

*Every two weeks the New York City Council meets for its Stated Meeting to introduce and pass legislation. Gotham Gazette covers these meetings and posts a summary of the bills passed.*

**QUOTE OF THE DAY:**

"Government bureaucracy gives compassion a bad name." - Councilmember Eric Gioia arguing that New Yorkers should be allowed to apply for food stamps online and by fax.

**MEETING SUMMARY:**

**HEALTH CARE SECURITY ACT**

Calling health care coverage a "moral responsibility," the New York City Council passed a bill that requires employers in the grocery and food industry to pay their workers' medical costs.

The legislation ( [Intro 468-A](#) ) dubbed the "Health Care Security Act," requires grocery stores with more than 35 employees to contribute \$2.50 toward health care for each hour an employee works, or \$5,000 a year for a full-time employee.

Employers can pay the money into an insurance plan or reimburse workers for medical bills. Those that fail to comply face fines equal to the amount of health coverage.

The council estimates that the legislation will apply to 300 grocery stores and ensure health care coverage for 27,000 workers. It also applies to large chain stores - like Wal-Mart - that dedicate more than 10,000 square feet of their buildings to food.

"For a hard day's work, you should get the health care you deserve," said Councilmember Christine Quinn, who helped draft the bill.

The council argues that the measure will save taxpayers money because uninsured workers will no longer have to enroll in government programs or use emergency rooms as their only option for medical care.

The bill has support from companies like Fairway, Gristedes, D'Agostinos, Key Food, and Pathmark, as well as many local unions.

Mayor Michael Bloomberg opposes the measure, arguing that it violates the federal [Employee Retirement Income Security Act](#), which limits state and local government involvement in employee benefits. He also says it unfairly targets the grocery industry, and he has vowed to veto the measure.

The measure passed the council by a vote of 46 to 1; only Republican Councilmember Andrew Lanza voted "no." The council only needs 34 votes to override a mayoral veto.

Supporters of the bill see it as a pilot program and would like to extend the same regulations to building service employers, construction companies, and the hotel industry in the future.

## **FOOD STAMPS**

The council also overrode a series of vetoes from Mayor Bloomberg.

Three of the bills aim at expanding the city's food stamp program. The council argues that 500,000 New Yorkers who are eligible for the federally funded program do not receive them because regulations are too cumbersome.

"Government bureaucracy gives compassion a bad name," said Councilmember Eric Gioia, who promised the measures would make it easier for needy families and their children to get the food.

[Intro 593-A](#) allows people to submit food stamp applications online.

[Intro 594-A](#) ensures that food stamp applications are available in city-funded food pantries and

shelters.

And [Intro 615-A](#) will require the city to accept food stamp applications by fax and allow applicants to skip in-person interviews in cases of hardship.

Critics - including Mayor Bloomberg - say the measures open up the system to fraud. Supporters say that if more people are enrolled in the program the city will get hundreds of millions in federal aid that will be spent in local stores and bodegas.

The council overrode the mayor's veto by a vote of 43 to 4. Three Republican Councilmembers Dennis Gallagher, Andrew Lanza, and James Oddo and Democrat Madeline Provenzano voted "no." (Councilmember Peter Vallone, Jr. abstained from votes on Intro 594-A and 615-A).

### **TENANT EMPOWERMENT ACT**

The council also overrode the mayor's veto of [Intro 186-A](#), known as the "Tenant Empowerment Act." The legislation would give tenants of subsidized housing the right to purchase a building if the owner tries to sell it.

Under the bill, if the owner of a building in the [Mitchell-Lama](#) program or with a significant population of [Section 8 tenants](#) wants to sell a property, they must give residents 12 months notice. The tenants would then have the "first rights" to purchase the building at a fair-market value.

"If we do not pass this, we will evict tens of thousands of New Yorkers," said Councilmember Alan Gerson who drafted the measure. "We will never be able to make up for the affordable housing that is lost."

The mayor argues that it puts an unfair burden on property owners.

The council overrode the veto by a vote of 44 to 3. Republicans Dennis Gallagher, Andrew

Lanza, and James Oddo voted "no."

### **WETLAND PROTECTION**

In an effort to save the city's wetlands - fragile bay area ecosystems that house plant, bird, and aquatic life - the council voted to create a task force which will look into transferring city-owned land to the parks department.

The measure (Intro 566-A) creates a seven-member panel - with three members appointed by the Speaker of the Council and four appointed by the mayor - to make recommendations on which city-owned wetlands would be better protected by the parks department.

"The city has lost more than 85 percent of its wetlands and continues to lose them at a great rate," said Councilmember James Gennaro.

The measure passed unanimously.

### **SIDEWALK FOOD VENDORS**

The most vigorous debate of the council meeting was not over health care, food stamps, or housing, but over the city's sidewalks and how they are used.

The council voted on a bill (Intro 699-A) that bars permits for so-called "stoop-line" stands - sidewalk stands for fruits, vegetables, candy, ice cream or soft drinks - unless the city's Department of Transportation certifies that they will not block pedestrian traffic.

Councilmember John Liu, who drafted the legislation, said that such regulations already exist, but that the city does not enforce them. As a result, pedestrians are too often blocked from walking down the sidewalk.

"The sidewalks of New York City are meant for people to walk safely," said Liu.

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However, several council members raised questions about the bill, arguing that it will hurt vendors, particularly immigrants.

"These are small merchants, many of them don't know the language well," said Councilmember Oliver Koppell. "We are placing impediments on them to earn a livelihood."

Others raised questions about the process, asking why the bill, which had just one hearing earlier in the morning, was moved onto the council's schedule for a vote, while other bills languish for months or years.

"I know that it's the political season and it's important for people to get bills passed, but we owe it to ourselves and our constituents to do better," said Councilmember Simcha Felder.

After much debate, the bill passed by a vote of 36 to 9 with two abstentions.

Tony Avella, Erik Dilan, Simcha Felder, Oliver Koppell, Margarita Lopez, Michael Nelson, Madeline Provenzano, Hiram Monserrate, and David Yassky voted "no." Charles Barron and Tish James abstained.

Councilmember Maria Baez, Allan Jennings, Anabel Palma, and Phil Reed were absent.

The meeting was the last before the Primary Election Day. The next City Council Stated Meeting is scheduled for September 15, 2005.

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