action pursuant to Article 16 of the New York General Municipal Law.**

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

Report of the Committee on Transportation

Int 0947-2009 **A Local Law to amend the administrative code of the city of New York, in relation to unattended vehicles.**

Attachments: Int. No. 947 - 3/24/09, Committee Report 10/8/09, Hearing Transcript 10/8/09, Committee Report 10/27/09, Fiscal Impact Statement

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

Affirmative, 47 -

Arroyo, Avella, Barron, Brewer, Comrie Jr., Crowley, de Blasio, Dickens, 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, Seabrook, Sears, Stewart, Ulrich, Vacca, Vallone Jr., Vann, Weprin, White Jr. and Yassky

Negative, 1 -

Dilan

Excused, 2 -

Baez and Sanders Jr.

Int 1023-2009 A Local Law to amend the administrative code of the city of New York, in relation to displaying a passengers' bill of rights in commuter vans.

Attachments: Int. No. 1023 - 6/10/09, Committee Report 10/8/09, Hearing Transcript 10/8/09, Committee Report 10/27/09, Fiscal Impact Statement

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

12. General Orders Calendar

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.

Attachments: Land Use Calendar - Week of October 5 - October 9, 2009, Reconvening of the Recessed Subcommittee Meeting, Hearing Transcript - Zoning 10/6/09, Hearing Transcript - Zoning 10/8/09, Hearing Transcript - Land Use 10/8/09, Hearing Transcript - Stated Meeting 10/14/09

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

Affirmative, 45 -

Arroyo, Brewer, Comrie Jr., Crowley, de Blasio, Dickens, Dilan, Eugene, Felder, Ferreras, Fidler, Foster, 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, Seabrook, Sears, Stewart, Ulrich, Vacca, Vallone Jr., Vann, Weprin, White Jr. and Yassky

Negative, 3 -

Avella, Barron and Garodnick

Excused, 2 -

Baez and Sanders Jr.

Res 2254-2009 **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.**

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

Affirmative, 45 -

Arroyo, Brewer, Comrie Jr., Crowley, de Blasio, Dickens, Dilan, Eugene, Felder, Ferreras, Fidler, Foster, 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, Seabrook, Sears, Stewart, Ulrich, Vacca, Vallone Jr., Vann, Weprin, White Jr. and Yassky

Negative, 3 -

Avella, Barron and Garodnick

Excused, 2 -

Baez and Sanders Jr.

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.**

Attachments: Land Use Calendar - Week of October 5 - October 9, 2009, Reconvening of the Recessed Subcommittee Meeting, Hearing Transcript - Zoning 10/6/09, Hearing Transcript - Zoning 10/8/09, Hearing Transcript - Land Use 10/8/09, Hearing Transcript - Stated Meeting 10/14/09

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

Affirmative, 45 -

Arroyo, Brewer, Comrie Jr., Crowley, de Blasio, Dickens, Dilan, Eugene, Felder, Ferreras, Fidler, Foster, 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, Seabrook, Sears, Stewart, Ulrich, Vacca, Vallone Jr., Vann, Weprin, White Jr. and Yassky

Negative, 3 -

Avella, Barron and Garodnick

Excused, 2 -

Baez and Sanders Jr.

Res 2255-2009 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.

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

Affirmative, 45 -

Arroyo, Brewer, Comrie Jr., Crowley, de Blasio, Dickens, Dilan, Eugene, Felder, Ferreras, Fidler, Foster, 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, Seabrook, Sears, Stewart, Ulrich, Vacca, Vallone Jr., Vann, Weprin, White Jr. and Yassky

Negative, 3 -

Avella, Barron and Garodnick

Excused, 2 -

Baez and Sanders Jr.

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 - Stated Meeting 12/18/08, 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, Hearing Transcript - Stated Meeting 9/17/09, Hearing Transcript - Stated Meeting 9/30/09, Hearing Transcript - Stated Meeting 10/14/09

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

Coupled on General Order Calendar

Consumer Affairs

Int 1070-2009 A Local Law to amend the administrative code of the city of New York, in relation to distressed property consultants.

Attachments: Int. No. 1070 - 8/20/09, Committee Report 10/6/09, Hearing Transcript 10/6/09, Committee Report 10/27/09, Fiscal Impact Statement

Finance

Res 2240-2009 Resolution approving the new designation and changes in the designation of certain organizations to receive funding in the Fiscal 2010 Expense Budget.

Attachments: Committee Report

Res 2241-2009 Resolution approving a full exemption from real property taxes for property located at 228 West 17th Street (Block 766, Lot 60) Manhattan, pursuant to Section 577 of the Private Housing Finance Law (L.U. No. 1243).

Attachments: Memorandum

Housing and Buildings

Int 0874-2008 A Local Law to amend the administrative code of the city of New York, in relation to methane and radon gas vent piping, the approval of mechanical joint piping systems and the approval of non-code prescribed drainage vent systems.

Attachments: Int. No. 874 - 11/19/08, Proposed Int. No. 874-A - 1/23/09, Witness List, Committee Report 10/15/09, Hearing Transcript 10/15/09, Committee Report 10/28/09, Committee Report - Stated Meeting 10/28/09, Fiscal Impact Statement

Land Use

- Res 2242-2009** Uniform land use review procedure application no. C 090447 HAK, an Urban Development Action Area Designation and Project, located at 228 Riverdale Avenue, and the disposition of such property, Borough of Brooklyn, Council District no. 42. 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.
- Res 2243-2009** Uniform land use review procedure application no. C 090374 HAM, an Urban Development Action Area Designation and Project, located at 138-150 West 128th 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.
- Res 2244-2009** Uniform land use review procedure application no. C 090467 HAK, an Urban Development Action Area Designation and Project, located at 660 Jerome Avenue and 741 Barbey Street, and the disposition of such property, Borough Brooklyn, Council District no. 42. 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.
- Res 2245-2009** Application no. 20095520 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of Taboon Restaurant Corp., to continue to, maintain and operate an unenclosed sidewalk café located at 773 Tenth Avenue, 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 2246-2009** Application no. C 060419 ZMQ, submitted by Parkway Properties, LLC, 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 19b, by establishing within an existing R3-1 District a C1-3 District.

- Res 2247-2009** **Application no. 20105079 HAK, an Urban Development Action Area Project known as ACA Site 3, located in Community Boards 4, 5 and 16, Council District no. 37 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.**
- Res 2248-2009** **Application no. 20105080 HAK, an Urban Development Action Area Project known as ACA Site 2, located in Community Board 3, Council District no. 36 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.**
- Res 2249-2009** **Application no. C 090462 ZMK 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, Section Nos. 16a and 16c.**
- Res 2250-2009** **Application no. C 090308 ZMK submitted by the Eldert Lane Residential Development, Ltd. and the Department of Parks and Recreation pursuant to Sections 197-c and 201 of the New York City Charter, for an amendment of the Zoning Map, Section Nos. 18a to rezone two city blocks from R5 to R6A.**
- Res 2251-2009** **Application no. C 090307 MMK submitted by the Eldert Lane Residential Development, Ltd and the Department of Parks and Recreation pursuant to §197-c and 199 of the New York City Charter and Section 5-430 of the Administrative Code an amendment of the City Map, Community Board 5, Borough of Brooklyn .**

Res 2252-2009 **Application no. 20095703 SCX, a proposed site for a new approximately 380 seat Primary School Facility, to be located at 2126 Barnes Avenue (Block 4293, Lot 31), Council District No. 13, Borough of The Bronx. This matter is subject to Council review and action pursuant Section 1732 of the New York State Public Authorities Law.**

Res 2253-2009 **Application no. 20105185 HAR, an amendment to an Urban Development Action Area Project located at 551 and 571 Bay Street, Council District no. 49 Borough of Staten Island. This matter is subject to Council review and action pursuant to Article 16 of the New York General Municipal Law.**

Transportation

Int 0947-2009 **A Local Law to amend the administrative code of the city of New York, in relation to unattended vehicles.**

Attachments: Int. No. 947 - 3/24/09, Committee Report 10/8/09, Hearing Transcript 10/8/09, Committee Report 10/27/09, Fiscal Impact Statement

Int 1023-2009 **A Local Law to amend the administrative code of the city of New York, in relation to displaying a passengers' bill of rights in commuter vans.**

Attachments: Int. No. 1023 - 6/10/09, Committee Report 10/8/09, Hearing Transcript 10/8/09, Committee Report 10/27/09, Fiscal Impact Statement

General Order Calendar

Res 2254-2009 **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.**

Res 2255-2009 **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.**

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 - Stated Meeting 12/18/08, 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, Hearing Transcript - Stated Meeting 9/17/09, Hearing Transcript - Stated Meeting 9/30/09, Hearing Transcript - Stated Meeting 10/14/09

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, 48 -

Arroyo, 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, Seabrook, Sears, Stewart, Ulrich, Vacca, Vallone Jr., Vann, Weprin, White Jr. and Yassky

Excused, 2 -

Baez and Sanders Jr.

The following files were removed from the General Order Calendar and voted separately:

Int No. 947-A, 47-1-0;

LU No. 1219 & Res No. 2254. 45-3-0;

LU No. 1220 & Res No. 2255, 45-3-0.

See files for individual votes.

13. Introduction & Reading of Bills
See Attached
14. Discussion of Resolutions
15. Resolutons

Res 2166-2009 **Resolution calling upon the federal government to pass H.R. 658, which would help to increase community input as the United States Postal Service reorganizes branches throughout the city of New York and the country, and also calling upon the Postal Service to use a significant portion of the \$3.5 billion increase in its operating budget, received when President Obama signed into law Public Law 111-68, to prevent the closing of as many postal locations as possible throughout the City and the nation.**

Attachments: Committee Assignment Change, Res. No. 2166 - 9/17/09, Committee Report 10/20/09, Committee Report 10/27/09

Pursuant to Rule 8.50 of the Council, the President Pro Tempore (Council Member Rivera) called for a voice vote. Hearing no objections, the President Pro Tempore (Council Member Rivera) 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.

16. General Discussion

17. Extension of Remarks

INTRODUCTION AND READING OF BILLS

Res 2235-2009 **Resolution calling upon President Obama and the 111th Congress to use federal stimulus funds from the American Recovery and Reinvestment Act to prevent the closure of United States Postal Service facilities throughout the City of New York.**

Sponsors: By Council Member Avella

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

Int 1093-2009 **A Local Law to amend the administrative code of the city of New York, in relation to firefighter applicants who have completed high school in the city.**

Sponsors: By Council Member Comrie Jr.

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

Res 2236-2009 **Resolution calling upon the New York State Legislature, the New York Board of Elections, the New York United States Senators, the New York Congressional delegation, and the New York Governor, to take all appropriate actions that may be necessary to enable New York counties to continue using lever voting machines supplemented by accessible voting technology for people with disabilities.**

Sponsors: By Council Member Foster

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

Int 1094-2009 **A Local Law to amend the administrative code of the city of New York, in relation to requiring the New York City Police Department to make certain traffic-related statistics available through its website.**

Sponsors: By Council Member Lappin

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

Res 2237-2009 **Resolution urging the U.S. State Department to reverse its decision to no longer require foreign governments to pay property taxes on non-exempt diplomatic residences.**

Sponsors: By Council Member Nelson

This Resolution was Referred to Comm by Council to the Committee on Cultural Affairs, Libraries and International Intergroup Relations

Res 2238-2009 **Resolution urging the United States Congress to pass the Caregiver Assistance and Resource Enhancement Act, to provide certain caregivers of veterans with training, support, and medical services.**

Sponsors: By Council Member Nelson

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

Res 2239-2009 **Resolution calling on the Department of Homeless Services to locate transitional housing of the same approximate capacity in succession by borough.**

Sponsors: By Council Members Vann, Koppell and Arroyo

This Resolution was Referred to Comm by Council to the Committee on General Welfare

Res 2240-2009 **Resolution approving the new designation and changes in the designation of certain organizations to receive funding in the Fiscal 2010 Expense Budget.**

Sponsors: By Council Member Weprin

Attachments: Committee Report

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

LU 1249-2009 **Application no. 20105185 HAR, an amendment to an Urban Development Action Area Project located at 551 and 571 Bay Street, Council District no. 49 Borough of Staten Island. This matter is subject to Council review and action pursuant to Article 16 of the New York General Municipal Law.**

Sponsors: By Council Member Katz

Attachments: Deferral of the Planning Subcommittee Meeting to 10-27-2009

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

Attachments: Deferral of the Planning Subcommittee Meeting to 10-27-2009

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

LU 1250-2009 **Application no. 20105186 HAK, an Urban Development Action Area Project located at 64 Harman Street, 1231 Putnam Avenue and 69 Cornelia Street, Council District no. 34 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

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 1251-2009 **Application no. 20095546 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of 212 Lafayette Associates LLC. d/b/a Café Street, to establish maintain and operate an unenclosed sidewalk café located at 212 Lafayette 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 1252-2009 **Application no. 20105053 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of 98 Kenmare Restaurant Group LLC. d/b/a Civetta, to establish maintain and operate an unenclosed sidewalk café located at 98 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 1253-2009 **Application no. M 770073(A) ZMX submitted by FGP West Street LLC for a modification to Restrictive Declaration D-28 (C 770073 ZMX) involving: property located at 1800 Williamsbridge Road (Block 4200, Lots 35 & 46), in an R4/C1-2 District.**

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 1254-2009 **Application no. C 090096 ZMK submitted by Tibetan LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 12c, by establishing within an existing R6B District a C2-4 District.**

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 1255-2009 **Application no. C 080039 ZMM submitted by West 129th Street Realty I LLC and West 129th Street Realty II LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section 6a, changing from an R7-2 District to an R7A District and changing from an M1-1 District to an R7A**

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 1256-2009 **Application no. C 090236 MMX submitted by the Economic Development Corporation and Related Retail Armory, LLC pursuant to Sections 197-c and 199 of the New York City Charter, and Section 5-430 et seq. of the New York City Administrative Code, for an amendment to the City Map. 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 1257-2009 **Application no. C 090237 MMX submitted by the Economic Development Corporation pursuant to Sections 197-c and 199 of the New York City Charter, and Section 5-430 et seq. of the New York City Administrative Code, for an amendment to the City Map. 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 1258-2009 **Application no. C 090437 ZMX submitted by Related Retail Armory, LLC and the Economic Development Corporation pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 3c: changing from an R6 District to a C4-4 District property bounded by West 195th Street*, Jerome Avenue, West Kingsbridge Road, and Reservoir Avenue.**

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 1259-2009 **Application no. C 090438 PPX submitted by the Department of Citywide Administrative Services (DCAS), pursuant to Section 197-c of New York City Charter, for the disposition of one city-owned property located at 29 West Kingsbridge Road (Block 3247, Lots 10 and p/o 2), pursuant to zoning. 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 1260-2009 **Application no C 090408 MMM. submitted by the Department of City Planning pursuant to Sections 197-c and 199 of the New York City Charter, for an amendment to the City Map involving a change in grade on West 33rd Street, between Eleventh and Twelfth Avenues. 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 1261-2009 **Application no. C 090422 HAM submitted by the Department of Housing Preservation and Development (HPD) pursuant to Article 16 of the General Municipal Law of New York State for: the designation of property located at West 48th and West 49th streets, west of 10th Avenue (Block 1077, part of Lot 29), as an Urban Development Action Area; and an Urban Development Action Area Project for such area; and pursuant to Section 197-c of the New York City Charter for the disposition of such property to a developer to be selected by HPD; to facilitate the development of a mixed-use building, tentatively known as The Westside Rail Yards/DEP Site, with residential and retail space.**

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 1262-2009 **Application no. C 090423 HAM submitted by the Department of Housing Preservation and Development (HPD):1) pursuant to Article 16 of the General Municipal Law of New York State for: a. the designation of property located at 806 Ninth Avenue (Block 1044, p/o Lot 3); as an Urban Development Action Area; and an Urban Development Action Area Project for such area; and pursuant to Section 197-c of the New York City Charter for the disposition of such property to a developer to be selected by HPD; to facilitate the development of a mixed-use building, tentatively known as the Westside Rail Yard/MTA Site, with residential and commercial space.**

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 1263-2009 **Application no. N 090429 ZRM 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, concerning Article IX Chapter 6 (Special Clinton District), Borough of Manhattan, Community District 4.**

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 1264-2009 **Application no. C 090430 ZMM submitted by New York City Department of City Planning pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 8c: establishing within an existing R8 District a C1-5 District.**

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 1265-2009** **Application no. C 090433 ZMM submitted by RG WRY LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 8b changing from an M2-3 District to a C6-4 District.**
- 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
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- LU 1266-2009** **Application no. N 090434 ZRM submitted by RG WRY 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 IX, Chapter 3 (Special Hudson Yards District) relating to the addition of Western Rail Yard Subdistrict F and the expansion of the Special Hudson Yards District, Community District 4, Borough of Manhattan.**
- 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
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- LU 1267-2009** **Application no. C 090435 ZSM submitted by RG WRY LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Sections 93-052* and 13-561 of the Zoning Resolution to allow an attended accessory parking garage (North Parking Garage) with a maximum capacity of 1100 spaces on portions of the ground floor and plaza level of a proposed mixed-use development (Block 676, Lot 3), in a C6-4 District, within the Special Hudson Yards District. 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 1268-2009 **Application no. C 090436 ZSM submitted by RG WRY LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Sections 93-052* and 13-561 of the Zoning Resolution to allow an attended accessory parking garage (South Parking Garage) with a maximum capacity of 800 (Block 676, Lot 3), in a C6-4 District within the Special Hudson Yards District. 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 1269-2009 **Uniform land use review procedure application no. C 100014 HAK an Urban Development Action Area Designation and Project and the disposition of such property, located at 371 Van Siclen Avenue, Borough of Brooklyn, Council District no. 37. 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

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 1270-2009 **Application no. 20105191 TCM, pursuant to §20-226 of the Administrative Code of the City of New York, concerning the petition of Caswell/Pearson Enterprises, Ltd., to continue to maintain and operate an unenclosed sidewalk café located at 202 West 14th 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

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 Tuesday November 17, 2009.

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