



Legislation Text

File #: Int 0092-2004, **Version:** *

Int. No. 92

By Council Members McMahon, Comrie, Gennaro, Quinn, Sanders, Lanza, Boyland and Clarke

A Local Law to amend the Administrative Code of the City of New York, in relation to preserving land at the Fresh Kills landfill which was used as a recovery and investigation site after September 11, 2001.

Be it enacted by the Council as follows:

Section 1. Declaration of legislative findings and intent. The Council hereby finds that there is a shortage of parks within the City to provide the necessary facilities for fresh air and recreation for the growing population, and that the creation and establishment of parks is essential to the health, comfort and welfare of the citizens of the City. The Council recognizes that the 175 acres of land in the Section 1/9 of the Fresh Kills Landfill was used for recovery and investigation of the incidents of September 11, 2001 at the World Trade Center. The Council believes that these sections should be set aside as parkland and for a future memorial, not only for the victims of September 11, 2001, but also as a dedication to the efforts of crime scene investigators and forensic experts who, over a ten month span, discovered more than 54,000 personal items and 1,400 human remains among the 1.62 million tons of debris sifted through at this section of the Fresh Kills Landfill.

§2. Chapter 1 of title 18 of the of the administrative code of the city of New York is amended by adding thereto a new section, 18-134, to read as follows:

§ 18-134 Fresh Kills Recovery Park. a. Notwithstanding the provisions of section three hundred eighty-three of the New York city charter and section twenty of the general city law, the city, acting by the commissioner shall designate as parkland all that certain plot, piece or parcel of land, known as section 1/9 of the Fresh Kills Landfill, with the buildings, materials and improvements thereon erected, situate, lying and being in the Borough of Staten Island, city and state of New York, including the rights of way on any and all

access and egress roads to and from section 1/9.

b. The transfer of jurisdiction to the department shall take place immediately upon the completion of the tasks set forth in any approved Fresh Kills landfill closure plans. The designation of section 1/9 as parkland is not intended to and shall not impair or impede the closure of the Fresh Kills landfill nor shall it have any effect or release any agency or other entity from any responsibilities or requirements in regards to the closure of the Fresh Kills landfill or post-closure procedures or reporting, in accordance with any local, state or federal laws, rules, regulations or requirements.

§ 3. This local law shall take effect immediately upon its enactment.