



THE CITY RECORD

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THE CITY RECORD

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MARTHA K. HIRST, Commissioner, Department of Citywide Administrative Services.
ELI BLACHMAN, Editor of The City Record.

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PUBLIC HEARINGS AND MEETINGS

See Also: Procurement; Agency Rules

AGING

■ PUBLIC HEARINGS

CANCELLATION OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a Contract Public Hearing will be held on Friday, July 9, 2010, at the Department for the Aging, 2 Lafayette Street, 4th Floor Conference Room, Borough of Manhattan, commencing at 9:30 A.M. on the following:

IN THE MATTER of a proposed contract between the Department for the Aging of the City of New York and the Contractor listed below to provide technical assistance to DFTA's contractors. The contract term shall be from June 1, 2010 to May 31, 2011 with no renewal options. The contract amount and the Community District in which the program is located are identified below.

Contractor/Address
Community Resource Exchange, Inc.
42 Broadway, 20th Fl., New York, NY 10004

PIN# 12510TECHAST
Amount \$400,000
Boro/CD Citywide

The proposed contract is being funded through a Negotiated Acquisition pursuant to Section 3-04 of the PPB Rules.

Anyone who wishes to speak at this Public Hearing should request to do so in writing. The written request must be received by the Agency within 5 business days after publication of this notice. Written request to speak should be sent to Betty Lee, ACCO at the Dept for the Aging (DFTA), 2 Lafayette St., 4th Fl., N.Y., N.Y. 10007. If DFTA receives no written requests to speak within the prescribed time, DFTA reserves the right not to conduct the Public Hearing.

A draft copy of each of the proposed contract is available for public inspection at the Office of the Department for the Aging, Contract Procurement and Support Services, 2 Lafayette Street, 4th Floor, New York, New York 10007, on business days, from June 25, 2010 to July 9, 2010, excluding Holidays, from 10:00 A.M. to 4:00 P.M.

jjy7-9

BRONX BOROUGH PRESIDENT

■ PUBLIC HEARINGS

A PUBLIC HEARING IS BEING CALLED by the President of the Borough of The Bronx, Honorable Ruben Diaz Jr. on Tuesday, July 13, 2010 at 10:00 A.M. in the office of the Borough President, 851 Grand Concourse, Room 206 on the following item:

CD #3-ULURP APPLICATION NO: C 070550 ZMX-IN THE MATTER OF an application submitted by High Hawk, LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 3d:

1. Changing from a C8-3 District to an R7-1 District property bounded by Boston Road, Hoe Avenue, and East 174th Street; and
2. Establishing within the proposed R7-1 District a C2-4 District on property bounded by Boston Road, Hoe Avenue, and East 174th Street;

Borough of The Bronx, Community District 3, as shown on a diagram (for illustrative purposes only) dated May 10, 2010, and subject to conditions of CEQR Declaration E-521.

CD #6-ULURP APPLICATION NO: C 100407 ZMX-IN THE MATTER OF an application 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. 3c and 3d:

1. Eliminating from within an existing R7-1 District a C1-4 District bounded by East 178th Street, Hughes Avenue, a line 100 feet northeasterly of East Tremont Avenue, Clinton Avenue, a line 150 feet northeasterly of East Tremont Avenue, Marmion Avenue, a line 100 feet southwesterly of East Tremont Avenue, Arthur Avenue, East Tremont Avenue, Third Avenue, a line 100 feet southwesterly of East 178th Street, and a line midway between Third Avenue and Monterey Avenue;
2. Eliminating from within an existing R7-1 District a C2-4 District bounded by:
 - a. East 189th Street, Park Avenue (northwesterly portion), East 188th Street, and Webster Avenue; and
 - b. Quarry Road, East 181st Street, Monterey Avenue and its southwesterly centerline prolongation, a line 100 feet southwesterly of East 180th Street, and Third Avenue;
3. Changing from an R7-1 District to an R5 District property bounded by:
 - a. East 186th Street, Washington Avenue, a line midway between East 185th Street and East 186th Street, a line 300 feet southeasterly of Park Avenue (southeasterly portion), a line midway between East 184th Street and East 185th Street, Washington Avenue, East 184th Street, a line 100 feet southeasterly of Park Avenue (southeasterly portion), a line 130 feet northeasterly of East 184th Street, and Park Avenue (southeasterly portion); and
 - b. East 180th Street, Bathgate Avenue, a line 330 feet northeasterly of East 179th Street, a line midway between Bathgate Avenue and Third Avenue, a line 110 feet northeasterly of East 178th Street, Bathgate Avenue, East 179th Street, Washington Avenue, a line 220 feet northeasterly of East 178th Street, and a line midway between Park Avenue

(southeasterly portion) and Washington Avenue;

4. Changing from an R7-1 District to an R6A District property bounded by:
 - a. Cyrus Place, a line 100 feet westerly of Third Avenue, a line 170 feet southeasterly of Park Avenue (southeasterly portion), a line midway between Cyrus Place and East 178th Street, a line 100 feet westerly of Third Avenue, a line 250 feet southeasterly of Park Avenue (southeasterly portion), East 187th Street, a line 100 feet northwesterly of Washington Avenue, East 186th Street, and Park Avenue (southeasterly portion);
 - b. Park Avenue (southeasterly portion), a line 130 feet northeasterly of East 184th Street, a line 100 feet southeasterly of Park Avenue (southeasterly portion), East 184th Street, Washington Avenue, a line midway between East 184th Street and East 185th Street, a line 300 feet southeasterly of Park Avenue (southeasterly portion), a line midway between East 185th Street and East 186th Street, Washington Avenue, East 185th Street, Bassford Avenue, East 184th Street, a line 130 feet northwesterly of Third Avenue, East 181st Street, Bathgate Avenue, East 180th Street, a line midway between Park Avenue (southeasterly portion) and Washington Avenue, East 183rd Street;
 - c. East 179th Street, Bathgate Avenue, a line 110 feet northeasterly of East 178th Street, a line midway between Bathgate Avenue and Third Avenue, a line 220 feet southwesterly of East 178th Street, Washington Avenue, a line 150 feet northeasterly of East Tremont Avenue, a line 100 feet northwesterly of Washington Avenue, a line 240 feet southwesterly of East 178th Street, a line midway between Park Avenue (southwesterly portion) and Washington Avenue, a line 220 feet northeasterly of East 178th Street, and Washington Avenue; and
 - d. East 180th Street, a line midway between Bathgate Avenue and Third Avenue, a line 330 feet northeasterly of East 179th Street, and Bathgate Avenue;
5. Changing from a C4-4 District to and R6A District property bounded by a line 150 feet northeasterly of East Tremont Avenue, Washington Avenue, a line 340 feet southwesterly of East 178th Street, and a line 100 feet northwesterly of Washington Avenue;
6. Changing from a C8-3 District to an R6A District property bounded by:
 - a. Cyrus Place, a line 170 feet southeasterly of Park Avenue (southeasterly portion), and a line 100 feet westerly of Third Avenue; and
 - b. A line midway between Cyrus Place and East 187th Street, a line 250 feet southeasterly of Park Avenue (southeasterly portion), and a line 100 feet westerly of Third Avenue;
7. Changing from an R7-1 District to an R7X District property bounded by Marmion Avenue, a line 100 feet northeasterly of Tremont Avenue, Honeywell Avenue, a line 150 feet northeasterly of East Tremont Avenue, Daly Avenue, and a line 100 feet southwesterly of East Tremont Avenue;
8. Changing from an R7-1 District to a C4-4A District property bounded by:
 - a. East 181st Street, Monterey Avenue and

- its southwesterly centerline prolongation, a line 100 feet southwesterly of East 180th Street, and Third Avenue;
- b. East 181st Street, a line 100 feet northwesterly of Third Avenue, East 180th Street, and Bathgate Avenue; and
- c. Belmont Avenue, a line 100 feet northeasterly of East Tremont Avenue, Clinton Avenue, a line 150 feet northeasterly of East Tremont Avenue, Marmion Avenue, a line 100 feet southwesterly of East Tremont Avenue, Belmont Avenue, and East Tremont Avenue;
9. Changing from a C8- District to a C4-4A District property bounded by East 181st Street, Third Avenue, a line 330 feet northeasterly of East 179th Street, a line midway between Bathgate Avenue and Third Avenue, and a line 100 feet northwesterly of Third Avenue;
10. Changing from an R7-1 District to a C4-4D District property bounded by East 184th Street, a line 100 feet northwesterly of Third Avenue, East 181st Street, and a line 130 feet northwesterly of Third Avenue;
11. Changing from a C8-3 District to a C4-4D District property bounded by East 184th Street, Third Avenue, East 181st Street, and a line 100 feet northwesterly of Third Avenue;
12. Changing from an R7-1 District to a C4-5X District property bounded by:
- a. East 189th Street, Park Avenue (southeasterly portion), East 188th Street, and Webster Avenue;
- b. Third Avenue, a line 100 feet southwesterly of East 178th Street, a line midway between Third Avenue and Monterey Avenue, a line 110 feet northeasterly of East 178th Street, Monterey Avenue, East 178th Street, Hughes Avenue, line 100 feet northeasterly of East Tremont Avenue, Belmont Avenue, East Tremont Avenue, Belmont Avenue, a line 100 feet southwesterly of East Tremont Avenue, Arthur Avenue, and East Tremont Avenue;
- c. Washington Avenue, a line 220 feet southwesterly of East 178th Street, line midway between Bathgate Avenue and Third Avenue, and a line 150 feet northeasterly of East Tremont Avenue; and
- d. A line 240 feet southwesterly of East 178th Street, a line 100 feet northwesterly of Washington Avenue, a line 150 feet northeasterly of East Tremont Avenue, and a line midway between Park Avenue (southeasterly portion) and Washington Avenue;
13. Changing from a C4-4 District to a C4-5X District property bounded by Webster Avenue, a line 150 feet northeasterly of East Tremont Avenue, the northwesterly boundary line of a railroad right-of-way, (New York and Harlem R.R. Division), a line 150 feet northeasterly of East Tremont Avenue, a line 100 feet northwesterly of Washington Avenue, a line 340 feet southwesterly of East 178th Street, Washington Avenue, a line 150 feet northeasterly of East Tremont Avenue, Third Avenue, a line 330 feet northeasterly of East 176th Street, Bathgate Avenue, a line 150 feet southwesterly of East Tremont Avenue, a line 220 feet northeasterly of East 176th Street, Washington Avenue, a line 150 feet southwesterly of East Tremont Avenue, a line 200 feet northwesterly of East 176th Street, a line 120 feet northwesterly of Washington Avenue, and a line 100 feet northeasterly of East 176th Street;
14. Changing from an M1-1 District to a C4-5X District property bounded by:
- a. A line 220 feet northeasterly of East 178th Street, Park Avenue (northwesterly portion), East 178th Street, and a line 230 feet northwesterly of Park Avenue (northwesterly portion);
- b. Park Avenue (southeasterly portion), a line 240 feet southwesterly of East 178th Street, a line midway between Park Avenue (southeasterly portion) and Washington Avenue, and a line 150 feet northeasterly of East Tremont Avenue;
- c. A line midway between Webster Avenue and Park Avenue (northwesterly portion), a line 300 feet southwesterly of East 178th Street, Park Avenue (northwesterly portion), and a line 150 feet northeasterly of East Tremont Avenue;
15. Changing from an M1-4 District to a C4-5X District property bounded by:
- a. A line 150 feet southwesterly of East Tremont Avenue, Bathgate Avenue, and a line 220 feet northeasterly of East 176th Street;
- b. A line 150 feet southwesterly of East Tremont Avenue, Washington Avenue, and a line 200 feet northeasterly of East 176th Street; and
- c. A line 150 feet southwesterly of East Tremont Avenue, a line 120 feet northwesterly of Washington Avenue, a line 100 feet northeasterly of East 176th Street, and a line midway between Bathgate Avenue and Washington Avenue;
16. Changing from a C8-3 District to a C4-5X District property bounded by:
- a. East 189th Street, a line 100 feet northwesterly of Washington Avenue, a line 100 feet northeasterly of East 188th Street, Washington Avenue, East 188th Street, Third Avenue, Cyrus Place, and Park Avenue (southeasterly portion);
- b. Webster Avenue, line 220 feet northeasterly of East 178th Street, a line 230 feet northwesterly of Park Avenue (northwesterly portion), East 178th Street, a line midway between Webster Avenue and Park Avenue (northwesterly portion), and a line 150 feet northeasterly of Tremont Avenue;
- c. East 178th Street, a line midway between Third Avenue and Monterey Avenue, a line 100 feet southwesterly of East 178th Street, and Third Avenue; and
- d. A line midway between Bathgate Avenue and Third Avenue, a line 200 feet southwesterly of East 178th Street, Third Avenue, and a line 150 feet northeasterly of Tremont Avenue;
17. Changing from an R7-1 District to an M1-4/R7A District property bounded by:
- a. A line 170 feet southeasterly of Park Avenue (southeasterly portion), a line 100 feet southwesterly of Third Avenue, and a line midway between Cyrus Place and East 187th Street; and
- b. A line 250 feet southeasterly of Park Avenue (southeasterly portion), a line 100 feet southwesterly of Third Avenue, and East 187th Street;
18. Changing from an C4-4 District to an M1-4/R7A District property bounded by Bathgate Avenue, a line 330 feet northeasterly of East 176th Street, a line midway between Bathgate Avenue and Third Avenue, and a line 150 feet southwesterly of East Tremont Avenue;
19. Changing from a C8-3 District to an M1-4/R7A District property bounded by:
- a. East 188th Street, Washington Avenue, a line 170 feet southwesterly of East 188th Street, a line perpendicular to the last named course and passing through a point distant 180 feet southeasterly (measured along the last named course) from the southeasterly street line of Washington Avenue, East 187th Street, Bathgate Avenue, a line 100 feet northeasterly of Third Avenue, Lorillard Place, a line 100 feet northeasterly of Third Avenue, Third Avenue and its northeasterly centerline prolongation, East 184th Street, Bassford Avenue, East 185th Street, Washington Avenue, East 186th Street, a line 100 feet northwesterly of Washington Avenue, a line 100 feet westerly of Third Avenue, a line 250 feet southeasterly of Park Avenue (southeasterly portion), a line midway between Cyrus Place and East 187th Street, a line 100 feet westerly of Third Avenue, a line 170 feet southeasterly of Park Avenue (southeasterly portion), Cyrus Place, and Third Avenue; and
- b. A line midway between Bathgate Avenue and Third Avenue, a line 330 feet northeasterly of East 179th Street, Third Avenue, East 179th Street, a line midway between Third Avenue and Monterey Avenue, a line 125 feet southwesterly of East 178th Street, a line midway between Third Avenue and Monterey Avenue, East 178th Street, Third Avenue, and a line 200 feet southwesterly of East 178th Street;
20. Changing from an M1-4 District to an M1-4/R7A District property bounded by a line midway between Park Avenue (southeasterly portion) and Washington Avenue, a line 100 feet northeasterly of East 176th Street, a line 120 feet northwesterly of Washington Avenue, a line 200 feet northeasterly of East 176th Street, Washington Avenue, a line 150 feet southwesterly of East Tremont Avenue, a line 220 feet northeasterly of East 176th Street, Bathgate Avenue, a line 150 feet southwesterly of East Tremont Avenue, a line midway between Bathgate Avenue and Third Avenue, a line 100 feet northeasterly of East 175th Street, Bathgate Avenue, and East 175th Street;
21. Changing from an C4-4 District to an M1-4/R7X District property bounded by a line 330 feet northeasterly of East 176th Street, Third Avenue, a line 150 feet southwesterly of East Tremont Avenue, a line midway between Bathgate Avenue and Third Avenue;
22. Changing from an M1-4 District to an M1-4/R7X District property bounded by a line 150 feet southwesterly of East Tremont Avenue, Third Avenue, East 175th Street, Bathgate Avenue, a line 100 feet northwesterly of East 175th Street, and a line midway between Bathgate Avenue and Third Avenue;
23. Establishing within an existing R7-1 District a C1-4 District property bounded by Third Avenue, a line 400 feet northeasterly of East 181st Street, a line 100 feet southeasterly of Third Avenue, and East 181st Street; and
24. Establishing a Special Mixed Use District (MX-14) bounded by:
- a. East 188th Street, Washington Avenue, a line 170 feet southwesterly of East 188th Street, a line perpendicular to the last named course and passing through a point distant 180 feet southeasterly (as measured along the last named course) from the southeasterly street line of Washington Avenue, East 187th Street, Bathgate Avenue, a line 100 feet northeasterly of Third Avenue, Lorillard Place, a line 100 feet northeasterly of Third Avenue, Third Avenue and its northeasterly centerline prolongation, East 184th Street, Bassford Avenue, East 185th Street, Washington Avenue, East 186th Street, a line 100 feet northwesterly of Washington Avenue, East 187th Street, a line 250 feet southeasterly of Park Avenue (southeasterly portion), a line midway between East 187th Street and Cyrus Place, a line 170 feet southeasterly of Park Avenue (southeasterly portion) Cyrus Place, and Third Avenue;
- b. A line 330 feet northeasterly of East 179th Street, Third Avenue, East 179th Street, a line midway between Third Avenue and Monterey Avenue, a line 125 feet southwesterly of East 179th Street, Third Avenue, a line 100 feet northeasterly of East 178th Street, a line midway between Third Avenue and Monterey Avenue, East 178th Street, Third Avenue, a line 200 feet southeasterly of East 178th Street, and a line midway between Bathgate Avenue and Third Avenue; and
- c. A line midway between Park Avenue (southeasterly portion) and Washington Avenue a line 100 feet northeasterly of East 176th Street, a line 120 feet northwesterly of Washington Avenue, a line 200 feet northeasterly of East 176th Street, Washington Avenue, a line 220 feet northeasterly of East 176th Street, Bathgate Avenue, a line 330 feet northeasterly of East 176th Street, Third Avenue, and East 175th Street;

Borough of The Bronx, Community District 6, as shown on a diagram (for illustrative purposes only) dated May 24, 2010 and subject to the conditions in CEQR Declaration E-255.

ANYONE WISHING TO SPEAK MAY REGISTER AT THE HEARING. PLEASE DIRECT ANY QUESTIONS CONCERNING THIS MATTER TO THE ATTENTION OF THE BOROUGH PRESIDENT, TELEPHONE 718-590-6124.

jy6-12

CITY COUNCIL

PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN THAT the Council has scheduled the following public hearings on the matters indicated below:

The Subcommittee on Zoning and Franchises will hold a public hearing on the following matters in the 16th Floor Hearing Room, 250 Broadway, New York City, New York 10007, commencing at 9:30 A.M. on Thursday, July 15, 2010:

FLUSHING COMMONS

QUEENS CB - 7 C 100206 PPQ
Application submitted by NYC Department of Citywide Administrative Services (DCAS), pursuant to Section 197-c of the New York City Charter, for the disposition of one (1) city-owned property located at 38-15 138th Street (Block 4978, p/o Lot 25), pursuant to zoning.

FLUSHING COMMONS

QUEENS CB - 7 C 100207 ZMQ
Application submitted by Flushing Commons LLC and the NYC 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. 10a, by changing from a C4-3 District to a C4-4 District property bounded by Congressman Rosenthal Place, Union Street, 39th Avenue, and 138th Street, Borough of Queens, Community District 7, as shown on a diagram (for illustrative purposes only) dated January 25, 2010, and subject to the conditions of CEQR Declaration E-247.

FLUSHING COMMONS

QUEENS CB - 7 C 100208 ZSQ
Application submitted by Flushing Commons LLC and the NYC Economic Development Corporation pursuant to Sections 197-c and 201 of the New York City Charter for the grant of special permits pursuant to the following sections of the Zoning Resolution:

- Section 74-743(a)(2) - to allow the location of buildings without regard for the height and setback requirements of Sections 23-632, 33-432 and 35-60, the rear yard requirements of Sections 23-532 and 35-53, the rear yard setback requirements of Section 23-663, the minimum distance between buildings and minimum distance between legally required windows and building walls regulations of

Section 23-711;

2. Section 74-743(a)(4) - to allow the maximum floor area ratio permitted pursuant to Section 23-142 without regard for height factor or open space ratio requirements;

3. Section 74-744(b) - to allow residential and non-residential uses to be arranged within buildings without regard for the requirements of Section 32-42.

to facilitate a proposed mixed use development, on property located at 38-15 138th Street a.k.a. 37-10 Union Street (Block 4978, p/o Lot 25), in a C4-4 District, within a General Large Scale Development.

FLUSHING COMMONS

QUEENS CB - 7 C 100209 ZSQ

Application submitted by Flushing Commons LLC and the NYC Economic Development Corporation pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-512 of the Zoning Resolution to allow a public parking facility with a maximum capacity of 1600 spaces, including 908 self-park spaces and 692 attended parking spaces, on portions of the ground floor, 1st level cellar, 2nd level cellar and the 3rd level cellar, in connection with a proposed mixed use development, on property located at 38-15 138th Street a.k.a. 37-10 Union Street (Block 4978, p/o Lot 25), in a C4-4 District, within a General Large-Scale Development.

FLUSHING COMMONS

QUEENS CB - 7 N 100210 ZRQ

Application submitted by Flushing Commons 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 Section 74-743 (Special provisions for bulk modification), relating to open space, in General Large Scale Developments in C4-4 Districts.

Matter in underline is new, to be added; Matter in ~~strikeout~~ is to be deleted; Matter with # # is defined in Section 12-10; *** indicated where unchanged text appears in the Zoning Resolution

2/26/08

74-743 Special provisions for bulk modification

(a) For a #general large-scale development#, the City Planning Commission may permit.

(1) Distribution of total allowable #floor area#, #rooming units#, #dwelling units#, #lot coverage# and total required #open space# under the applicable district regulations within a #general large-scale development# without regard for #zoning lot lines# or district boundaries subject to the following limitations:

- (i) no distribution of #bulk# across the boundary of two districts shall be permitted for a #use# utilizing such #bulk# unless such #use# is permitted in both districts;
(ii) when a #general large-scale development# is located partially in a #Residence District# or in a C1, C2, C3 or C4-1 District and partially in other #Commercial# or #Manufacturing Districts#, no transfer of commercial #floor area# to a #Residence District# or to a C1, C2, C3 or C4-1 District from other districts shall be permitted;

(2) location of #buildings# without regard for the applicable #yard#, #court#, distance between #buildings#, or height and setback regulations;\

(3) variation in the location of primary business entrances and #show windows# along frontages adjacent to #zoning lots# outside the #general large-scale development# without regard to regulations applicable near #Residence District# boundaries; and

(4) the maximum #floor area ratio# permitted pursuant to Section 23-142 (In R6, R7, R8 or R9 Districts) for the applicable district without regard for #height factor# or #open space ratio# requirements provided that the #general large-scale development# is located partially in a C6-1, C6-2, or C6-3 District within the boundaries of Community District 7 in Manhattan or located within a C4-4 District within the boundaries of Queens Community District 7 and that a minimum of 50 percent of the required #open space# is provided within the #general large-scale development#. Required #open space# for the purposes of paragraph (a) (4) of this Section shall be calculated by utilizing the smallest #open space ratio# at the maximum #floor area ratio# pursuant to Section 23-142 for the applicable district.

(5) In an #Inclusionary Housing designated area# in a C4-6 or C5 District:

- (i) a portion of the #lot area# that contains a wholly #commercial building# to be excluded from the calculation of #floor area# for any other #buildings# on the remainder of the #zoning lot#; or
(ii) community facility #floor area# located above the ground floor to be excluded from the calculation of the amount of

#lower income housing# required pursuant to Section 23-942; * * *

(b) In order to grant a special permit pursuant to this Section for any #general large-scale development#, the Commission shall find that:

(6) where the Commission permits the maximum #floor area ratio# in accordance with the provisions of paragraph (a) (4) of this Section, the #open space# provided is of sufficient size to serve the residents of new or #enlarged buildings#. Such #open space# shall be accessible to and usable by all residents of such new or #enlarged buildings#, have appropriate access, circulation, seating, lighting and paving, and be substantially landscaped. Furthermore, the site plan of such #general-large scale development# shall include superior landscaping for #open space# of the new or #enlarged buildings#;

* * *

FLUSHING COMMONS

QUEENS CB - 7 N 100211 ZRQ

Application submitted by Flushing Commons 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 the Downtown Flushing Waterfront Access Plan (WAP Q-2) to allow public parking lots as-of-right and to exempt such parking from requirements for public access and visual corridors pursuant to Section 62-952 of the Zoning Resolution.

Matter in underline is new, to be added; Matter in ~~Strikeout~~ is to be deleted; Matter with # # is defined in Section 12-10; *** indicated where unchanged text appears in the Zoning Resolution

62-952 Waterfront Access Plan Q-2; Downtown Flushing

Maps Q-2a through Q-2c in paragraph (e-) (f) of this Section show the boundaries of the area comprising the Downtown Flushing Waterfront Access Plan and the location of certain features mandated or permitted by the Plan. The plan area has been divided into parcels consisting of tax blocks and lots and other lands as established on September 17, 1998, as follows:

(b) Special public access provisions by parcel

The requirements for #waterfront public access areas# of Sections 62-53 through 62-57 inclusive, and Section 62-60 (DESIGN REQUIREMENTS FOR WATERFRONT PUBLIC ACCESS AREAS), inclusive, are modified at the following designated locations which are shown on Map Q-2b in paragraphs (e)(f) of this Section: * * *

- (2) Parcel 2
(i) #Shore public walkway# The requirements of Section 62-53 are modified to reduce the minimum required width of the #shore public walkway# to 20 feet. The quantity of public access area eliminated from the #shore public walkway# as a result of this width reduction shall be provided adjoining the intersection of the required #upland connection# and the #shore public walkway# and shall be improved pursuant to the standards for a #supplemental public access area#, as set forth in Section 6262.
(ii) #Upland connection# An #upland connection# shall be located between College Point Boulevard and the #shore public walkway#, either: (1) within the flexible location zone indicated on Map Q-2b in paragraph (e)(D) of this Section, having as its northerly boundary the straight-line extension of that portion of the boundary between Parcels 1 and 2 which intersects with College Point Boulevard and, as its southern boundary, the prolongation of the southerly #street line# of 37th Avenue; or (2) continuously adjoining the boundary between Parcels 1 and 2.
(iii) No public access shall be required for any #public parking lot#, provided such #public parking lot# was approved pursuant to Section 74-512 (In other Districts) and is an interim use that is limited to a term of not more than ten years.

* * *

(c) Special visual corridor provisions by parcel

The designated locations for #visual corridors# pursuant to this Plan shall be as follows and are shown on Map Q-2c in paragraph (e)(f) of this Section:

- (1) Parcel 1 A #visual corridor# shall be provided through Parcel 1 to the pierhead line as the prolongation of the #street lines# of 36th Road. Any #building or other structure# existing on September 17, 1998, shall be a permitted obstruction.
(2) Parcel 2 A #visual corridor# shall be provided through Parcel 2 to the pierhead line as the prolongation of the #street lines# of 37th Avenue. However, no #visual corridor# shall be required for any #public parking lot#, provided such #public parking lot# was approved pursuant to Section 74-512 provided that the parking facility is an interim use limited to a term of not more than ten years.

* * *

(e) Special use provisions by parcel

- (1) Parcel 2

The City Planning Commission may permit #public parking lots# on #waterfront blocks# in accordance with applicable district regulations and Section 74-512 provided that the parking facility is an interim #use# limited to a term of not more than ten years.

(e)(f) Downtown Flushing Waterfront Access Plan Maps

* * *

FLUSHING COMMONS

QUEENS CB - 7 C 100212 ZSQ

Application submitted by Fulton/Max International (Holdings) Inc. pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-512 of the Zoning Resolution to allow a public parking lot with a maximum capacity of 647 spaces, including 201 self-park spaces and 446 attended parking spaces, on property located at 133-41 39th Avenue (Block 4972, Lots 8, 23 and 65), in a C4-2 District.

FLUSHING COMMONS

QUEENS CB - 7 C 100213 ZSQ

Application submitted by Fulton/Max International (Holdings) Inc. pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Sections 62-835 and 74-512 of the Zoning Resolution to allow a public parking lot with a maximum capacity of 309 spaces, including 207 self-park spaces and 102 attended parking spaces, on property located at 37-02 College Point Boulevard (Block 4963, Lots 85), in a C4-2 District.

FLUSHING COMMONS

QUEENS CB - 7 C 100214 ZSQ

Application submitted by NYC Department of Transportation and the NYC Economic Development Corporation pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-512 of the Zoning Resolution to allow a public parking lot with a maximum capacity of 275 spaces, on property located at 135-17 39th Avenue (Block 4975, Lot 15), in a C4-2 District.

MACEDONIA PLAZA

QUEENS CB - 7 C 100216 HAQ

Application 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 37-10 37th Avenue (Block 4978, part of Lot 25) as an Urban Development Action Area; and
b) an Urban Development Action Area Project for such area; and
2) 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 development of a 14-story building, tentatively known as Macedonia Plaza with approximately 140 residential units.

OVERSIGHT HEARING

The Zoning and Franchises Subcommittee jointly with the Technology Committee will hold a public hearing on the following matter.

"Stuck in the Middle: Protecting Consumers from Cable/Broadcaster Disputes"

• jy9-15

CITY PLANNING COMMISSION

PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN THAT RESOLUTIONS Have been adopted by the City Planning Commission scheduling public hearings on the following matters to be held at Specter Hall, 22 Reade Street New York, New York, on Wednesday, July 14, 2010, commencing at 10:00 A.M.

CITYWIDE

No. 1 CAR SHARING TEXT

CITYWIDE N 100284 ZRY

IN THE MATTER OF an application 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, relating to Articles I, II, III, and IV concerning the parking of car sharing vehicles in off-street parking facilities.

Matter in underline is new, to be added; Matter in ~~strikeout~~ is old, to be deleted; Matter in # # is defined in Section 12-10; * * * indicates where unchanged text appears in the Zoning Resolution

Article 1 GENERAL PROVISIONS

Chapter 2 Construction of Language and Definitions

12-10 DEFINITIONS

Bulk * * *

Car sharing vehicle A "car sharing vehicle" is a vehicle maintained and owned or leased by a car sharing organization and which is available for use by its members. Membership shall mean that

individuals have been pre-approved to use such vehicles and need not be approved by the car sharing organization at each time of proposed use. Membership must be open to the public and shall only be denied based upon driving record, credit record or other legitimate business need of the car sharing organization. Vehicles must be made available to members for periods of use as short as one hour. The car sharing organization must provide all legally required insurance as part of the membership.

Vehicles shall be reserved by members through a self-service reservation system which is available at all times. A car sharing vehicle shall be located in a parking facility that is accessible to members of the car sharing organization at all times. No employees or agents of the car sharing organization shall provide services to members or conduct business transactions with members within such parking facility. Attended parking facilities may be serviced by a parking attendant unaffiliated with any car sharing organization.

A car sharing vehicle shall be no more than 216 inches in length and shall bear a decal or other mark that identifies the car sharing organization and is securely affixed to the exterior of the vehicle, in accordance with criteria specified by the Commissioner of Buildings.

Public parking garage

A "public parking garage" is a building or other structure:

- (a) that provides parking or storage for motor vehicles, but not for commercial or public utility vehicles or the dead storage of motor vehicles; and
(b) some or all of whose parking spaces are non-accessory#.

Car sharing vehicles may occupy a maximum of 40 percent of parking spaces in a public parking garage. A public parking garage may include accessory# off-street parking spaces limited to such spaces that are accessory# to other uses# on the same zoning lot#. Sale of motor fuel or motor oil or minor repairs incidental to the parking or storage of motor vehicles are permitted accessory uses#.

Public parking lot

A "public parking lot" is any tract of land that is:

- (a) used for the parking or storage for motor vehicles, but not for commercial or public utility vehicles or the dead storage of motor vehicles; and
(b) not accessory# to a use# on the same or another zoning lot#.

Car sharing vehicles may occupy a maximum of 40 percent of parking spaces in a public parking lot#.

Minor repairs incidental to the parking or storage of motor vehicles are a permitted accessory use#.

Chapter 3 Comprehensive Off-Street Parking Regulations in Community Districts 1, 2, 3, 4, 5, 6, 7 and 8 in the Borough of Manhattan and a Portion of Community Districts 1 and 2 in the Borough of Queens

13-012 Existing off-street parking facilities

- (a) Existing required or permitted accessory# off-street parking spaces, public parking lots# and public parking garages# established prior to April 29, 1982 in Manhattan and October 25, 1995 in Queens shall continue to be subject to the applicable zoning district regulations in effect prior to April 29, 1982 in Manhattan and October 25, 1995 in Queens. However, enlargements#, extensions# or any increase in the number of off-street parking spaces within such off-street parking facilities shall be subject to the provisions of this Chapter.
(b) Nothing herein contained shall be deemed to permit a reduction or elimination of existing accessory# off-street parking spaces that were required under the applicable provisions of the zoning district regulations in effect prior to April 29, 1982 in Manhattan and October 25, 1995 in Queens.
(c) For all existing required or permitted accessory# off-street parking spaces established prior to April 29, 1982 in Manhattan and October 25, 1995 in Queens, up to five spaces or 20 percent of all such spaces, whichever is greater, may be occupied by car sharing vehicles#. Up to 40 percent of all spaces in public parking lots# and public parking garages# established prior to April 29, 1982 in Manhattan and October 25, 1995 in Queens may be occupied by car sharing vehicles#.

13-14 Additional Regulations for Permitted Accessory Off-Street Parking Spaces

13-144 Car sharing vehicles

Notwithstanding the provisions of Sections 13-12, 13-131, 13-132, 13-133, and 13-134, up to five spaces or 20 percent of all accessory# off-street parking spaces, whichever is greater, may be occupied by car sharing vehicles#.

13-42 Residential Development

Accessory# off-street parking spaces are required for new residential developments# or enlargements# in Manhattan

Community Districts 1, 2, 3, 4, 5, 6, 7 and 8, only as set forth below:

- (a) For public or publicly-assisted housing, as such categories are defined in Section 25-25 (Modification of Requirements for Public or Publicly Assisted Housing or Non-Profit Housing for the Elderly), the minimum number of accessory# off-street parking spaces required for new dwelling units# provided in the development# or enlargement# as a percentage of such new dwelling units# are as follows:

- (f) All such parking spaces shall be used exclusively by the occupants of the residential development# and occupants of nearby public or publicly-assisted housing projects, except that car sharing vehicles# may occupy up to five spaces or 20 percent of all accessory# off-street parking spaces, whichever is greater.

13-55 Authorizations

13-551 Accessory off-street parking spaces

The City Planning Commission may, by authorization, subject to the otherwise applicable zoning district regulations, allow on-site enclosed accessory# off-street parking facilities with a maximum capacity of 15 spaces in existing buildings#, provided that the Commission finds that:

- (a) the building# does not have accessory# off-street parking spaces;
(b) such parking spaces are needed for and will be used exclusively by the occupants of the use# to which they are accessory#, except that car sharing vehicles# may occupy up to five spaces or 20 percent of all accessory# off-street parking spaces, whichever is greater.

13-56 Special Permits

13-561 Accessory off-street parking spaces

The City Planning Commission may, by special permit, subject to the otherwise applicable zoning district regulations, allow on-site or off-site, open or enclosed, accessory# off-street parking facilities with any capacity not otherwise allowed under Section 13-10 (PERMITTED ACCESSORY OFF-STREET PARKING SPACES) provided the Commission finds that:

- (a) such parking spaces are needed for, and will be used by, the occupants, visitors, customers or employees of the use# to which they are accessory#, except that car sharing vehicles# may occupy up to five spaces or 20 percent of all accessory# off-street parking spaces, whichever is greater;

Chapter 2 Use Regulations

22-30 SIGN REGULATIONS

22-323 Signs for parking areas

One sign#, with an area not exceeding two square feet, designating each entrance to or exit from an off-street parking area, open or enclosed, is permitted. No such sign# shall be higher than seven feet above curb level#.

In addition, an off-street parking facility that contains car sharing vehicles# may provide signs# that in the aggregate total no more than two square feet in area identifying organizations that have car sharing vehicles# available at such parking area. Such sign# shall be placed at the entrance so that it is directly visible, without any obstruction, to customers accessing such parking facility, and at a height not higher than seven feet above curb level#.

Chapter 5 Accessory Off-Street Parking and Loading Regulations

Off-street Parking Regulations

25-40 Restrictions on operation of accessory off-street parking spaces

25-412 In other Residence Districts

In the districts indicated, such spaces shall be designed and operated primarily for the long-term storage of the private passenger motor vehicles used by the occupants of such residences# except for spaces that are:

- (a) such spaces may be rented for periods of not less than one week and not more than one month to persons who are not occupants of the residences# to which such spaces are accessory# for the accommodation of the private passenger motor vehicles used by such non-residents, provided that such spaces are operated in accordance with the regulations promulgated by the Commissioner of

Buildings, in a manner which will not adversely affect the residential character of the neighborhood. Such spaces shall be made available to the occupants of the residences# to which they are accessory# within 30 days after written request therefore is made to the landlord; or

occupied by car sharing vehicles# as follows:

- (1) In R3-2 and R4 Districts, except R4A, R4B and R4-1 Districts, car sharing vehicles# may occupy not more than 10 percent of spaces in a group parking facility# than contains 20 or more spaces, and
(2) In R5, R6, R7, R8, R9 and R10 Districts, except R5A Districts, car sharing vehicles# may occupy not more than five spaces or 20 percent of spaces, whichever is greater.

Such spaces provided pursuant to paragraph (a) and (b) of this Section shall be made available to the occupants of the residences# to which they are accessory# within 30 days after written request therefore is made to the landlord.

25-42 Use of Spaces Accessory to Permitted Non-Residential Uses

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, all permitted or required off street parking spaces, open or enclosed, which are accessory# to permitted non-residential uses# shall be used only by occupants, visitors, customers or employees of such uses# and shall not be rented except as may be provided for houses of worship pursuant to Section 25-542 (Shared parking facilities for houses of worship). However, car sharing vehicles# may occupy such spaces pursuant to the provisions of paragraphs (a) and (b) of this Section:

R1 R2 R3-1 R3A R3X R4A R4B R4-1 R5A

(a) car sharing vehicles# may occupy not more than 10 percent of parking spaces in a group parking facility# of 20 spaces or more that is accessory# to a college or university use# listed in Use Group 3.

R3-2 R4 R5 R5B R5D R6 R7 R8 R9 R10

(b) car sharing vehicles# may occupy not more than 10 percent of parking spaces in any group parking facility# of 20 spaces or more.

25-68

For parking facilities containing car sharing vehicles#

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

Within an off-street parking facility that contains car sharing vehicles#, an information plaque shall be placed at a location accessible to and visible to users of such facility. The plaque shall be fully opaque, non reflective and constructed of permanent, highly durable materials and shall contain the following statements in lettering no less than one inch high:

- (a) "Total parking spaces in facility:" and shall specify the total number of parking spaces permitted within such parking facility, and
(b) "Maximum number of car sharing vehicles:" and shall specify the total number of car sharing vehicles# permitted within such parking facility.

Chapter 6 Accessory Off-Street Parking and Loading Regulations

36-46 Restrictions on Use of Accessory Off-Street Parking Spaces

C1 C2 C3 C4 C5 C6 C7 C8

In all districts, as indicated, all permitted or required accessory# off-street parking spaces, open or enclosed, shall be used primarily for the owners, occupants, employees, customers, residents, or visitors of the use# or uses# to which such spaces are accessory#, except as set forth in this Section.

- (a) Any off-street parking spaces accessory# to residences# which are not needed by the occupants of such residences# may be rented to persons who are not occupants of such residences# for the accommodation of private passenger motor vehicles used by such persons or may be occupied by car sharing vehicles# as set forth in the following paragraphs:

(1) In C1 or C2 Districts mapped within Residence Districts

In C1 or C2 Districts mapped within R3, R4 or R5A Districts, car sharing vehicles# may occupy not more than 10 percent of spaces in group parking facilities# containing 20 or more spaces. In C1 or C2 Districts mapped within R5 except R5A Districts, and in R6, R7, R8, R9 or R10 Districts, car sharing vehicles# may occupy not more than five spaces or 20 percent of spaces, whichever is greater.

(2) In C1 or C2 districts not mapped within Residence Districts, or in C3, C4, C5, C6 Districts

In the districts indicated, except C3 Districts, car sharing vehicles# may occupy not more than five spaces or 20

percent of spaces, whichever is greater. In C3 Districts, #car sharing vehicles# may occupy not more than 10 percent of spaces in #group parking facilities# containing 20 or more spaces.

Such spaces provided pursuant to paragraph (a) of this Section shall be made available to the occupants of the #residences# to which they are #accessory# within 30 days after written request therefore is made to the landlord.

(b) #Car sharing vehicles# may occupy not more than 10 percent of off-street parking spaces #accessory# to non-residential uses# in #group parking facilities# of 20 spaces or more.

In addition, the rental of such spaces to non-residents shall be subject to the restrictions applying to the specified districts as set forth in ~~this~~ Sections 36-461 and 36-462, except that such restrictions shall not apply to spaces occupied by #car sharing vehicles#.

* * *

36-51
General Provisions
C1 C2 C3 C4 C5 C6 C7 C8

In all districts, as indicated, all permitted or required #accessory# off-street parking spaces shall conform to the provisions of the following Sections: Section 36-50, inclusive.

- Section 36-52 (Size of Spaces)
- Section 36-53 (Location of Access to the Street)
- Section 36-54 (Restrictions on Use of Required Residential Open Space for Parking)
- Section 36-55 (Surfacing)
- Section 36-56 (Screening)

Special regulations applying to #large-scale community facility developments# or #large-scale residential developments# are set forth in Article VII, Chapter 8.

36-52
Size, and Location and Identification of Spaces
* * *

36-523
Identification of #car sharing vehicles#
C1 C2 C3 C4 C5 C6 C7 C8

Within an off-street parking facility that contains #car sharing vehicles#, an information plaque shall be placed at a location accessible to and visible to users of such facility. The plaque shall be fully opaque, non reflective and constructed of permanent, highly durable materials and shall contain the following statements in lettering no less than one inch high:

(a) "Total parking spaces in facility." and shall specify the total number of parking spaces permitted within such parking facility, and

(b) "Maximum number of car sharing vehicles." and shall specify the total number of #car sharing vehicles# permitted within such parking facility.

* * *

Chapter 4
Accessory Off-Street Parking and Loading Regulations
* * *

44-30
RESTRICTIONS ON LOCATION AND USE OF ACCESSORY OFF-STREET PARKING SPACES
* * *

44-35
Restriction on Use of Accessory Off-Street Parking Spaces
M1 M2 M3

In all districts, as indicated, #accessory# off-street parking spaces, whether permitted or required and whether open or enclosed, shall be used primarily for the owners, occupants, employees, customers, or visitors of the #use# or #uses# to which such spaces are #accessory#. However, in #group parking facilities# containing 20 spaces or more, #car sharing vehicles# may occupy no more than 10 percent of such spaces.

44-41
General Provisions
M1 M2 M3

In all districts, as indicated, all permitted or required off-street parking spaces shall conform to the provisions of Section 44-40, inclusive. the following Sections:

- Section 44-42 (Size of Spaces)
- Section 44-43 (Location of Access to the Street)
- Section 44-44 (Surfacing)
- Section 44-45 (Screening)

Special regulations applying to #large-scale community facility developments# are set forth in Article VII, Chapter 8.

44-42
Size and Identification of Spaces
(a) **Size of Spaces**
M1 M2 M3

In all districts, as indicated, for all #accessory# off-street parking spaces, open or enclosed, each 300 square feet of unobstructed standing or maneuvering area shall be considered one parking space. However, an area of less than 300 square feet, but in no event less than 200 square feet, may be considered as one space, where the layout and design of the parking area are adequate to permit convenient access and maneuvering in accordance with regulations promulgated by the Commissioner of Buildings, or where the developer or applicant for a building permit or certificate of occupancy certifies that such spaces will be fully attended.

* * *

(b) **Identification of #car sharing vehicles#**
M1 M2 M3

Within an off-street parking facility that contains #car sharing vehicles#, an information plaque shall be placed at a location accessible to and visible to users of such facility. The plaque shall be fully opaque, non reflective and constructed of permanent, highly durable materials and shall contain the following statements in lettering no less than one inch high:

(1) "Total parking spaces in facility." and shall specify the total number of parking spaces permitted within such parking facility, and

(2) "Maximum number of car sharing vehicles." and shall specify the total number of #car sharing vehicles# permitted within such parking facility.

* * *

YVETTE V. GRUEL, Calendar Officer
City Planning Commission
22 Reade Street, Room 2E
New York, New York 10007
Telephone (212) 720-3370

j30-jy14

CIVILIAN COMPLAINT REVIEW BOARD

■ MEETING

The Civilian Complaint Review Board's monthly public meeting has been scheduled for: **Wednesday, July 14, 2010 at 10:00 A.M.** at 40 Rector Street, 2nd Floor, New York, NY 10006.

jy8-14

COMMUNITY BOARDS

■ PUBLIC HEARINGS

PUBLIC NOTICE IS HEREBY GIVEN THAT the following matters have been scheduled for public hearing by Community Boards:

BOROUGH OF MANHATTAN

COMMUNITY BOARD NO. 03 - Monday, July 12, 2010, 6:30 P.M., University Settlement - Speyer Hall, 184 Eldridge Street (Rivington and Delancey Streets), New York, NY

#100452HAM
535-537 East 11th Street
Department of Housing Preservation and Development is seeking UDAAP designation, project approval and disposition of (2) city-owned properties, for the development of an 8-story building which will include a 44-unit low-income facility for formerly homeless individual.

#100453HAM
706-712 East 9th Street
Department of Housing Preservation and Development is seeking UDAAP designation, project approval and disposition of (2) city-owned vacant building which will be rehabilitated with a one-story addition for residential use. The project consists of a 46-unit low-income facility.

jy6-12

BOARD OF CORRECTION

■ MEETING

Please take note that the next meeting of the Board of Correction will be held on July 12, 2010 at 9:00 A.M., in the conference room of the Board of Correction. Located at: 51 Chambers Street, Room 929, New York, NY 10007.

At that time, there will be a discussion of various issues concerning New York City's correctional system.

jy6-12

FRANCHISE AND CONCESSION REVIEW COMMITTEE

■ MEETING

PUBLIC NOTICE IS HEREBY GIVEN THAT the Franchise and Concession Review Committee will hold a Public Meeting on Wednesday, July 14, 2010 at 2:30 P.M., at 22 Reade Street, 2nd Floor Conference Room, Borough of Manhattan.

NOTE: Individuals requesting Sign Language Interpreters should contact the Mayor's Office of Contracts Services, Public Hearings Unit, 253 Broadway, 9th Floor, New York, NY 10007, (212) 788-7490, no later than SEVEN (7) BUSINESS DAYS PRIOR TO THE PUBLIC MEETING. TDD users should call Verizon relay service.

jy2-14

INFORMATION TECHNOLOGY AND TELECOMMUNICATIONS

FRANCHISE ADMINISTRATION

■ PUBLIC HEARINGS

CANCELLATION OF PUBLIC HEARING

NOTICE OF CANCELLATION OF A FRANCHISE AND CONCESSION REVIEW COMMITTEE ("FCRC") PUBLIC HEARING that was scheduled to be held on Monday July 12, 2010 commencing at 2:30 P.M. at 22 Reade Street, Borough of Manhattan, on the following three items relating to changes in the ownership structure of three franchises

currently held by direct and indirect subsidiaries of RCN Corporation ("RCN Corp"): (1) a change of control of RCN New York Communications, LLC ("RCN-NYC"), which is a current franchisee, whereby RCN Corp will replace RCN Telecom Services, Inc. as the immediate parent of RCN-NYC, ABRY Partners VI, L.P. will obtain sole indirect voting control of RCN Corp, and ABRY Partners VI, L.P. and ABRY Senior Equity III, L.P. will hold a majority interest in RCN Corp, thus replacing RCN Corp as the ultimate parent entities of RCN-NYC; (2) an assignment by RCN Telecom Services, Inc. ("RCN-TS"), which is a current franchisee, of its New York City franchise and assets to a newly formed company, RCN Telecom Services of New York, LP ("RCN-TSNY"), and a change of control whereby RCN Telecom Services, LLC ("RCN LLC") will become the general partner of RCN-TSNY and ABRY Partners VI, L.P. will obtain sole indirect voting control of and hold an indirect majority interest in RCN LLC, with ABRY Partners VI, L.P. becoming the ultimate parent entity of RCN LLC; and (3) change of control of NEON Transcom, Inc. ("NEON"), which is a current franchisee, whereby ABRY Partners VI, L.P. will obtain sole indirect voting control of RCN Corp, and ABRY Partners VI, L.P. and ABRY Senior Equity III, L.P. will hold a majority interest in RCN Corp, thus replacing RCN Corp as the ultimate parent entities of NEON.

jy2-12

LANDMARKS PRESERVATION COMMISSION

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that pursuant to the provisions of 3020 of the New York City Charter and Chapter 3 of Title 24 of the Administrative Code of the City of New York (Sections 25-303 and 25-313) that on **Tuesday, July 13, 2010**, the Landmarks Preservation Commission will conduct a *public hearing* at the locations listed below with respect to the following proposed Landmarks and Landmark Sites. Any person requiring reasonable accommodation in order to participate in the hearing should call or write the Landmarks Preservation Commission, [Municipal Building, 1 Centre Street, 9th Floor North, New York, NY 10007, (212) 669-7700] no later than five (5) business days before the hearing. There will also be a public meeting on that day.

PLEASE NOTE PUBLIC HEARING LOCATIONS AND SCHEDULES

PUBLIC HEARING ITEM NOS. 1 AND 2 ARE SCHEDULED TO BE HEARD AT:

NYC Landmarks Preservation Commission
1 Centre Street, 9th Floor North
New York, New York 10007
9:30 A.M.

PUBLIC HEARING ITEM NO. 1

LP-2439
135 BOWERY HOUSE, 135 Bowery, Manhattan.
Landmark Site: Borough of Manhattan Tax Map Block 423, Lot 4

PUBLIC HEARING ITEM NO. 2

LP-2440
206 BOWERY HOUSE, 206 Bowery, Manhattan.
Landmark Site: Borough of Manhattan Tax Map Block 492, Lot 32

PUBLIC HEARING ITEM NO. 3 IS SCHEDULED TO BE HEARD AT:

Location to be Determined

PUBLIC HEARING ITEM NO. 3

LP-2434
45-47 PARK PLACE BUILDING, 45-47 Park Place (aka 45-51 Park Place), Manhattan.
Landmark Site: Borough of Manhattan Tax Map Block 126, Lot 9 in part

j25-jy12

NOTICE IS HEREBY GIVEN that pursuant to the provisions of Title 25, chapter 3 of the Administrative Code of the City of New York (Sections 25-307, 25-308, 25,309, 25-313, 25-318, 25-320) (formerly Chapter 8-A, Sections 207-6.0, 207-7.0, 207-12.0, 207-17.0, and 207-19.0), on Tuesday, **July 13, 2010 at 9:30 A.M.** in the morning of that day, a public hearing will be held in the Conference Room at 1 Centre Street, 9th Floor, Borough of Manhattan with respect to the following properties and then followed by a public meeting. Any person requiring reasonable accommodation in order to participate in the hearing or attend the meeting should call or write the Landmarks Commission no later than five (5) business days before the hearing or meeting.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF QUEENS 10-8887 - Block 8106, lot 5 - 8 Prospect Avenue, aka 42-25 240th Street - Douglaston Hill Historic District
A Queen Anne Style free-standing house designed by John A. Sinclair and built in 1899-1900. Application is to construct additions, an entrance portio, and terrace; modify masonry openings; install skylights; and alter a garage and driveway. Zoned R1-2. Community District 11.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF QUEENS 10-7556 - Block 182, lot - 39-02 - 40-06 44th Street, Madison Court North - Sunnyside Gardens Historic District
A Court, comprised of three mews with the buildings set perpendicular to the street, in six, paired rows of eight buildings fronting a central court garden. Application is to install lamp posts in the central gardens.
Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF THE BRONX 10-7906 - Block 23091, lot 1-

112 Lincoln Avenue - Estey Piano Factory Building
Individual Landmark

A factory building designed by A.B. Ogden & Son architects, and built in 1885-86, with later additions. Application is to amend Certificate of Appropriateness 10-5557 to construct a rear yard addition. Zoned M1-2/R6A. Community District 1.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF BROOKLYN 09-0425 - Block 260, lot 55 - 312 Hicks Street - Brooklyn Heights Historic District
A Greek Revival style house built in 1846. Application is to modify a window opening and construct a deck.
Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF BROOKLYN 10-7788 - Block 276, lot 16 - 169 Atlantic Avenue - Brooklyn Heights Historic Districts
A modern commercial style building built in 1976-77. Application is to install awnings and signage.
Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF BROOKLYN 10-9839 - Block 286, lot 17 - 182-200 Atlantic Avenue - Cobble Hill Historic District
An apartment building, with ground floor storefronts designed by Beyer Blinder Belle, Architects, and built in 2008. Application is to modify the storefronts and install signage. Community District 6.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF BROOKLYN 10-8640 - Block 297, lot 5 - 227 Clinton Street - Cobble Hill Historic District
A rowhouse built in the 1842-1844. Application is to construct a rear yard addition, alter the roof, alter the areaway, replace windows and excavate the rear yard for a swimming pool. Zoned R6. Community District 6.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF BROOKLYN 10-9716 - Block 295, lot 29 - 364 Henry Street - Cobble Hill Historic District
An Italianate style rowhouse built in 1852-53. Application is to demolish and reconstruct the front facade.
Community District 6.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF BROOKLYN 10-7804 - Block 1099, lot 26 - 500 12th Street - Park Slope Historic District
A neo-Italian Renaissance style rowhouse designed by William Calder and built in 1898. Application is to install a new stoop, areaway wall, and ironwork.
Community District 6.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF BROOKLYN 10-5786 - Block 1137, lot 56 - 635 Bergen Street, aka, 570 Vanderbilt Avenue - Prospect Heights Historic District
A neo-Grec style flats house with a ground floor storefront designed by Isaac D. Reynolds and built in 1887. Application is to legalize the installation of a barrier-free access ramp without Landmarks Preservation Commission permits.
Community District 8.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 10-6942 - Block 486, lot 2 - 64 Wooster Street - SoHo-Cast Iron Historic District
A warehouse building designed by E.H. Kendall and built in 1898-99. Application is to install new storefront infill and alter the building's base. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 10-7888 - Block 587, lot 55 - 39 Barrow Street, aka 70-72 7th Avenue South - Greenwich Village Historic District
A rowhouse, originally built in 1828 altered in the late 19th and early 20th centuries. Application is to construct a stoop, modify masonry openings and the areaway, and install railings and a skylight. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 10-6944 - Block 552, lot 13 - 80 Washington Place - Greenwich Village Historic District
A Greek Revival style rowhouse built in 1839 and altered in the early 20th century. Application is to excavate the cellar.
Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 10-7719 - Block 644, lot 43 - 28 Little West 12th Street - Gansevoort Market Historic District
A neo-Georgian style stable building designed by John M. Baker and built in 1911. Application is to install a fence and a wall at the roof. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 10-7801 - Block 646, lot 30 - 420 West 14th Street - Gansevoort Market Historic District
A neo-Classical style store and loft building designed by Thomas H. Styles and built in 1903-04. Application is to establish a master plan governing the future installation of storefront infill. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 10-9066 - Block 646, lot 32 - 416-418 West 14th Street - Gansevoort Market Historic District
An Italianate style warehouse designed by Joseph M. Dunn and built in 1887, and a factory building designed by S.W. Johnson, built in 1874 and altered in 1917 and 1940-1980. Application is to replace storefront infill and install signage.
Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 10-6648 - Block 644, lot 60 - 55 Gansevoort Street - Gansevoort Market Historic District
A vernacular style store and loft building designed by Joseph M. Dunn and built in 1887. Application is to construct rooftop bulkheads, raise parapets and install railings. Zoned M1-5. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 10-7784 - Block 822, lot 31 - 156 Fifth Avenue - Ladies' Mile Historic District

A neo-Romanesque style office building designed by Rowe and Baker and built in 1894-1895. Application is to install new storefront infill and create new masonry openings within the entrance portico. Community District 5.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 10-9777 - Block 823, lot 20 - 31-33 West 21st Street - Ladies' Mile Historic District
A Beaux-Arts style store and loft building designed by William G. Pigueron and built in 1907. Application is to alter the facade and install canopies and light fixtures.
Community District 5.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 10-4023 - Block 849, lot 7502 - 7 East 20th Street - Ladies' Mile Historic District
A neo-Renaissance/modern French style store and loft building designed by William C. Frohne and built in 1907. Application is to replace windows. Community District 5.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 10-9838 - Block 1305, lot 1 - 109 East 50th Street - St. Bartholomew's Church and Community House-Individual Landmark
A Byzantine style church designed by Bertram Goodhue and built in 1914-19. Application is to replace the decorative mosaic roof at the dome. Community District 5.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 10-9567 - Block 1288, lot 33 - 360-376 Park Avenue, aka 75-83 East 52nd Street, 60-64 East 53rd Street - Racquet and Tennis Club Building
A neo-Italian Renaissance style club building designed by McKim, Mead and White and built in 1916-1918. Application is to replace ornamental terra cotta cornice elements.
Community District 5.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 09-6344 - Block 1121, lot 39 - 14 West 69th Street - Upper West Side/Central Park West Historic District
A Renaissance Revival style rowhouse designed by Gilbert A. Schellenger and built in 1896. Application is to alter the areaway and entrance. Community District 7.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 10-7395 - Block 1127, lot 25 - 11 West 74th Street - Upper West Side/Central Park West Historic District
A Queen Anne style rowhouse with neo-Grec style elements designed by Daniel Burgess and built in 1889-90. Application is to install stucco and lath on the side wall and install a trellis. Community District 7.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 08-7842 - Block 1145, lot 37 - 108 West 74th Street - Upper West Side/Central Park West Historic District
A Renaissance Revival style rowhouse with Gothic and Moorish style elements, designed by Thom and Wilson and built in 1886-87. Application is to install a new storefront.
Community District 7.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 10-9825 - Block 1380, lot 143 - 58 East 66th Street - Upper East Side Historic District
A Beaux-Arts style residence designed by Buchman & Fox and built in 1908-09. Application is to construct a rear yard addition and replace windows. Zoned R8B.
Community District 8.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 10-8639 - Block 1504, lot 44 - 66 East 93rd Street - Carnegie Hill Historic District Extension
A Queen Anne style flats building designed by A.B. Ogden & Son and built in 1890-91. Application is to alter the front and rear facades. Community District 8.

j29-jy13

TRANSPORTATION

PUBLIC HEARINGS

COMMUTER VAN SERVICE AUTHORITY

NOTICE IS HEREBY GIVEN THAT the Department of Transportation is conducting a hearing on the expansion of a van authority currently authorized in the Borough of Queens to add additional vans to their service in Queens. The van company requesting this expansion is: Flexible Line, Inc. The address is 258-29 Francis Lewis Blvd., Rosedale, NY 11422. The applicant currently utilizes 6 vans daily and is requesting 10 additional vans to provide daily service 24 hours a day.

There will be a public hearing held on Friday, July 23, 2010 at Queens Borough Hall, 120-55 Queens Blvd., Public Hearing Room 213, Part 2, Kew Gardens, NY 11424 from 2:00 P.M. - 4:00 P.M. for an opportunity to voice your position on this application. In addition, written comments in support or in opposition to this application may be sent to Ms. Dorothy Szorc at the New York City Department of Transportation, Traffic Management Division, Office of Alternative Modes - 6th Floor, 55 Water Street, New York, NY 10041 no later than July 23, 2010. Any written comments received after this date may not be considered. Those opposing the application must clearly specify why the proposed service will not meet present and/or future public convenience and necessity.

COMMUTER VAN SERVICE AUTHORITY

NOTICE IS HEREBY GIVEN THAT the Department of Transportation is conducting a hearing on the expansion of a van authority currently authorized in the Borough of Queens to add additional vans to their service in Queens. The van company requesting this expansion is: J & HE Transportation, Inc. The address is 40-06 Case Street, 1st Floor, Elmhurst, NY 11373. The applicant currently utilizes 14 vans daily and is requesting 10 additional vans to provide daily service 24 hours a day.

There will be a public hearing held on Friday, July 23, 2010 at Queens Borough Hall, 120-55 Queens Blvd., Public Hearing Room 213, Part 2, Kew Gardens, NY 11424 from 2:00 P.M. - 4:00 P.M. for an opportunity to voice your position on this application. In addition, written comments in support or in opposition to this application may be sent to Ms. Dorothy Szorc at the New York City Department of Transportation, Traffic Management Division, Office of Alternative Modes - 6th Floor, 55 Water Street, New York, NY 10041 no later than July 23, 2010. Any written comments received after this date may not be considered. Those opposing the application must clearly specify why the proposed service will not meet present and/or future public convenience and necessity.

jy2-9

PROPERTY DISPOSITION

CITYWIDE ADMINISTRATIVE SERVICES

DIVISION OF MUNICIPAL SUPPLY SERVICES

SALE BY SEALED BID

SALE OF: 1 LOT OF CAR LIFT SYSTEM, USED.

S.P.#: 10026

DUE: July 9, 2010

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
DCAS, Division of Municipal Supply Services, 18th Floor Bid Room, Municipal Building, New York, NY 10007.
For sales proposal, contact Gladys Genoves-McCauley (718) 417-2156.

j25-jy9

SALE OF: 33 PIECES OF USED LANDFILL EQUIPMENT.

S.P.#: 10025

DUE: July 13, 2010

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
DCAS, Division of Municipal Supply Services, 18th Floor Bid Room, Municipal Building, New York, NY 10007.
For sales proposal contact Gladys Genoves-McCauley (718) 416-2156 for information.

j29-jy13

HOUSING PRESERVATION & DEVELOPMENT

NOTICE

Pursuant to Section 1802(6)(j) of the NYC Charter, notice is hereby given that the Department of Housing Preservation and Development of the City of New York is proposing to sell the following Properties to a designated sponsor for each project:

Address	Block	Lot	Price
BROOKLYN: TENANT OWNERSHIP PROGRAM:			
996 East 46th Street	5022	p/o 2	\$290,000

NEW FOUNDATIONS PROGRAM:

1812 St. John's Place	1474	37	\$12,000
474 Saratoga Avenue	1474	41	

The appraisal and proposed approval documents are available for public examination at the Office of HPD, 100 Gold Street, Rm. 5M, New York, New York during its regular hours on weekdays from 9:00 A.M. to 5:00 P.M.

PLEASE TAKE NOTICE that the Real Property Acquisition & Disposition Public Hearing of will be held on **Tuesday, August 10, 2010 commencing at 10:00 A.M.**, before the Mayor's Office of City Legislative Affairs in Spector Hall, 22 Reade Street, Borough of Manhattan, at which time and place those wishing to be heard will be given the opportunity to testify on a proposed document determining that the Mayor approves the disposition pursuant to Section 1802(6)(j) of the Charter.

INDIVIDUALS REQUESTING SIGN LANGUAGE INTERPRETERS SHOULD CONTACT THE MAYOR'S OFFICE OF CONTRACT SERVICES, PUBLIC HEARINGS UNIT, 253 BROADWAY, ROOM 915, NEW YORK, N.Y. 10007, (212) 788-7490, NO LATER THAN SEVEN (7) BUSINESS DAYS PRIOR TO THE PUBLIC HEARING. TDD USERS SHOULD CALL VERIZON RELAY SERVICE.

jy9

POLICE

OWNERS ARE WANTED BY THE PROPERTY CLERK DIVISION OF THE NEW YORK CITY POLICE DEPARTMENT.

The following listed property is in the custody, of the Property Clerk Division without claimants.

Recovered, lost, abandoned property, property obtained from prisoners, emotionally disturbed, intoxicated and deceased persons; and property

obtained from persons incapable of caring for themselves. Motor vehicles, boats, bicycles, business machines, cameras, calculating machines, electrical and optical property, furniture, furs, handbags, hardware, jewelry, photographic equipment, radios, robes, sound systems, surgical and musical instruments, tools, wearing apparel, communications equipment, computers, and other miscellaneous articles.

INQUIRIES
Inquiries relating to such property should be made in the Borough concerned, at the following office of the Property Clerk.

FOR MOTOR VEHICLES
(All Boroughs):

- * College Auto Pound, 129-01 31 Avenue, College Point, NY 11354, (718) 445-0100
- * Gowanus Auto Pound, 29th Street and 2nd Avenue, Brooklyn, NY 11212, (718) 832-3852
- * Erie Basin Auto Pound, 700 Columbia Street, Brooklyn, NY 11231, (718) 246-2029

FOR ALL OTHER PROPERTY

- * Manhattan - 1 Police Plaza, New York, NY 10038, (212) 374-4925.
- * Brooklyn - 84th Precinct, 301 Gold Street, Brooklyn, NY 11201, (718) 875-6675.
- * Bronx Property Clerk - 215 East 161 Street, Bronx, NY 10451, (718) 590-2806.
- * Queens Property Clerk - 47-07 Pearson Place, Long Island City, NY 11101, (718) 433-2678.
- * Staten Island Property Clerk - 1 Edgewater Plaza, Staten Island, NY 10301, (718) 876-8484.

j1-d31

PROCUREMENT

"The City of New York is committed to achieving excellence in the design and construction of its capital program, and building on the tradition of innovation in architecture and engineering that has contributed to the City's prestige as a global destination. The contracting opportunities for construction/construction services and construction-related services that appear in the individual agency listings below reflect that commitment to excellence."

CITYWIDE ADMINISTRATIVE SERVICES

AGENCY CHIEF CONTRACTING OFFICER

■ AWARDS

Construction / Construction Services

MECHANICAL WORK – Competitive Sealed Bids – PIN# 856090001063 – AMT: \$357,000.00 – TO: ACS Systems Associates, Inc., 160 West Lincoln Ave., Mount Vernon, NY 10550. Mechanical work for the fire alarm upgrade project at 18 Richmond Terrace, S.I. This is a prevailing wage contract, with M/WBE subcontracting requirements.

☛ jy9

DIVISION OF MUNICIPAL SUPPLY SERVICES

■ SOLICITATIONS

Goods

CANS, ASH AND GARBAGE, WITH COVERS – Competitive Sealed Bids – PIN# 8571000774 – DUE 07-26-10 AT 10:30 A.M.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.

Department of Citywide Administrative Services
1 Centre Street, 18th Floor, New York, NY 10007.
Anna Wong (212) 669-8610, fax: (212) 669-7603,
dcasdmssbids@dcas.nyc.gov

☛ jy9

■ AWARDS

Goods

- GRP: FIRE RESEARCH FLOWMETERS AND ACCESSORIES** – Competitive Sealed Bids – PIN# 8571000379 – AMT: \$475,000.00 – TO: Firesearch Corporation, 26 Southern Blvd., Nesconset, NY 11767.
- **VEHICLES, HYBRID-NYPD** – Competitive Sealed Bids – PIN# 8571000582 – AMT: \$3,190,972.00 – TO: Hudson Motors Partnership dba Hudson Toyota, 585 Route 440, Jersey City, NJ 07305.
- **BAKERY PRODUCTS** – Competitive Sealed Bids – PIN# 8571000681 – AMT: \$3,960.00 – TO: Mivila Foods, 226 Getty Avenue, Paterson, NJ 07503.
- **BAKERY PRODUCTS** – Competitive Sealed Bids – PIN# 8571000681 – AMT: \$82,948.32 – TO: Teri Nichols Institutional Food Merchant LLC, 10101C Avenue D, Brooklyn, NY 11236.
- **BAKERY PRODUCTS** – Competitive Sealed Bids – PIN# 8571000681 – AMT: \$653,176.00 – TO: Bay State Milling Company, 404 Getty Avenue, Clifton, NJ 07011.

☛ jy9

PERPETUAL SOFTWARE LICENSES AND HARDWARE - FISA – Intergovernmental Purchase – PIN# 20105401176 – AMT: \$111,905.34 – TO: Verizon Network Integration Corp., 52 East Swedesford Road, Frazier, PA 19355. NYS Contract #60953.

Suppliers wishing to be considered for a contract with the Office of General Services of New York State are advised to contact the Procurement Services Group, Corning Tower, Room 3711, Empire State Plaza, Albany, NY 12242 or by phone: 518-474-6717.

☛ jy9

■ VENDOR LISTS

Goods

ACCEPTABLE BRAND LIST – In accordance with PPB Rules, Section 2-05(c)(3), the following is a list of all food items for which an Acceptable Brands List has been established.

1. Mix, Biscuit - AB-14-1:92
2. Mix, Bran Muffin - AB-14-2:91
3. Mix, Corn Muffin - AB-14-5:91
4. Mix, Pie Crust - AB-14-9:91
5. Mixes, Cake - AB-14-11:92A
6. Mix, Egg Nog - AB-14-19:93
7. Canned Beef Stew - AB-14-25:97
8. Canned Ham Shanks - AB-14-28:91
9. Canned Corned Beef Hash - AB-14-26:94
10. Canned Boned Chicken - AB-14-27:91
11. Canned Corned Beef - AB-14-30:91
12. Canned Ham, Cured - AB-14-29:91
13. Complete Horse Feed Pellets - AB-15-1:92
14. Canned Soups - AB-14-10:92D
15. Infant Formula, Ready to Feed - AB-16-1:93
16. Spices - AB-14-12:95
17. Soy Sauce - AB-14-03:94
18. Worcestershire Sauce - AB-14-04:94

Application for inclusion on the above enumerated Acceptable Brand Lists for foods shall be made in writing and addressed to: Purchase Director, Food Unit, Department of Citywide Administrative Services, Division of Municipal Supply Services, 1 Centre Street, 18th Floor, New York, NY 10007. (212) 669-4207.

jy17-j4

EQUIPMENT FOR DEPARTMENT OF SANITATION

In accordance with PPB Rules, Section 2.05(c)(3), an acceptable brands list will be established for the following equipment for the Department of Sanitation:

- A. Collection Truck Bodies
- B. Collection Truck Cab Chassis
- C. Major Component Parts (Engine, Transmission, etc.)

Applications for consideration of equipment products for inclusion on the acceptable brands list are available from: Vendor Relations, Department of Citywide Administrative Services, Division of Municipal Supply Services, 1 Centre Street, 18th Floor, New York, NY 10007. (212) 669-8610.

jy17-j4

OPEN SPACE FURNITURE SYSTEMS - CITYWIDE

– In accordance with PPB Rules, Section 2.05(c)(3), an Acceptable Brands List, #AB-17W-1:99, has been established for open space furniture systems.

Application for consideration of product for inclusion on this acceptable brands list shall be made in writing and addressed to: Vendor Relations, Department of Citywide Administrative Services, Division of Municipal Supply Services, 1 Centre Street, 18th Floor, New York, NY 10007, (212) 669-8610.

jy17-j4

CULTURAL AFFAIRS

■ SOLICITATIONS

Goods & Services

TESSITURA TICKETING SOFTWARE FOR MTC – Sole Source – Available only from a single source - PIN# 12610S0001 – DUE 07-26-10 AT 9:00 A.M. – The Dept. of Cultural Affairs intends to enter into negotiations with Tessitura, Inc., for the sole source procurement of the ticketing software system.

The agency has determined that it is in the best interest of the City to utilize the sole source method of source selection because, based on market research, it appears that Tessitura, Inc., is the only source for the proprietary ticketing software system. Any firm which believes it can also provide this category of service and would like to be considered, is invited to contact the Dept. of Cultural Affairs, 31 Chambers Street, 2nd Floor, New York, NY 10007. Attn: Louise Woehrle, Agency Chief Contracting Officer (212) 513-9310, or lwoehrle@culture.nyc.gov, no later than July 25, 2010.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.

Department of Cultural Affairs, 31 Chambers Street, 2nd Floor, New York, NY 10007. Louis Woehrle (212) 513-9310, lwoehrle@culture.nyc.gov

jy8-14

DESIGN & CONSTRUCTION

■ AWARDS

Construction / Construction Services

RECONSTRUCTION OF RAISED MEDIANS ON METROPOLITAN AVENUE, THE BRONX – Competitive Sealed Bids – PIN# 8502009HW0030C – AMT: \$14,451,382.20 – TO: Trocom Construction Corp., 46-27 54th Road, Maspeth, NY 11378. Project No: HWD105-01.

☛ jy9

HEALTH AND HOSPITALS CORPORATION

The New York City Health and Hospitals Corporation is regularly soliciting bids for supplies and equipment at its Central Purchasing Offices, 346 Broadway, New York City, Room 516, for its Hospitals and Diagnostic and Treatment Centers. All interested parties are welcome to review the bids that are posted in Room 516 weekdays between 9:00 a.m. and 4:30 p.m. For information regarding bids and the bidding process, please call (212) 442-4018.

j1-d31

■ SOLICITATIONS

Goods

OLYMPIC STERILE DRIER MODEL 43 – Sole Source – Available only from a single source - PIN# 231-11-009SS – DUE 07-13-10 AT 10:00 A.M. – “The North Brooklyn Health Network” (“NBHN”) intends to enter into a sole source contract for the Olympic Sterile Drier Model 43 with Natus Medical, 1501 Industrial Rd., San Carlos, CA 94070.

Any other supplier who is capable of providing this product for the NBHN may express their interest in doing so by writing to: Abraham Caban, Procurement Analyst, 100 North Portland Avenue, Room C-32, Brooklyn, NY 11205 or abraham.caban@nychhc.org, (718) 260- 7593; fax (718) 260-7619.

jy6-12

HOMELESS SERVICES

OFFICE OF CONTRACTS AND PROCUREMENT

■ SOLICITATIONS

Human / Client Service

CORRECTION: TRANSITIONAL RESIDENCES FOR HOMELESS/ DROP-IN CENTERS – Competitive Sealed Proposals – Judgment required in evaluating proposals - PIN# 071-00S-003-262Z – DUE 06-27-11 AT 10:00 A.M. – CORRECTION: The Department of Homeless Services is soliciting proposals from organizations interested in developing and operating transitional residences for homeless adults and families including the Neighborhood Based Cluster Residence and drop-in centers for adults. This is an open-ended solicitation; there is no due date for submission.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.

Department of Homeless Services, 33 Beaver Street, 13th Floor, New York, NY 10004.
Marta Zmoira (212) 361-0888, mzmoira@dhs.nyc.gov

j6-20

HOUSING AUTHORITY

■ SOLICITATIONS

Construction / Construction Services

ROOF REPLACEMENT AND MASONRY REHABILITATION AT SARATOGA VILLAGE – Competitive Sealed Bids – PIN# RF1003077 – DUE 07-28-10 AT 10:00 A.M. – Bid documents are available Monday through Friday, 9:00 A.M. to 4:00 P.M., for a \$25.00 fee in the form of a money order or certified check made payable to NYCHA.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.

Housing Authority, 90 Church Street, 11th Floor, New York, NY 10007. Gloria Guillo, MPA, CPPO, (212) 306-3121, fax: (212) 306-5151, gloria.guillo@nycha.nyc.gov

jy7-13

HOUSING PRESERVATION & DEVELOPMENT

DIVISION OF MAINTENANCE

■ SOLICITATIONS

Services (Other Than Human Services)

TELEPHONE SYSTEM REPAIR AND SERVICING – Competitive Sealed Bids – PIN# 80610B0016 – DUE 08-05-10 AT 11:00 A.M. – Non-refundable document cost of \$25.00 shall be payable at time of bid document pick up. Acceptable forms of payment are money order or certified bank check, only. Sale hours are Monday through Friday, excluding City Holidays, between the hours of 9:00 A.M. to Noon and 2:00 P.M. to 4:00 P.M.

A pre-bid conference is scheduled for Wednesday, July 21, 2010 at 11:00 A.M. The conference will be held at HPD, 100 Gold Street, New York, NY 10038, First Floor Conference Room 1-R. Attendance is highly recommended.

People with disabilities requiring special accommodations to pick up solicitation documents are advised to call Diane Faulkner, (212) 863-7078/7723, so that necessary arrangements can be made.

Contract is subject to all provisions as may be required by Federal, State and Local Statutes, Rules and Regulations.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.

Housing Preservation and Development, 100 Gold Street, 6M3, NY, NY 10038. Brian Saunders (212) 863-6590, contracts@hpd.nyc.gov

☛ jy9

HUMAN RESOURCES ADMINISTRATION

■ AWARDS

Human / Client Service

AIDS HOUSING AND SHELTER FOR PERSONS WITH AIDS – Negotiated Acquisition – Judgment required in evaluating proposals – Westside Federation For Senior Housing, Inc. 2345 Broadway, NYC, NY 10024 PIN#: 06910H072006 Contract Period: 10/01/09-03/31/10 Contract Amount: \$364,206.00

Bowery Residents Committee, Inc. 324 Lafayette Street, 8th Fl., NYC, NY 10012 PIN#: 06910H072002 Contract Period: 10/01/09-03/31/10

Contract Amount: \$421,730.00

Project Renewal, Inc.
200 Varick Street, 9th Fl., NYC, NY 10014
PIN#: 06910H072004
Contract Period: 10/01/09-03/31/10
Contract Amount: \$284,119.00

Actor's Fund of America
729 Seventh Ave., 10th Fl., NYC, NY 10019
PIN#: 06910H072001
Contract Period: 10/01/09-03/31/10
Contract Amount: \$674,902.00

Palladia, Inc.
2006 Madison Avenue, NYC, NY 10035
PIN#: 06910H072003
Contract Period: 10/01/09-03/31/10
Contract Amount: \$213,443.00

Services for the Underserved
305 7th Avenue, 10th Fl., NYC, NY 10001
PIN#: 06910H072009
Contract period: 10/01/09-03/31/10
Contract Amount: \$716,408.00

Communitlife, Inc.
214 West 29th Street, 8th Fl., NYC, NY 10001
PIN#: 06910H072008
Contract Period: 10/01/09-03/31/10
Contract Amount: \$801,949.00

☛ jy9

CONTRACTS

AWARDS

Human/Client Service

AIDS HOUSING AND SHELTER FOR PERSONS WITH AIDS – Contract Change – PIN# 069050213010 – AMT: \$529,976.00 – TO: Bowery Residents Committee, Inc., 324 Lafayette Street, 18th Floor, New York, New York 10012. Term of Extension: May 1, 2010 to April 30, 2011.

☛ jy9

INTENT TO AWARD

Services (Other Than Human Services)

DATA/VOICE INFRASTRUCTURE – Negotiated Acquisition – Judgment required in evaluating proposals - PIN# 06909X0075CNVN003 – DUE 07-27-10 AT 5:00 P.M. – The Human Resources Administration (HRA)/Management Information Systems (MIS), in accordance with Section 3-04 (b)(2)(iii) of the New York City Procurement Policy Board (PPB) Rules, intent to enter into negotiations with AT and T Corp, the organization that currently provides installation of Data/Voice Infrastructure (services) to HRA, for a contract extension for a period of six (6) months, 4/20/10 through 10/31/10.

Vendors interested in responding to future solicitation for these services may call NYC Vendor Enrollment Center at (212) 857-1680 to request an application or may complete the application on-line by visiting www.nyc.gov/selltonyc. There is a compelling need to extend the contract once more as a bid solicitation for the services was unsuccessful. Anyone having comments on vendor performance of the proposed contract extension may contact Mr. Chukus Obicheta at (718) 510-8535 on or before 7/27/10. You may also write to: Chukus Obicheta, HRA/MIS, Office of Budget and Contracts, 15 Metrotech Center, 12th Fl., Brooklyn, NY 11201. Phone: (718) 510-8535 or email: obicheta@hra.nyc.gov.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
Human Resources Administration, 180 Water Street, 14th Fl, New York, NY 10038. Sarathi Ramadas (212) 331-5049, ramadass@hra.nyc.gov

jy7-13

INFORMATION TECHNOLOGY AND TELECOMMUNICATIONS

INTENT TO AWARD

Goods & Services

SOFTWARE LICENSES AND MAINTENANCE – Sole Source – Available only from a single source - PIN# 85810S0010 – DUE 07-12-10 AT 3:00 P.M. – The City intends to enter into Sole Source negotiations with Computer Corporation of America for Proprietary Software Licenses and Maintenance. Any vendor that wishes to provide such services in the future should send notice to DoITT.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
Department of Information Technology and Telecommunications, 75 Park Place, 9th Floor, NYC, NY 10007. Dorothy Duncan (212) 788-6274, fax: (212) 788-6489, dduncan@doitt.nyc.gov

jy2-9

JUVENILE JUSTICE

SOLICITATIONS

Human/Client Service

PROVISION OF NON-SECURE DETENTION GROUP HOMES – Negotiated Acquisition – Judgment required in evaluating proposals - PIN# 13010DJJ000 – DUE 06-30-11 AT 2:00 P.M. – The Department of Juvenile Justice is soliciting applications from organizations interested in operating non-secure detention group homes in New York City. This is an open-ended solicitation; applications will be accepted on a rolling basis until 2:00 P.M. on 6/30/11.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
Department of Juvenile Justice, 110 William Street, 14th Floor, New York, NY 10038. Chuma Uwechia (212) 442-7716, cuwechia@djj

jy1-d16

TRIBOROUGH BRIDGE & TUNNEL AUTHORITY

SOLICITATIONS

Goods

AFTER MARKET AUTOMOTIVE PARTS – Competitive Sealed Bids – PIN# OP14460000 – DUE 07-27-10 AT 3:00 P.M.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
Triborough Bridge and Tunnel Authority, 3 Stone Street, Bid Suite. Victoria Warren (646) 252-6101, fax: (646) 252-6108, vprocure@mtabt.org
All bids must be delivered to the 2 Broadway, Bid Suite, located at the 3 Stone Street entrance. Please allow extra time for delivery.

☛ jy9

Construction Related Services

SUBSTRUCTURE AND UNDERWATER WORK AT THE CROSS BAY BRIDGE – Competitive Sealed Bids – PIN# CB090000000 – DUE 08-17-10 AT 3:00 P.M. – A site tour is scheduled for Thursday, July 29, 2010 at 11:00 A.M. Reservations must be made by contacting Harold Booth, Contract Manager, at (646) 252-7052, no later than noon the preceding work day. Must have protective equipment, including reflective safety vest and a hard hat and two forms of ID, including a photo ID. All vendors interested in purchasing these documents must follow instructions for CCR and FedBizOpps at www.mta.info/bandt/procure/preacton.htm

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
Triborough Bridge and Tunnel Authority, 2 Broadway, Bid Suite, 3 Stone Street, New York, NY 10004. Victoria Warren (646) 252-6101, fax: (646) 252-6108, vprocure@mtabt.org
All bids must be delivered to the 2 Broadway, Bid Suite, located at the 3 Stone Street entrance. Please allow extra time for delivery.

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YOUTH AND COMMUNITY DEVELOPMENT

INTENT TO AWARD

Human/Client Service

BEACON COMMUNITY CENTERS – Renewal – PIN# 26007BCCRFP – DUE 07-12-10 AT 10:00 A.M. – In accordance with Section 4-04(a) of the Procurement Policy Board Rules, the Department of Youth and Community Development (DYCD) intends to renew the following Beacon Community Center Programs, which provide programming during after school hours at school sites throughout New York City. The contractors' names, ID numbers and addresses are indicated below. The term of the contracts shall be from September 1, 2010 to August 31, 2013.

PIN# 26011009901A
CAMBA, Inc., 1720 Church Avenue, Brooklyn, NY 11226

PIN# 26011009902A
Coalition for Hispanic Family Services, 315 Wyckoff Avenue, Brooklyn, NY 11237

PIN# 26011009903A
Community Association of Progressive Dominicans, 3940 Broadway, New York, NY 10032

PIN# 26011009904A
Community Association of Progressive Dominicans, 3940 Broadway, New York, NY 10032

PIN# 26011009905A
El Puente de Williamsburg, 211 South 4th Street, Brooklyn, NY 11211

PIN# 26011009907A
Goodwill Industries of Greater New York, 4-21 27th Avenue, Astoria, NY 11102

PIN# 26011009908A
Police Athletic League, 34 1/2 East 12th Street, New York, NY 10003

PIN# 26011009909A
Research Foundation of CUNY, 230 West 41st Street, New York, NY 10036

PIN# 26011009910A
Ridgewood Bushwick Senior Citizens Council, 555 Bushwick Avenue, Brooklyn, NY 11206

PIN# 26011009911A
Simpson Street Development Association, Inc., 997 East 163rd Street, Bronx, NY 10459

PIN# 26011009912A
St. Nicks Alliance Corp., 11 Catherine Street, Brooklyn, NY 11211

PIN# 26011009913A
Supportive Children's Advocacy Network (SCAN), 345 East 102nd Street, New York, NY 10029

PIN# 26011009914A
Alianza Dominicana, Inc., 2410 Amsterdam Avenue, New York, NY 10033

PIN# 26011009915A
Alianza Dominicana, Inc., 2410 Amsterdam Avenue, New York, NY 10033

PIN# 26011009916A
Aspira of New York, Inc., 520 8th Avenue, New York, NY 10018

PIN# 26011009917A
Chinese American Planning Council, 150 Elizabeth Street, New York, NY 10012

PIN# 26011009918A
Directions for Our Youth, Inc., 21 West 86th Street, New York, NY 10024

PIN# 26011009919A
East NY Development Corporation, 2644 Atlantic Avenue, Brooklyn, NY 11207

PIN# 26011009921A
Federation of Italian American Organizations of Brooklyn, 7403 18th Avenue, Brooklyn, NY 11204

PIN# 26011009922A
Goddard-Riverside Community Center, 593 Columbus Avenue, New York, NY 10024

PIN# 26011009923A
Goodwill Industries of Greater New York, 4-21 27th Avenue, Astoria, NY 11102

PIN# 26011009924A
Goodwill Industries of Greater New York, 4-21 27th Avenue, Astoria, NY 11102

PIN# 26011009925A
Grand Street Settlement, Inc., 80 Pitt Street, New York, NY 10002

PIN# 26011009926A
Greater Ridgewood Youth Council, Inc., 62-04 Myrtle Avenue, Ridgewood, NY 11385

PIN# 26011009927A
Harlem Children's Zone, 35 East 125th Street, New York, NY 10035

PIN# 26011009928A
Heartshare Human Services, 12 MetroTech Center, Brooklyn, NY 11201

PIN# 26011009929A
Hellenic American Neighborhood Action Committee (HANAC), 49 West 45th Street, New York, NY 10036

PIN# 26011009930A
Hellenic American Neighborhood Action Committee (HANAC), 49 West 45th Street, New York, NY 10036

PIN# 26011009931A
Hudson Guild, 441 West 26th Street, New York, NY 10001

PIN# 26011009932A
Jewish Community Center of Staten Island, Inc., 1466 Manor Road, Staten Island, NY 10314

PIN# 26011009933A
Jewish Community Center of Staten Island, Inc., 1466 Manor Road, Staten Island, NY 10314

PIN# 26011009934A
Mosholu Montefiore Community Center, Inc., 3450 Dekalb Avenue, Bronx, NY 10467

PIN# 26011009935A
Mosholu Montefiore Community Center, Inc., 3450 Dekalb Avenue, Bronx, NY 10467

PIN# 26011009936A
Mosholu Montefiore Community Center, Inc., 3450 Dekalb Avenue, Bronx, NY 10467

PIN# 26011009937A
Mosholu Montefiore Community Center, Inc., 3450 Dekalb Avenue, Bronx, NY 10467

PIN# 26011009938A
Phipps Community Development, 902 Broadway, New York, NY 10010

PIN# 26011009939A
Police Athletic League, 34 1/2 East 12th Street, New York, NY 10003

PIN# 26011009941A
Police Athletic League, 34 1/2 East 12th Street, New York, NY 10003

PIN# 26011009942A
Queens Community House, Inc., 108-25 62nd Drive, Forest Hills, NY 11375

PIN# 26011009943A
Research Foundation of CUNY, 230 West 41st Street, New York, NY 10036

PIN# 26011009944A
Research Foundation of CUNY, 230 West 41st Street, New York, NY 10036

PIN# 26011009945A
Research Foundation of CUNY, 230 West 41st Street, New York, NY 10036

PIN# 26011009946A
Roosevelt Island Youth Program, Inc., 506 Main Street, New York, NY 10044

PIN# 26011009947A
Samuel Field YM and YWHA, Inc., 58-20 Little Neck Parkway, Little Neck, NY 11362

PIN# 26011009948A
Samuel Field YM and YWHA, Inc., 58-20 Little Neck Parkway, Little Neck, NY 11362

PIN# 26011009949A
Samuel Field YM and YWHA, Inc., 58-20 Little Neck Parkway, Little Neck, NY 11362

PIN# 26011009950A
SCO Family of Services, 1 Alexander Place, Glen Cove, NY 11542

PIN# 26011009951A
SCO Family of Services, 1 Alexander Place, Glen Cove, NY 11542

PIN# 26011009952A
Sesame Flyers International, Inc., 3510 Church Avenue, Brooklyn, NY 11203

PIN# 26011009953A
St. Nicks Alliance Corp., 11 Catherine Street, New York, NY 11211

PIN# 26011009954A
Stanley M. Isaacs Neighborhood Center, Inc., 415 East 93rd Street, New York, NY 10128

PIN# 26011009955A
Sunnyside Community Service, Inc., 43-31 39th Street, Long Island, City NY 11104

PIN# 26011009956A
The Child Center of NY, 60-02 Queens Boulevard, Woodside, NY 11377

PIN# 26011009957A
The Child Center of NY, 60-02 Queens Boulevard, Woodside, NY 11377

PIN# 26011009958A
United Activities Unlimited, Inc., 485 Clawson Street, Staten Island, NY 10306

PIN# 26011009959A
University Settlement Society of New York, Inc., 184 Eldridge Street, New York, NY 10002

PIN# 26011009960A
YMCA of Greater New York, 5 West 63rd Street, New York, NY 10023

PIN# 26011009961A
YMCA of Greater New York, 5 West 63rd Street, New York, NY 10023

PIN# 26011009962A
YMCA of Greater New York, 5 West 63rd Street, New York, NY 10023

PIN# 26011009963A
YMCA of Greater New York, 5 West 63rd Street, New York, NY 10023

PIN# 26011009974A
Supportive Children's Advocacy Network (SCAN), 345 East 102nd Street, New York, NY 10029

PIN# 26011009940A
Phipps Community Development, 902 Broadway, New York, NY 10010

PIN# 26011009965A
CAMBA, Inc., 1720 Church Avenue, Brooklyn, NY 11226

PIN# 26011009966A
Cypress Hills Local Development Corporation, 625 Jamaica Avenue, Brooklyn, NY 11208

PIN# 26011009967A
Good Shepherd Services, 305 7th Avenue, New York, NY 10001

PIN# 26011009968A
Good Shepherd Services, 305 7th Avenue, New York, NY 10001

PIN# 26011009969A
Graham Windham, 33 Irving Place, New York, NY 10003

PIN# 26011009970A
Harlem Children's Zone, Inc., 35 East 125th Street, New York, NY 10035

PIN# 26011009972A
Heartshare Human Services, 12 MetroTech Center, Brooklyn, NY 11201

PIN# 26011009973A
New York City Mission Society, 105 East 22nd Street, New York, NY 10010

PIN# 26011009975A
SCO Family of Services, 1 Alexander Place, Glen Cove, NY 11542

PIN# 26011009976A
Sesame Flyers International, Inc., 3510 Church Avenue, Brooklyn, NY 11203

PIN# 26011009977A
Southern Queens Park Association, 177-01 Baisley Boulevard, Rochdale Village, NY 11434

PIN# 26011009978A
The Child Center of NY, 60-02 Queens Boulevard, Woodside, NY 11377

PIN# 26011009979A
United Activities Unlimited, Inc., 485 Clawson Street, Staten Island, NY 10306

PIN# 26011009980A
YMCA of Greater New York/Virtual Y, 5 West 63rd Street, New York, NY 10023

PIN# 26011009964A
Graham Windham, 33 Irving Place, New York, NY 10003

Contractor
Center for Behavioral Health Services, Inc.
One Smith Street, Brooklyn, NY 11201

PIN# 11AZ021101R0X00 **Amount** \$1,537,584
E-PIN 81610R0005001

The proposed contractor was selected by means of the Required Authorized Source Method, pursuant to Section 1-02(d)(2) of the Procurement Policy Board Rules.

A draft copy of the proposed contract is available for public inspection at the New York City Department of Health and Mental Hygiene, Office of the Agency Chief Contracting Officer, 93 Worth Street, Room 812, New York, NY 10013, from July 9, 2010 to July 22, 2010, excluding Saturdays, Sundays and Holidays, from 10:00 AM to 4:00 PM.

AGENCY RULES

ENVIRONMENTAL CONTROL BOARD

■ NOTICE

NOTICE OF OPPORTUNITY TO COMMENT on Proposed Rule regarding penalties for offenses adjudicated by the Environmental Control Board (ECB).

NOTICE IS HEREBY GIVEN PURSUANT TO THE AUTHORITY VESTED in the Environmental Control Board (ECB) by section 1049-a of the New York City Charter, and in accordance with section 1043(b) of the Charter, that the Environmental Control Board proposes to amend subchapter G of Chapter 3 of Title 48 of the Rules of the City of New York, setting forth penalties for offenses adjudicated by the Environmental Control Board. New matter in the following rule is underlined, and deleted material is in brackets. This rule was not included in the Environmental Control Board's regulatory agenda because it was not anticipated at the time the agenda was created.

Written comments regarding the proposed rule may be sent to James Macron, Counsel to the Board, ECB, 66 John Street, 10th Floor, New York, NY 10038, on or before August 10, 2010. Members of the public may also submit comments on the rule electronically through NYC RULES at www.nyc.gov/nycrules. A public hearing regarding the proposed rule will be held on August 10, 2010, in ECB's 10th Floor Conference Room, at 66 John Street, 10th Floor, New York, NY 10038, at 5:00 P.M. Persons seeking to testify are requested to notify James Macron, Counsel to the Board, ECB, 66 John Street, 10th Floor, New York, NY 10038, (212) 361-1515, on or before August 10, 2010. Persons who need a sign language interpreter or other accommodation for a disability are asked to notify James Macron, Counsel to the Board, ECB, 66 John Street, 10th Floor, New York, NY 10038, (212) 361-1515 by August 3, 2010. Persons interested in receiving written comments and a transcript of oral comments on the proposed rule may request them by writing to: James Macron, Counsel to the Board, ECB, 66 John Street, 10th Floor, New York, NY 10038.

New matter is underlined. Deleted matter is in [brackets]

Section 1. The Air Asbestos Code Penalty Schedule found in Section 3-101 of Subchapter G of Chapter 3 of Title 48 of the Rules of the City of New York is amended by deleting the existing penalties for sections 1-126 (a), (b), (d), (e) and (f), listed under ACM Procedures: Order of Work, and replacing them as follows:

SECTION	DESCRIPTION	1ST VIOLATION	2ND VIOLATION	STIP. VIOLATION
1-126(a)	Failed to prevent demolition from compromising abatement on lower floors	Penalty 4800	STIP. Penalty 3000	STIP. 6000
1-126(b)	Improperly routed demolition debris through removal project work area	1200	1000	1500
1-126(d)	Failed to maintain proper separation between abatement and demolition areas	1200	1000	1500
1-126(e)	Failed to remove ACM from underground floors in proper sequence	1200	1000	1500
1-126(f)	Failed to remove ACM from street level floor last	1200	1000	1500
1-126	Performed concurrent abatement & demolition or story removal	4800	3000	6000

Statement of Basis and Purpose of Proposed Rule

ECB is proposing to amend its Air Asbestos Penalty Schedule in accordance with recent changes in the law. On December 7, 2009, section 24-146.1(o) of the Air Pollution Control Code became effective. This section prohibits the concurrent conduct of asbestos abatement activities with the demolition of a building, or the removal of one or more stories from a building. Previously, the rules of the Department of Environmental Protection permitted such concurrent activity as long as a two-floor buffer was maintained between the abatement and the demolition.

The enactment of section 24-146.1(o) required DEP to amend its Asbestos Rules. These amendments, which took effect on June 6, 2010, eliminate all of the existing provisions of section 1-126 and replace them with a prohibition on concurrent demolition and abatement, except pursuant to a variance issued under section 15 RCNY 1-03. Any such variance may only be approved after consultation with the Fire Department and the Department of Buildings.

NOTICE OF OPPORTUNITY TO COMMENT on Proposed Rule regarding penalties for offenses adjudicated by the Environmental Control Board (ECB).

NOTICE IS HEREBY GIVEN PURSUANT TO THE AUTHORITY VESTED in the Environmental Control Board (ECB) by section 1049-a of the New York City Charter, and in accordance with section 1043(b) of the Charter, that the Environmental Control Board proposes to amend subchapter G of Chapter 3 of Title 48 of the Rules of the City of New York, setting forth penalties for offenses adjudicated by the Environmental Control Board. New matter in the following rule is underlined, and deleted material is in brackets. This rule was not included in the Environmental Control Board's regulatory agenda because it was not anticipated at the time the agenda was created.

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Section 1. The Air Code Penalty Schedule found in Section 3-102 of Subchapter G of Chapter 3 of Title 48 of the Rules of the City of New York is amended to add the following material immediately after the entry for 24-163.8(c), "Made false claim regarding use of ultra low sulfur diesel fuel in generator" to read as follows:

New matter is underlined.

SECTION	DESCRIPTION	1 st	2 nd /3 rd & SUBSQ	2 nd /3 rd & SUB SQ.	STIP.	DEFAULT
1 st	OFF.	1,000	1,000	1,000	1,000	20,000
1 st	STIP.	1,000	1,000	1,000	1,000	No
24-163.9(b)	Failed to retrofit diesel school bus with closed crankcase ventilation system	5,000	5,000	5,000	5,000	10,000
24-163.9(c)	Used diesel school bus over 16 years old to fulfill school bus contract	5,000	5,000	5,000	5,000	10,000
24-163.9(d)	Failed to replace retired school bus with low-emission school bus	5,000	5,000	5,000	5,000	20,000
24-163.9(h)	Made false claim regarding retrofit of diesel school bus	5,000	5,000	5,000	5,000	20,000

Statement of Basis and Purpose of Proposed Rule

The Environmental Control Board (ECB) is proposing to revise the Air Code Penalty Schedule found in Section 3-102 of Subchapter G of Chapter 3 of Title 48 of the Rules of the City of New York (RCNY) to add four new charges for violations of section 24-163.9. This section of law was added to the Air Pollution Control Code by Int. 622 of 2009, signed by Mayor Bloomberg on October 7, 2009. The law takes effect on July 1, 2010. The law requires the retrofitting of diesel-powered school buses.

For purposes of section 24-163.9, the term "school bus" is limited to those buses that transport fewer than 10 students at one time and are operated pursuant to a contract with the Department of Education. Subsection (b) requires that such buses be retrofitted with a closed crankcase ventilation system to reduce engine emissions to the cabin. Half of a given school bus contractor's fleet is required to be retrofitted by September 1, 2010, with the remainder to be retrofitted by September 1, 2011. Subsection (c) provides that no diesel-powered school bus more than 16 years old may be used to fulfill a school bus contract, and subsection (d) provides that buses used to replace those retired due to the age limitation must either (1) meet federal emissions standards or (2) be electric, hybrid, gasoline-powered, or natural gas-powered.

Violations of 24-163.9 may be charged under subsections (b), (c) or (d). In addition, under subsection (h), the making of a false claim to a city agency "with respect to the provisions of this section" is a violation. Subsection (g) provides for a penalty of \$1000 to \$10,000 for violating the section, and \$20,000 for making a false claim to a city agency with respect to the section.

AGENCY PUBLIC HEARINGS ON CONTRACT AWARDS

"These Hearings may be cablecast on NYC TV Channel 74 on Sundays, from 5:00 p.m. to 7:00 p.m. For more information, visit: www.nyc.gov/tv" **NOTE: Individuals requesting Sign Language Interpreters should contact the Mayor's Office of Contract Services, Public Hearings Unit, 253 Broadway, 9th Floor, New York, N.Y. 10007, (212) 788-7490, no later than SEVEN (7) BUSINESS DAYS PRIOR TO THE PUBLIC HEARING. TDD users should call Verizon relay services.**

HEALTH AND MENTAL HYGIENE

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that a Contract Public Hearing will be held on Thursday, July 22, 2010, in Specter Hall, 22 Reade Street, Main Floor, Manhattan, commencing at 10:00 AM on the following:

IN THE MATTER of a proposed contract between the Department of Health and Mental Hygiene and the Contractor listed below, for a Citywide Assisted Competitive Employment program. The term of the contract shall be from July 1, 2010 to June 30, 2013 and contain two options to renew for the period from July 1, 2013 to June 30, 2016 and from July 1, 2016 to June 30, 2019.

NOTICE OF OPPORTUNITY TO COMMENT on Proposed Rule regarding penalties for offenses adjudicated by the Environmental Control Board (ECB).

NOTICE IS HEREBY GIVEN PURSUANT TO THE AUTHORITY VESTED in the Environmental Control Board by Section 1049-a of the New York City Charter, and in accordance with Section 1043(b) of the Charter, that the Environmental Control Board proposes to amend subchapter G of Chapter 3 of Title 48 of the Rules of the City of New York, setting forth penalties for offenses adjudicated by the Environmental Control Board. New matter in the following rule is underlined, and deleted material is in brackets. This rule was not included in the Environmental Control Board's regulatory agenda because it was not anticipated at the time the agenda was created.

Written comments regarding the proposed rule may be sent to James Macron, Counsel to the Board, ECB, 66 John Street, 10th Floor, New York, N.Y. 10038, on or before August 10, 2010. Members of the public may also submit comments on the rule electronically through NYC RULES at www.nyc.gov/nycrules. A public hearing regarding the proposed rule will be held on August 10, 2010, at 5:00 P. M., at ECB, 66 John Street, 10th Floor, Conference Room, New York, N.Y. 10038. Persons seeking to testify are requested to notify James Macron, Counsel to the Board, ECB, 66 John Street, 10th Floor, New York, N.Y. 10038, (212) 361-1515 on or before August 10, 2010. Persons who need a sign language interpreter or other accommodation for a disability are asked to notify James Macron, Counsel to the Board, ECB, 66 John Street, 10th Floor, New York, N.Y. 10038, (212) 361-1515 by August 3, 2010. Persons interested in receiving written comments and a transcript of oral comments on the proposed rule may request them by writing to: James Macron, Counsel to the Board, ECB, 66 John Street, 10th Floor, New York, N.Y. 10038.

Section 1. Buildings Penalty Schedule II, found in Section 3-103 of Subchapter G of Chapter 3 of Title 48 of the Rules of the City of New York, is amended to add two new entries immediately following the entry in that penalty schedule for BC3319.8.8, "Erection, jumping, climbing, dismantling operations of a tower or climber crane not in accordance with 3319.8.8," to read as follows:

New material is underlined.

Section of Law	Classification	Violation Description	Cure	Stipulation	Standard Penalty	Mitigate Penalty	Default Penalty	Aggravated Penalty	Aggravated if Default - Maximum
ZR 11-62	Class 2	Violation of discretionary zoning conditions on privately owned public space	No	No	\$4,000	No	\$10,000	\$10,000	\$10,000
Misc. Violation of ZR	Class 2	Misc. violation of condition on use of right privately owned public space	No	No	\$4,000	No	\$10,000	\$10,000	\$10,000

Statement of Basis and Purpose of Proposed Rule

The Environmental Control Board (ECB) proposes two amendments to ECB's Buildings Penalty Schedule II, found in Section 3-103 of Subchapter G of Chapter 3 of Title 48 of the Rules of the City of New York. The amendments pertain to enforcement of the New York City Zoning Resolution (ZR) in relation to Privately Owned Public Spaces (POPS).

ZR 11-62 allows the Department of Buildings to issue violations if a person or entity fails to comply with any conditions or restrictions in special permits, variances, authorizations or certifications granted under the ZR.

The Department of City Planning (DCP) is the approving authority on the creation of POPS in exchange for additional floor area in certain buildings within the City's high-density commercial and residential districts. These areas typically contain some visual and functional amenities for the public use and enjoyment, and are designed to provide additional light, air, green space and breathing room to ease the hard-scaped character in the densest areas of the City.

In 2007, the New York City Council adopted revised standards for all outdoor POPS, representing a significant update to and consolidation of all previous plaza design regulations into one outdoor plaza designation - the "public plaza." The 2007 text is intended to facilitate the design and construction of unique and exciting outdoor spaces. The rule

changes primarily appear in Chapter 7 of Article III and in Appendix E of the Zoning Resolution.

Whenever DCP observes non-compliance through its site visit, or, receives a complaint of non-compliance with a particular POPS, it usually contacts the owner and arranges to meet in order to have them come into compliance. If this process fails, DCP will then contact the Department of Buildings to inspect and issue any violations observed.

These infractions are being sought so that the Department of Buildings may effectively enforce these violations. The violations will be classified as Major (Class 2) violations. The high penalties indicated will serve as a deterrent to the likelihood of business owners ignoring these violations as a nominal cost of doing business. Additionally, because outreach is made to these property owners to resolve violating conditions prior to the issuance of violations, there will be no cure, stipulation or mitigation for these violations.

The Department of Buildings is amending Section 102-01 of Subchapter B of Title 1 of the Rules of the City of New York to be consistent with these changes.

Notice of Promulgation of Rule

NOTICE OF OPPORTUNITY TO COMMENT on Proposed Rule regarding penalties for offenses adjudicated by the Environmental Control Board (ECB).

NOTICE IS HEREBY GIVEN PURSUANT TO THE AUTHORITY VESTED in the Environmental Control Board (ECB) by section 1049-a of the New York City Charter, and in accordance with section 1043(b) of the Charter, that the Environmental Control Board proposes to amend subchapter G of Chapter 3 of Title 48 of the Rules of the City of New York, setting forth penalties for offenses adjudicated by the Environmental Control Board. New matter in the following rule is underlined, and deleted material is in brackets. This rule was not included in the Environmental Control Board's regulatory agenda because it was not anticipated at the time the agenda was created.

Written comments regarding the proposed rule may be sent to James Macron, Counsel to the Board, ECB, 66 John Street, 10th Floor, New York, NY 10038, on or before August 10, 2010. Members of the public may also submit comments on the rule electronically through NYC RULES at www.nyc.gov/nycrules. A public hearing regarding the proposed rule will be held on August 10, 2010, in ECB's 10th Floor Conference Room, at 66 John Street, 10th Floor, New York, NY 10038, at 5:00 P.M. Persons seeking to testify are requested to notify James Macron, Counsel to the Board, ECB, 66 John Street, 10th Floor, New York, NY 10038, (212) 361-1515, on or before August 10, 2010. Persons who need a sign language interpreter or other accommodation for a disability are asked to notify James Macron, Counsel to the Board, ECB, 66 John Street, 10th Floor, New York, NY 10038, (212) 361-1515 by August 3, 2010. Persons interested in receiving written comments and a transcript of oral comments on the proposed rule may request them by writing to: James Macron, Counsel to the Board, ECB, 66 John Street, 10th Floor, New York, NY 10038.

New matter is underlined.

Section 1. The Water Penalty Schedule found in Section 3-126 of Subchapter G of Chapter 3 of Title 48 of the Rules of the City of New York is amended to add the following material immediately after the entry in that penalty schedule for section 15 RCNY 20-02(b), "Unlawful connection to City main," to read as follows:

SECTION	DESCRIPTION	PENALTY	DEFAULT
15 RCNY 20-03(k)(4)	Failed to protect curb valve/box from damage	250	1,000
15 RCNY 20-03(w)	Failed to replace old service pipes upon establishment of new water service	250	1,000
15 RCNY 20-03(x)	Failed to install meter on unmetered property when service pipe is replaced/ repaired/relaid/installed	350	1,000

Section 2. The Water Penalty Schedule found in Section 3-126 of Subchapter G of Chapter 3 of Title 48 of the Rules of the City of New York is amended to add the following material immediately after the entry in that penalty schedule for section 15 RCNY 20-05(i)(2-12), "Improper setting of meter," to read as follows:

SECTION	DESCRIPTION	PENALTY	DEFAULT
15 RCNY 20-05(i)(12)	Failed to design meter setting to ensure electrical continuity	150	1,000

Section 3. The Water Penalty Schedule found in Section 3-126 of Subchapter G of Chapter 3 of Title 48 of the Rules of the City of New York is amended to add the following material immediately after the entry in that penalty schedule for section 15 RCNY 20-05(k), "Improper meter pit/box/vault construction," to read as follows:

SECTION	DESCRIPTION	PENALTY	DEFAULT
15 RCNY 20-05(m)(1)	Failed to install new meter after unpermitted disconnection of old meter	750	1,000

Section 4. The Water Penalty Schedule found in Section 3-126 of Subchapter G of Chapter 3 of Title 48 of the Rules of the City of New York is amended to add the following material immediately after the entry in that penalty schedule for section 15 RCNY 20-05(p), "Inadequate protection of meter/remote receptacle/AMR transmitter/wiring," to read as follows:

SECTION	DESCRIPTION	PENALTY	DEFAULT
15 RCNY 20-05(p)(2)	Relocated remote receptacle or AMR transmitter without permit	250	1,000

Statement of Basis and Purpose of Final Rule

The Environmental Control Board (ECB) is amending the Water Penalty Schedule found in Section 3-126 of Subchapter G of Chapter 3 of Title 48 of the Rules of the City of New York.

On August 13, 2009, the Board approved a number of changes and additions to the Water Penalty Schedule in light of revisions to 15 RCNY Chapter 20. However, even with these revisions, there are still several charges that are consistently cited using the "Miscellaneous Provisions" code in the Penalty Schedule. In order to give better notice to the public of these charges, ECB is adding six specific penalties provisions to the Water Penalty Schedule.

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NOTICE OF OPPORTUNITY TO COMMENT on Proposed Rule regarding penalties for offenses adjudicated by the Environmental Control Board (ECB).

NOTICE IS HEREBY GIVEN PURSUANT TO THE AUTHORITY VESTED in the Environmental Control Board (ECB) by Section 1049-(c)(3) of the New York City Charter, and by 1049-a of the New York City Charter and in accordance with Section 1043(b) of the Charter, that the Environmental Control Board proposes to amend subchapter G of Chapter 3 of Title 48 of the Rules of the City of New York, setting forth penalties for offenses adjudicated by the Environmental Control Board. New matter in the following rule is underlined, and deleted material is in brackets. This rule was not included in the Environmental Control Board's regulatory agenda because it was not anticipated at the time the agenda was created.

Written comments regarding the proposed rule may be sent to James Macron, Counsel to the Board, ECB, 66 John Street, 10th Floor, New York, NY 10038, on or before August 10, 2010. Members of the public may also submit comments on the rule electronically through NYC RULES at www.nyc.gov/nycrules. A public hearing regarding the proposed rule will be held on August 10, 2010, in ECB's 10th Floor Conference Room, at 66 John Street, 10th Floor, New York, NY 10038, at 5:00 P.M. Persons seeking to testify are requested to notify James Macron, Counsel to the Board, ECB, 66 John Street, 10th Floor, New York, NY 10038, (212) 361-1515, on or before August 10, 2010. Persons who need a sign language interpreter or other accommodation for a disability are asked to notify James Macron, Counsel to the Board, ECB, 66 John Street, 10th Floor, New York, NY 10038, (212) 361-1515 by August 3, 2010. Persons interested in receiving written comments and a transcript of oral comments on the proposed rule may request them by writing to: James Macron, Counsel to the Board, ECB, 66 John Street, 10th Floor, New York, NY 10038.

Section 1. Chapter 31 of Title 15, Subchapter G of the Rules of the City of New York is amended by adding a new section, 3-127, to read as follows:

New matter is underlined.

§3-127: Small Business Services Penalty Schedule

SMALL BUSINESS SERVICES PENALTY SCHEDULE

*For these sections, a repeat violation is a violation by the same respondent of the same section of law as the previous violation with a date of occurrence within 18 months of the date of occurrence of the previous violation.

SECTION/RULE	DESCRIPTION	PENALTY	DEFAULT
§22-112(a)(1)*	Placement, discharge or deposit of refuse, sludge, acid or any other refuse into the Port of New York	1 st offense: \$1,500 2 nd offense: \$5,000 3 rd offense: \$10,000 4 th offense: \$15,000 5 th and any subsequent offense: \$20,000	1 st offense: \$10,000 2 nd offense: \$20,000 3 rd offense: \$20,000 4 th offense: \$20,000 5 th and any subsequent offense: \$20,000
§22-112(a)(2)*	Discharging, causing or permitting oil, oil refuse or other inflammable matter from any ship or vessel into the Port of New York	1 st offense: \$1,500 2 nd offense: \$5,000 3 rd offense: \$10,000 4 th offense: \$15,000 5 th and any subsequent offense: \$20,000	1 st offense: \$10,000 2 nd offense: \$20,000 3 rd offense: \$20,000 4 th offense: \$20,000 5 th and any subsequent offense: \$20,000

Statement of Basis and Purpose of Proposed Rule

The Environmental Control Board (ECB) proposes adding a new penalty schedule to the ECB Penalty Schedules. This new schedule will cover violations issued by the Department of Small Business Services (SBS).

On March 18, 2010, Mayor Bloomberg signed Intro. No. 54-A into law as Local Law No. 4 of 2010. Local Law No. 4 implements a change to the New York City Administrative Code by providing for a civil penalty to be recovered through an action brought before the Environmental Control Board (ECB) for illegal dumping into the Port of New York.

Although violations of these sections may be issued by the Department of Sanitation and the Department of Environmental Protection, primary enforcement will be by SBS. As a result, ECB seeks to establish a Penalty schedule for the SBS, including violations of Local Law No. 4 of 2010.

The penalty provisions, set forth in §22-112(c), allow for the imposition of a penalty of not less than \$1,500 nor more than \$10,000 for the first violation and not less than \$5,000 nor more than \$20,000 for each subsequent violation.

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HOUSING PRESERVATION AND DEVELOPMENT

NOTICE

Notice of Opportunity to Comment on Proposed Rule

Revision to Add a New Chapter 42 to Title 28 of the Official Compilation of Rules of the City of New York

NOTICE IS HEREBY GIVEN PURSUANT TO THE AUTHORITY VESTED IN the Commissioner of the Department of Housing Preservation and Development ("HPD") by Section 1802 of the New York City Charter and in accordance with the requirement of Section 1043 of the New York City Charter, that HPD proposes to add a new Chapter 42 to Title 28 of the Official Compilation of Rules of the City of New York.

Written comments regarding the proposed rules should be sent to Mary-Lynne Rifenburg, 100 Gold Street, Room 5Q-2, New York, New York 10038, or electronically through NYC RULES at www.nyc.gov/nycrules on or before August 10, 2010. A public hearing shall be held on August 10, 2010 at Chelsea Recreation Center at 430 West 25th Street, New York, New York 10010 at 11:00 A.M. Persons seeking to testify are requested to notify Laura LaVelle, Department of Parks and Recreation, The Arsenal, Central Park, 830 Fifth Avenue, New York, NY 10065, via telephone at (212) 360-1335 or e-mail at laura.lavelle@parks.nyc.gov by August 9, 2010. Persons who request that a sign language interpreter or other reasonable accommodation be provided at the hearing are asked to notify Ms. LaVelle at the foregoing address by July 29, 2010. Written comments and a tape recording of oral comments received at the hearing will be available for public inspection, within a reasonable time after the hearing, Monday through Friday, between the hours of 9:00 A.M. and 5:00 P.M. at The Arsenal, Room 313, telephone number (212) 360-1313.

New material is indicated by underlining. Deletions are indicated by brackets.

Section 1. Title 28 of the Official Compilation of the Rules of the City of New York is amended to add a new Chapter 42 to read as follows:

GreenThumb Gardens

§ 42-01 Definitions.

As used in this chapter, the following terms will have the meanings set forth below:

"Accelerated Default." A Default based in whole or in part upon any conduct, activity, or condition that (i) is contrary to law, (ii) constitutes a public nuisance, or (iii) affects, or poses a threat to, the health or safety of the community in which the Lot and Garden are located.

"Alternate Garden Contact Person." An individual registered with GreenThumb as the secondary representative of a Gardening Group.

"Alternate Site List." Either (i) a list of available City-owned vacant land within one-half mile of the Lot upon which an existing Garden is located, including the address, block and lot, and approximate size of each parcel of land contained therein, (ii) where there is no such available City-owned vacant land within one-half mile of such Lot, a list of available City-owned vacant land within the community district in which such Lot is located, including the address, block and lot, and approximate size of each parcel of land contained therein; or (iii) a statement that there is no available City-owned vacant land within either one-half mile of such Lot or within the community district in which such Lot is located.

"Alternate Site Notice." A notice that transmits an Alternate Site List to a Garden Contact Person and Alternate Garden Contact Person and, if such Alternate Site List contains available City-owned vacant land, states that (i) the Garden Contact Person may select any site from such Alternate Site List and inform HPD and GreenThumb of such selection in writing within 45 days after the date of such notice, (ii) failure to inform HPD and GreenThumb of the selection of a site from the Alternate Site List within 45 days after the date of such notice will be deemed to be a rejection of the offer, (iii) rejection of the offer may result in a Transfer without relocation of the Garden, and (iv) if the Garden Contact Person accepts a site from the Alternate Site List, GreenThumb will offer an opportunity to register and license such new site. The Alternate Site List may be incorporated into the text of, and will in any event be deemed to be incorporated by reference in, the Alternate Site Notice.

"City." The City of New York.

"Default." A Gardening Group's failure or refusal to (i) comply with GreenThumb Registration requirements, (ii) complete the Registration process, (iii) comply with the terms of its Registration, (iv) comply with GreenThumb License requirements, (v) enter into a License, or (vi) comply with its License.

"Default Notice." A notice from DPR directing a Gardening Group to cure an Accelerated Default within 30 days after the date of such notice or a notice to cure a Default within 6 months after the date of such notice. Copies of such notices shall be sent to the council member for the council district in which the Garden is located and the community board of the community district in which the Garden is located.

"DPR." The City's Department of Parks and Recreation.

"Garden." A community garden that is registered and licensed with GreenThumb and located on a Lot.

"Garden Contact Person." An individual registered with GreenThumb as the primary representative of a Gardening Group.

"Garden Review Process." The process set forth in section 42-05 of this chapter to be followed in connection with the Transfer of any Lot.

"Garden Review Statement." A written statement, prepared by HPD in accordance with section 42-05(b)(4) of this chapter, describing a Lot, the existing Garden on such Lot, and the proposed Transfer of such Lot.

"Gardening Group." An organized group of individuals who maintain a Garden and are collectively represented by the Garden Contact Person. The Garden Contact Person shall by April 15 of each calendar year provide a list to GreenThumb of the names and contact information for all members of the Gardening Group.

"GreenThumb." A division within DPR responsible for New York City's urban gardening program.

"HPD." The City's Department of Housing Preservation and Development.

"License." An agreement between HPD and a Licensee providing a license to operate a Garden on a Lot for a set term subject to requirements set forth therein, unless earlier terminated.

"Licensee." A Gardening Group, acting through its Garden Contact Person, pursuant to a License.

"Lot." A parcel of City-owned land under the jurisdiction of HPD that contains a Garden at any time on or after September 17, 2010.

"Other Agency." A governmental agency or entity other than HPD.

"Retention Agreement." A written agreement between the City, acting by and through HPD or an Other Agency, and a Gardening Group, acting by and through its Garden Contact Person, providing for (i) the retention of part or all of a Garden as a community garden and/or open space as part of a project to be developed, or (ii) the relocation of the Garden to an alternate site. Gardens that are retained or relocated pursuant to a Retention Agreement remain subject to the GreenThumb Registration and License requirements and this chapter.

"Registration." Written acknowledgment by GreenThumb that a Gardening Group has complied with the criteria set forth by DPR to demonstrate eligibility for a License pursuant to section 6-03 of chapter 6 of title 56 of the Rules of the City of New York.

"Transfer." The conveyance of a Lot for the purpose of devoting such Lot to a use other than as a garden or open space.

"Uncured Default." A Default that remains uncured six months after the date of a Default Notice or an Accelerated Default that remains uncured 30 days after the date of a Default Notice.

§ 42-02 Application.

This chapter establishes certain procedures with respect to the operation of Gardens registered and licensed on September 17, 2010, or first registered and licensed within the exercise of DPR's and HPD's discretion after September 17, 2010. This chapter also establishes certain procedures with respect to the Transfer of the Lots upon which such Gardens are located.

§ 42-03 Licenses.

(a) HPD will issue a License if the proposed Licensee and Garden meet the Registration criteria established by GreenThumb. HPD may renew such License if the Licensee complies with the terms and conditions set forth therein and continues to meet the Registration criteria established by GreenThumb. If the Licensee has not complied with the terms of the License or fails to meet the Registration criteria established by GreenThumb, or if an Uncured Default has occurred, HPD may offer a License for the Garden to a new Gardening Group.

(b) Licenses will set forth terms and conditions under which the Licensee will design and install a plant garden on a Lot and will thereafter maintain such Garden and all plants and conforming structures contained therein (including, but not limited to, all raised plant beds, planters, tables, benches, and other ornamental items) in a safe and orderly condition. HPD, in consultation with GreenThumb, may permit other uses of the Lot that are compatible with gardening and are authorized pursuant to the License.

(c) The License will contain provisions to facilitate (i) predevelopment work with regard to any proposed future Transfer of the Lot, and (ii) development work on adjacent property.

(d) The License will provide that (i) the Licensee accepts the Lot "as is," in whatever condition it may be on the date the License is fully executed, (ii) the City makes no representation or warranty of fitness of the Lot for gardening purposes, (iii) the Licensee must meet GreenThumb's Registration and License requirements; (iv) the Licensee must comply with all applicable federal, state, and local laws, rules, regulations, codes, and ordinances, and (v) the Licensee must comply with such other requirements as GreenThumb or HPD may establish.

(e) The City will retain title to the Lot and the Licensee will not have any leasehold or other interest in the land comprising such Lot, any improvement thereon, or any equipment provided by GreenThumb.

§ 42-04 Lots used as Gardens or as open space; Gardens not deemed mapped parkland.

Except as provided in section 42-05 of this chapter, all Lots will be used as Gardens. Lots are not dedicated as, and will not be deemed to be dedicated as, parkland unless they have otherwise been mapped as parkland by the City.

§ 42-05 Garden Review Process.

(a) HPD will comply with the Garden Review Process before any Transfer.

(b) Under the Garden Review Process:

(1) HPD will notify the Garden Contact Person and the Alternate Garden Contact Person of the proposed Transfer. Such notice may, but will not be required to, be included within the Alternate Site Notice.

(2) HPD will provide an Alternate Site Notice to the Garden Contact Person and Alternate Garden Contact Person.

a. The Garden Contact Person may select one site from the Alternate Site List for relocation of the Garden and inform HPD and GreenThumb of such selection in writing within 45 calendar days after the date of the Alternate Site Notice.

b. The offer contained in the Alternate Site Notice will be deemed rejected, and the Garden Contact Person will have no further right to select a site from the Alternate Site List for relocation of the Garden if (i) HPD and GreenThumb do not receive, within 45 calendar days after the date of the Alternate Site Notice, written notice from the Garden Contact Person that the Gardening Group has selected a site from the Alternate Site List for relocation of the Garden, or (ii) HPD or GreenThumb receives written notice from the Garden Contact Person at any time that the Gardening Group will not select a site from the Alternate Site List for relocation of the Garden.

c. If the Alternate Site List states that there is no available City-owned vacant land within one-half mile of the Lot upon which the existing Garden is located, or within the community district in which such Lot is located if there is no City-owned vacant land within one-half mile of the Lot, the provisions of sections 42-05(b)(2)(a) and 42-05(b)(2)(b) of this chapter will not apply.

(3) Any site on the Alternate Site List will be offered "as is," and a Gardening Group will be responsible for performing all necessary work on such lot. DPR will, upon request and contingent upon staff availability and resources, assist the Gardening Group with its relocation and gardening efforts at the alternate site. The City will offer the Gardening Group an opportunity to register with GreenThumb for the alternate site, and once registered, obtain a License.

(4) Before any Transfer, HPD will prepare a Garden Review Statement that includes the following, to the extent that such information exists and/or is contained in HPD's files:

a. a description of each affected Lot (including the address,

block, and lot of such Lot) and the existing Garden located thereon;

b. the name, address, and telephone number of the Garden Contact Person and Alternate Garden Contact Person;

c. the date that GreenThumb licensed each affected Lot for the first time;

d. copies of the most recent Registration form submitted to GreenThumb by the Garden Contact Person; the two most recent site visit forms prepared by GreenThumb; and at least two photographs of the existing Garden;

e. the Alternate Site List and a statement of whether the Garden Contact Person has accepted or rejected any sites on such Alternate Site List; and

f. a description of any proposed Transfer of each affected Lot.

g. A description provided by the Garden Contact Person of any programs, activities and events in, and existing features of, the Garden. The above description, which shall be no more than four legal size pages in length, will be included in the Garden Review Statement if submitted to HPD before submission of any application for approval as set forth in section 42-05(b)(6) of this chapter.

(5) HPD will send a Garden Review Statement to the Garden Contact Person, the Alternate Garden Contact Person, the council member for the council district in which the Garden is located and the community board of the community district in which the Garden is located by written notice not less than 45 calendar days before any Transfer. The sending of such notice will constitute notice of the proposed Transfer.

(6) HPD will include a Garden Review Statement in any application for approval of a Transfer pursuant to section 197-c of the City Charter, in any application to the City Council or the Mayor for approval of a Transfer pursuant to Article 15 of the General Municipal Law, Article 16 of the General Municipal Law, or Article XI of the Private Housing Finance Law, and in any application to a Borough Board for approval of a Transfer pursuant to section 384(b)(4) of the City Charter.

(c) If the Transfer of a Lot is disapproved through an applicable public review process, a Garden may remain on such Lot, subject to Registration, execution of a License, and compliance with all GreenThumb program requirements, until approval of a future Transfer of such Lot. Any new approval of such future Transfer will be subject to the Garden Review Process.

(d) In order to facilitate the Transfer of a Lot, HPD may, by notice to the Garden Contact Person and Alternate Garden Contact Person at any time after the Transfer of such Lot is approved through the applicable public review process, terminate or decline to renew the License and direct the Gardening Group to vacate the Lot.

§ 42-06 Exemptions.

(a) The following Lots will not be subject to any of the requirements set forth in this chapter:

(1) Bronx: Block 2418; Lot 6; Block 2786; Lots 12, 13; Block 2867; Lot 128; Block 2979; Lot 1; Block 3540; Lots 1, 29, 40.

(2) Brooklyn: Block 1028; Lot 7; Block 1432; Lot 48; Block 1447; Lots 68-70; Block 1450; Lot 14; Block 1450; Lots 8, 11; Block 1476; Lot 34; Block 1484; Lots 6, 8; Block 1484; Lots 35, 41, 43; Block 1486; Lots 15, 16; Block 1663; Lot 82; Block 1664; Lot 40; Block 1755; Lots 54-57; Block 1792; Lots 22-25, 61; Block 3514; Lot 6; Block 3600; Lots 29, 31, 32, 34, 134; Block 3603; Lot 25; Block 3613; Lots 31-33; Block 3791; Lots 26, 28; Block 3841; Lot 32; Block 4000; Lot 3; Block 4009; Lot 47; Block 4015; Lots 22, 23; Block 4067; Lots 13, 14; Block 7050; Lot 74;

(3) Queens: Block 16088; Lot 15.

(4) Manhattan: Block 372; Lot 11; Block 372; Lot 49; Block 1645; Lots 3, 71; Block 1790; Lot 41; Block 1918; Lot 51.

(b) Upon execution of a Retention Agreement that

provides for the relocation of a Garden to an alternate site, (i) the Lot from which such Garden is to be relocated will no longer be subject to any of the requirements set forth in this chapter, and (ii) the Lot to which such Garden is to be relocated will be subject to the requirements set forth in this chapter.

(c) After the execution of a Retention Agreement that provides for the retention of part or all of a Garden as a community garden as part of a project to be developed, the Transfer that is the subject of such Retention Agreement will no longer be subject to any of the requirements set forth in section 42-05 of this chapter.

(d) After the occurrence of an Uncured Default, the Lot that is the subject of such Uncured Default will no longer be subject to any of the requirements set forth in this chapter.

§ 42-07 Miscellaneous.

(a) Any determination by HPD pursuant to this chapter will be made in HPD's sole discretion.

(b) Any notices required pursuant to this chapter will be in writing and will be delivered by regular mail, certified mail, registered mail, or personal delivery, and will also be posted at or near the Garden entrance. Any such notice will be deemed delivered when deposited in an official United States Postal Service receptacle.

(c) Any Garden must comply with all applicable federal, state, and local laws, rules, regulations, codes and ordinances and is subject to the GreenThumb Registration and License requirements and this chapter.

STATEMENT OF BASIS AND PURPOSE

This rule is promulgated pursuant to the authority of the Commissioner of the Department of Housing Preservation and Development ("HPD") under sections 1802 and 1043 of the New York City Charter.

Community gardens allow members of the public to play an active, hands-on role in the creation and maintenance of public open spaces used for recreation, education, and horticulture and food production. They also serve to increase civic participation and spur neighborhood revitalization, transforming vacant and unattractive plots of public land throughout the five boroughs. In addition, gardens offer vital environmental and health benefits.

This rule seeks to codify the practices that HPD has followed since 2002 and set forth the practices HPD will follow for licensing City-owned gardens registered through the Department of Parks and Recreation's GreenThumb program. In particular, the rule establishes a formal system for HPD to provide licenses to participating community gardens and sets forth a Garden Review Process to address the development or disposition of GreenThumb garden lots, ensuring that detailed information concerning the garden and proposed project are provided to interested parties, including decision makers and gardeners, as part of the land use process.

Certain lots will be exempt from the provisions of these rules regarding transfer, disposition, and development because they have already undergone the procedures described therein, have already completed all public reviews required for such actions, and/or have been exempted from such review under a prior Memorandum of Agreement with the Attorney General State of New York.

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PARKS AND RECREATION

■ NOTICE

Notice of Opportunity to Comment on Proposed Rule

Revision to Add a New Chapter 6 to Title 56 of the Official Compilation of Rules of the City of New York

NOTICE IS HEREBY GIVEN PURSUANT TO THE

AUTHORITY VESTED IN the Commissioner of the Department of Parks & Recreation ("Parks") by Sections 389 and 533(a)(9) of the New York City Charter and in accordance with the requirement of Section 1043 of the New York City Charter, that Parks proposes to add a new Chapter 6 to Title 56 of the Official Compilation of Rules of the City of New York.

Written comments regarding the proposed rules should be sent to the General Counsel, Mr. Alessandro G. Olivieri, Department of Parks and Recreation, The Arsenal, Central Park, 830 Fifth Avenue, New York, NY 10065, or electronically through NYC RULES at www.nyc.gov/nycrules on or before August 10, 2010. A public hearing shall be held on August 10, 2010 at Chelsea Recreation Center at 430 West 25th Street, New York, New York 10010 at 11:00 A.M. Persons seeking to testify are requested to notify Associate Counsel, Ms. Laura LaVelle at the Arsenal (address above) via telephone at (212) 360-1335 or e-mail at laura.lavelle@parks.nyc.gov by August 9, 2010. Persons who request that a sign language interpreter or other reasonable accommodation be provided at the hearing are asked to notify Ms. LaVelle by July 29, 2010. Written and oral comments made at the hearing will be made available for public inspection within a reasonable time after the hearing Monday through Friday, between the hours of 9:00 A.M. and 5:00 P.M. at The Arsenal, Room 313, telephone number (212) 360-1313.

New material is indicated by underlining. Deletions are indicated by brackets.

Section 1. Title 56 of the Official Compilation of the Rules of the City of New York is amended to add a new Chapter 6 to read as follows:

GreenThumb Gardens

§ 6-01 Definitions.

As used in this chapter, the following terms will have the meanings set forth below:

"Accelerated Default." A Default based in whole or in part upon any conduct, activity, or condition that (i) is contrary to law, (ii) constitutes a public nuisance, or (iii) affects, or poses a threat to, the health or safety of the community in which the Lot and Garden are located.

"Alternate Garden Contact Person." An individual registered with GreenThumb as the secondary representative of a Gardening Group.

"Alternate Site List." Either (i) a list of available City-owned vacant land within one-half mile of the Lot upon which an existing Garden is located, including the address, block and lot, and approximate size of each parcel of land contained therein; (ii) where there is no such available City-owned vacant land within one-half mile of such Lot, a list of available City-owned vacant land within the community district in which such Lot is located, including the address, block and lot, and approximate size of each parcel of land contained therein; or (iii) a statement that there is no available City-owned vacant land within either one-half mile of such Lot or within the community district in which such Lot is located.

"Alternate Site Notice." A notice that transmits an Alternate Site List to a Garden Contact Person and Alternate Garden Contact Person and, if such Alternate Site List contains available City-owned vacant land, states that (i) the Garden Contact Person may select any site from such Alternate Site List and inform the Department and GreenThumb of such selection in writing within 45 days after the date of such notice, (ii) failure to inform the Department and GreenThumb of the selection of a site from the Alternate Site List within 45 days after the date of such notice will be deemed to be a rejection of the offer, (iii) rejection of the offer may result in a Transfer without relocation of the Garden, and (iv) if the Garden Contact Person accepts a site from the Alternate Site List, GreenThumb will offer an opportunity to register and license such new site. The Alternate Site List may be incorporated into the text of, and will in any event be deemed to be incorporated by reference in, the Alternate Site Notice.

"City." The City of New York.

"Default." A Gardening Group's failure or refusal to (i) comply with GreenThumb Registration requirements, (ii) complete the Registration process, (iii) comply with the terms of its Registration, (iv) comply with GreenThumb License requirements, (v) enter into a License, or (vi) comply with its License.

"Default Notice." A notice from the Department or an Other Agency directing a Gardening Group to cure an Accelerated Default within 30 days after the date of such notice or a notice to cure a Default within 6 months after the date of such notice. Copies of such notices shall be sent to the council member for the council district in which the Garden is located and the community board of the community district in which the Garden is located.

"Garden." A community garden that is registered and licensed with GreenThumb and located on a Lot.

"Garden Contact Person." An individual registered with GreenThumb as the primary representative of a Gardening Group.

"Garden Review Process." The process set forth in section 6-05 of this chapter to be followed in connection with the Transfer of any Lot.

"Garden Review Statement." A written statement, prepared by the Department in accordance with section 6-05(b)(4) of this chapter, describing a Lot, the existing Garden on such Lot, and the proposed Transfer of such Lot.

"Gardening Group." An organized group of individuals who maintain a Garden and are collectively represented by the Garden Contact Person. The Garden Contact Person shall by April 15 of each calendar year provide a list to GreenThumb of the names and contact information for all members of the Gardening Group.

"GreenThumb." A division within the Department responsible for New York City's urban gardening program.

"License." An agreement between the Department or an Other Agency and a Licensee providing a license to operate a Garden on a Lot for a set term subject to requirements set forth therein, unless earlier terminated.

"Licensee." A Gardening Group, acting through its Garden Contact Person, pursuant to a License.

"Lot." A parcel of City-owned land under the jurisdiction of the Department that contains a Garden at any time on or after September 17, 2010.

"Other Agency." A governmental agency or entity other than the Department.

"Retention Agreement." A written agreement between the City, acting by and through the Department or an Other Agency and a Gardening Group, acting by and through its Garden Contact Person, providing for (i) the retention of part

or all of a Garden as a community garden and/or open space as part of a project to be developed, or (ii) the relocation of the Garden to an alternate site. Gardens that are retained or relocated pursuant to a Retention Agreement remain subject to the GreenThumb Registration and License requirements and this chapter.

“Registration.” Written acknowledgment by GreenThumb that a Gardening Group has complied with the criteria set forth by the Department to demonstrate eligibility for a License pursuant to section 6-03.

“Transfer.” The conveyance of a Lot or, with regard to any Lot under the jurisdiction of the Department, the transfer of jurisdiction over such Lot to an Other Agency for the purpose of devoting such Lot to a use other than as a garden or open space.

“Uncured Default.” A Default that remains uncured six months after the date of a Default Notice or an Accelerated Default that remains uncured 30 days after the date of a Default Notice.

§ 6-02 Application.

This chapter establishes certain procedures with respect to the operation of Gardens registered and licensed with GreenThumb on September 17, 2010, or first registered and licensed with GreenThumb within the exercise of the Department’s discretion after September 17, 2010. This chapter also establishes certain procedures with respect to the Transfer of the Lots upon which such Gardens are located.

§ 6-03 Licenses.

- (a) The Department will issue a License if the proposed Licensee and Garden meet the Registration criteria established by GreenThumb. The Department may renew such License if the Licensee complies with the terms and conditions set forth therein and continues to meet the Registration criteria established by GreenThumb. If the Licensee has not complied with the terms of the License or fails to meet the Registration criteria established by GreenThumb, or if an Uncured Default has occurred, the Department may offer a License for the Garden to a new Gardening Group.
- (b) Licenses will set forth terms and conditions under which the Licensee will design and install a plant garden on a Lot and will thereafter maintain such Garden and all plants and conforming structures contained therein (including, but not limited to, all raised plant beds, planters, tables, benches, and other ornamental items) in a safe and orderly condition. The Department may permit other uses of the Lot that are compatible with gardening and are authorized pursuant to the License.
- (c) The License will contain provisions to facilitate (i) predevelopment work with regard to any proposed future Transfer of the Lot, and (ii) development work on adjacent property.
- (d) The License will provide that (i) the Licensee accepts the Lot “as is,” in whatever condition it may be on the date the License is fully executed, (ii) the City makes no representation or warranty of fitness of the Lot for gardening purposes, (iii) the Licensee must meet GreenThumb’s Registration and License requirements; (iv) the Licensee must comply with all applicable federal, state, and local laws, rules, regulations, codes, and ordinances, and (v) the Licensee must comply with such other requirements as the Department may establish.
- (e) The City will retain title to the Lot and the Licensee will not have any leasehold or other interest in the land comprising such Lot, any improvement thereon, or any equipment provided by GreenThumb.

§ 6-04 Lots used as Gardens or as open space; Gardens not deemed mapped parkland.

Except as provided in section 6-05 of this chapter, all Lots will be used as Gardens. Lots are not dedicated as, and will not be deemed to be dedicated as, parkland unless they have otherwise been mapped as parkland by the City.

§ 6-05 Garden Review Process.

- (a) The Department will comply with the Garden Review Process before any Transfer.
- (b) Under the Garden Review Process:
- (1) The Department will notify the Garden Contact Person and the Alternate Garden Contact Person of the proposed Transfer. Such notice may, but will not be required to, be included within the Alternate Site Notice.
 - (2) The Department will provide an Alternate Site Notice to the Garden Contact Person and Alternate Garden Contact Person.
 - a. The Garden Contact Person may select one site from the Alternate Site List for relocation of the Garden and inform the Department and GreenThumb of such selection in writing within 45 calendar days after

the date of the Alternate Site Notice.

- b. The offer contained in the Alternate Site Notice will be deemed rejected, and the Garden Contact Person will have no further right to select a site from the Alternate Site List for relocation of the Garden if (i) the Department and GreenThumb do not receive, within 45 calendar days after the date of the Alternate Site Notice, written notice from the Garden Contact Person that the Gardening Group has selected a site from the Alternate Site List for relocation of the Garden, or (ii) the Department or GreenThumb receives written notice from the Garden Contact Person at any time that the Gardening Group will not select a site from the Alternate Site List for relocation of the Garden.
- c. If the Alternate Site List states that there is no available City-owned vacant land within one-half mile of the Lot upon which the existing Garden is located, or within the community district in which such Lot is located if there is no City-owned vacant land within one-half mile of the Lot, the provisions of sections 6-05(b)(2)(a) and 6-05(b)(2)(b) of this chapter will not apply.
- (3) Any site on the Alternate Site List will be offered “as is,” and a Gardening Group will be responsible for performing all necessary work on such lot. The Department will, upon request and contingent upon staff availability and resources, assist the Gardening Group with its relocation and gardening efforts at the alternate site. The City will offer the Gardening Group an opportunity to register with GreenThumb for the alternate site, and once registered, obtain a License.
- (4) Before any Transfer, the Department will prepare a Garden Review Statement that includes the following, to the extent that such information exists and/or is contained in the Department’s files:
 - a. a description of each affected Lot (including the address, block, and lot of such Lot) and the existing Garden located thereon;
 - b. the name, address, and telephone number of the Garden Contact Person and Alternate Garden Contact Person;
 - c. the date that GreenThumb licensed each affected Lot for the first time;
 - d. copies of the most recent Registration form submitted to GreenThumb by the Garden Contact Person; the two most recent site visit forms prepared by GreenThumb; and at least two photographs of the existing Garden;
 - e. the Alternate Site List and a statement of whether the Garden Contact Person has accepted or rejected any sites on such Alternate Site List; and
 - f. a description of any proposed Transfer of each affected Lot.
 - g. A description provided by the Gardening Group of any programs, activities and events in, and existing features of, the Garden. The above description, which shall be no more than four legal size pages in length, will be included in the Garden Review Statement if submitted to the Department before submission of any application for approval as set forth in section 6-05(b)(6).
- (5) The Department will send a Garden Review Statement to the Garden Contact Person, the Alternate Garden Contact Person, the council member for the council district in which the Garden is located and the community board of the community district in which the Garden is located by written notice not less than

45 calendar days before any Transfer. The sending of such notice will constitute notice of the proposed Transfer.

- (6) The Department or Other Agency will include a Garden Review Statement in any application for approval of a Transfer pursuant to section 197-c of the City Charter, in any application to the City Council or the Mayor for approval of a Transfer pursuant to Article 15 of the General Municipal Law, Article 16 of the General Municipal Law, or Article XI of the Private Housing Finance Law, and in any application to a Borough Board for approval of a Transfer pursuant to section 384(b)(4) of the City Charter.
- (c) If the Transfer of a Lot is disapproved through an applicable public review process, a Garden may remain on such Lot, subject to Registration, execution of a License, and compliance with all GreenThumb program requirements, until approval of a future Transfer of such Lot. Any new approval of such future Transfer will be subject to the Garden Review Process.
- (d) In order to facilitate the Transfer of a Lot, the Department may, by notice to the Garden Contact Person and Alternate Garden Contact Person at any time after the Transfer of such Lot is approved through the applicable public review process, terminate or decline to renew the License and direct the Gardening Group to vacate the Lot.

§ 6-06 Exemptions.

- (a) Upon execution of a Retention Agreement that provides for the relocation of a Garden to an alternate site, (i) the Lot from which such Garden is to be relocated will no longer be subject to any of the requirements set forth in this chapter, and (ii) the Lot to which such Garden is to be relocated will be subject to the requirements set forth in this chapter.
- (b) After the execution of a Retention Agreement that provides for the retention of part or all of a Garden as a community garden as part of a project to be developed, the Transfer that is the subject of such Retention Agreement will no longer be subject to any of the requirements set forth in section 6-05 of this chapter.
- (c) After the occurrence of an Uncured Default, the Lot that is the subject of such Uncured Default will no longer be subject to any of the requirements set forth in this chapter.

§ 6-07 Miscellaneous.

- (a) Any determination by the Department pursuant to this chapter will be made in the Department’s sole discretion.
- (b) Any notices required pursuant to this chapter will be in writing and will be delivered by regular mail, certified mail, registered mail, or personal delivery, and will also be posted at or near the Garden entrance. Any such notice will be deemed delivered when deposited in an official United States Postal Service receptacle.
- (c) Any Garden must comply with all applicable federal, state, and local laws, rules, regulations, codes and ordinances and is subject to the GreenThumb Registration and License requirements and this chapter.

STATEMENT OF BASIS AND PURPOSE

This rule is promulgated pursuant to the authority of the Commissioner of the Department of Parks and Recreation (the “Commissioner”) under sections 389, 533(a)(9) and 1043 of the New York City Charter. The Commissioner is authorized to establish and enforce rules for the use, governance and protection of public parks and of all property under the charge or control of the Department of Parks and Recreation.

Community gardens allow members of the public to play an active, hands-on role in the creation and maintenance of public open spaces used for recreation, education, and horticulture and food production. They also serve to increase civic participation and spur neighborhood revitalization, transforming vacant and unattractive plots of public land throughout the five boroughs. In addition, gardens offer vital environmental and health benefits.

This rule seeks to codify the practices that Parks has followed since 2001 and set forth the practices Parks will follow for licensing City-owned gardens registered through the GreenThumb program. In particular, the rule establishes a formal system for the Department to provide licenses to participating community gardens and sets forth a Garden Review Process to address the development or disposition of GreenThumb garden lots, ensuring that detailed information concerning the garden and proposed project are provided to interested parties, including decision makers and gardeners, as part of the land use process.

Certain lots will be exempt from the provisions of these rules regarding transfer, disposition, and development because they have already undergone the procedures described therein, have already completed all public reviews required for such actions, and/or have been exempted from such review under a prior Memorandum of Agreement with the Attorney General State of New York.

SPECIAL MATERIALS

CITYWIDE ADMINISTRATIVE SERVICES

DIVISION OF MUNICIPAL SUPPLY SERVICES

NOTICE

OFFICIAL FUEL PRICE SCHEDULE NO. 6497 FUEL OIL AND KEROSENE

Table with 6 columns: CONTRACT NO., ITEM NO., FUEL/OIL TYPE, VENDOR, CHANGE, PRICE. Lists fuel prices for various vendors like SPRAGUE ENERGY CORP and METRO FUEL OIL CORP.

OFFICIAL FUEL PRICE SCHEDULE NO. 6498 FUEL OIL, PRIME AND START

Table with 6 columns: CONTRACT NO., ITEM NO., FUEL/OIL TYPE, VENDOR, CHANGE, PRICE. Lists fuel prices for vendors like F & S PETROLEUM CORP and METRO FUEL OIL CORP.

OFFICIAL FUEL PRICE SCHEDULE NO. 6499 FUEL OIL AND REPAIRS

Table with 6 columns: CONTRACT NO., ITEM NO., FUEL/OIL TYPE, VENDOR, CHANGE, PRICE. Lists fuel prices for vendor PACIFIC ENERGY.

OFFICIAL FUEL PRICE SCHEDULE NO. 6500 GASOLINE

Table with 6 columns: CONTRACT NO., ITEM NO., FUEL/OIL TYPE, VENDOR, CHANGE, PRICE. Lists fuel prices for vendor SPRAGUE ENERGY CORP.

Acquired in the proceeding, entitled: New Creek Bluebelt Phase 4 subject to any liens and encumbrances of record on such property.

John C. Liu Comptroller

j24-jy9

NOTICE OF ADVANCE PAYMENT OF AWARDS PURSUANT TO THE STATUTES IN SUCH cases made and provided, notice is hereby given that the Comptroller of the City of New York, will be ready to pay, at 1 Centre St., Rm. 629, New York, NY 10007 on July 15, 2010, to the person or persons legally entitled an amount as certified to the Comptroller by the Corporation Counsel on damage parcels, as follows:

Table with 3 columns: Damage Parcel No., Block, Lot. Lists parcel numbers and associated block/lot information.

Acquired in the proceeding, entitled: Beach 43, 44, & 45 and Conch Drive, et. al. subject to any liens and encumbrances of record on such property.

John C. Liu Comptroller

j30-jy15

NOTICE OF ADVANCE PAYMENT OF AWARDS PURSUANT TO THE STATUTES IN SUCH cases made and provided, notice is hereby given that the Comptroller of the City of New York, will be ready to pay, at 1 Centre St., Rm. 629, New York, NY 10007 on July 16, 2010, to the person or persons legally entitled an amount as certified to the Comptroller by the Corporation Counsel on damage parcels, as follows:

Table with 3 columns: Damage Parcel No., Block, Lot. Lists parcel numbers and associated block/lot information.

Acquired in the proceeding, entitled: Beach 43, 44, & 45 and Conch Drive, et. al. subject to any liens and encumbrances of record on such property.

John C. Liu Comptroller

jy1-16

NOTICE OF ADVANCE PAYMENT OF AWARDS PURSUANT TO THE STATUTES IN SUCH cases made and provided, notice is hereby given that the Comptroller of the City of New York, will be ready to pay, at 1 Centre St., Rm. 629, New York, NY 10007 on July 14, 2010, to the person or persons legally entitled an amount as certified to the Comptroller by the Corporation Counsel on damage parcels as follows:

Table with 3 columns: Damage Parcel No., Block, Lot. Lists parcel numbers and associated block/lot information.

Acquired in the proceeding, entitled Beach 43, 44, & 45 and Conch Drive, et. al. subject to any liens and encumbrances of record on such property.

John C. Liu Comptroller

j29-jy14

HOUSING PRESERVATION & DEVELOPMENT

NOTICE

OFFICE OF ENFORCEMENT & NEIGHBORHOOD SERVICES CERTIFICATION OF NO HARASSMENT UNIT

REQUEST FOR COMMENT ON APPLICATION FOR CERTIFICATION OF NO HARASSMENT PURSUANT TO LOCAL LAW 19 OF 1983

DATE OF NOTICE: July 9, 2010

TO: OCCUPANTS, FORMER OCCUPANTS AND OTHER INTERESTED PARTIES OF

Table with 3 columns: Address, Application #, Inquiry Period. Lists addresses and application details.

491 Manhattan Avenue, Manhattan 60/10 June 9, 2007 to Present 427 West 146th Street, Manhattan 68/10 June 30, 2007 to Present

The Department of Housing Preservation and Development has received an application for a certification that during the inquiry period noted for the premises above, that no harassment has occurred at such premises in the form of threats, use of physical force, deprivation of essential services such as heat, water, gas or electric, or by any other conduct intended to cause persons to vacate the premises or waive rights related to their occupancy.

Comments as to whether harassment has occurred at the premises should be submitted to the Anti-Harassment Unit, 100 Gold Street, 3rd Floor, New York, NY 10038, by letter

COLLECTIVE BARGAINING

NOTICE

NOTICE OF AMENDED CERTIFICATION

This notice is to acknowledge that the Board of Certification has issued an Order Amending Certification as follows:

DATE: June 29, 2010 DOCKET #: RE-179-08

DECISION: 3 OCB2d 31 (BOC 2010)

EMPLOYER: New York City Health and Hospitals Corporation, 125 Worth Street, New York, NY 10013

CERTIFIED/RECOGNIZED BARGAINING REPRESENTATIVE:

New York State Nurses Association, 11 Cornell Road, Latham, NY 12110

AMENDMENT:

Certification No. 30-82 has been amended to add the following Title/Code:

Added: Care Manager, Registered Nurse, Levels I and II (Title Code Nos. 509410 and 509420)

jy9

COMPTROLLER

NOTICE

NOTICE OF ADVANCE PAYMENT OF AWARDS PURSUANT TO THE STATUTES IN SUCH cases made and provided, notice is hereby given that the Comptroller of the City of New York, will be ready to pay, at 1 Centre St., Rm. 629, New York, NY 10007 on July 9, 2010, to the person or persons legally entitled an amount as certified to the Comptroller by the Corporation Counsel on damage parcels, as follows:

Table with 3 columns: Damage Parcel No., Block, Lot. Lists parcel numbers and associated block/lot information.

postmarked not later than 30 days from the date of this notice or by an in-person statement made within the same period. To schedule an appointment for an in-person statement please call (212) 863-5277, (212) 863-8211 or (212) 863-8298.

☛ jy9-19

**OFFICE OF ENFORCEMENT & NEIGHBORHOOD SERVICES
CERTIFICATION OF NO HARASSMENT UNIT**

REQUEST FOR COMMENT ON APPLICATION FOR CERTIFICATION OF NO HARASSMENT PURSUANT TO THE SPECIAL GREENPOINT-WILLIAMSBURG DISTRICT PROVISIONS OF THE ZONING RESOLUTION

DATE OF NOTICE: July 9, 2010

TO: OCCUPANTS, FORMER OCCUPANTS AND OTHER INTERESTED PARTIES OF

Address	Application #	Inquiry Period
149 Wythe Avenue, Brooklyn	66/10	October 4, 2004 to Present
151 Wythe Avenue, Brooklyn	67/10	October 4, 2004 to Present
a/k/a 151-153 Wythe Avenue		

Prior to the issuance of a permit by the Department of Buildings for the alteration or demolition of residential buildings in certain areas of the **Special Greenpoint-Williamsburg District**, the Department of Housing Preservation and Development is required to certify that: 1) prior to evicting or otherwise terminating the occupancy of any tenant preparatory to alteration or demolition, the owner shall have notified HPD of the owner's intention to alter or demolish the building and 2) the eviction and relocation practices followed by the owner of the building satisfy all applicable legal requirements and that no harassment has occurred.

The owner of the building located at the above-referenced address seeks the issuance of an HPD Certification. The owner has represented and certified to HPD of the owner's intention to alter or demolish the building and that the eviction and relocation practices followed by the owner satisfy all applicable legal requirements and that no harassment has occurred. For your information HPD considers harassment to include, but not be limited to, the threatened or actual use of physical force, deprivation of essential services such as heat, water, gas or electric, or any other conduct intended to cause persons to vacate the premises or waive rights related to their occupancy.

HPD requests that if you have any comments or evidence of unlawful eviction and relocation practices or harassment occurring at the above referenced premises that you notify the Anti-Harassment Unit, 3rd Floor, 100 Gold Street, New

York, NY 10038, by letter postmarked not later than 30 days from the date of this notice or by an in-person statement made within the same period. To schedule an appointment for an in-person statement please call (212) 863-5277, (212) 863-8211 or (212) 863-8298.

☛ jy9-19

**OFFICE OF ENFORCEMENT & NEIGHBORHOOD SERVICES
CERTIFICATION OF NO HARASSMENT UNIT**

REQUEST FOR COMMENT ON APPLICATION FOR CERTIFICATION OF NO HARASSMENT PURSUANT TO THE SPECIAL HUDSON YARD DISTRICT PROVISIONS OF THE ZONING RESOLUTION

DATE OF NOTICE: July 9, 2010

TO: OCCUPANTS, FORMER OCCUPANTS AND OTHER INTERESTED PARTIES OF

Address	Application #	Inquiry Period
508 9th Avenue, Manhattan	58/10	June 21, 2004 to Present

Prior to the issuance of a permit by the Department of Buildings for the alteration or demolition of residential buildings in certain areas of the **Special Hudson Yard District**, the Department of Housing Preservation and Development is required to certify that: 1) prior to evicting or otherwise terminating the occupancy of any tenant preparatory to alteration or demolition, the owner shall have notified HPD of the owner's intention to alter or demolish the building and 2) the eviction and relocation practices followed by the owner of the building satisfy all applicable legal requirements and that no harassment has occurred.

The owner of the building located at the above-referenced address seeks the issuance of an HPD Certification. The owner has represented and certified to HPD of the owner's intention to alter or demolish the building and that the eviction and relocation practices followed by the owner satisfy all applicable legal requirements and that no harassment has occurred. For your information HPD considers harassment to include, but not be limited to, the threatened or actual use of physical force, deprivation of essential services such as heat, water, gas or electric, or any other conduct intended to cause persons to vacate the premises or waive rights related to their occupancy.

HPD requests that if you have any comments or evidence of unlawful eviction and relocation practices or harassment occurring at the above referenced premises that you notify the Anti-Harassment Unit, 3rd Floor, 100 Gold Street, New York, NY 10038, by letter postmarked not later than 30 days from the date of this notice or by an in-person statement made within the same period. To schedule an appointment for an in-person statement please call (212) 863-5277, (212) 863-8211 or (212) 863-8298.

☛ jy9-19

TRANSPORTATION

■ NOTICE

PUBLIC NOTICE OF A CONCESSION OPPORTUNITY FOR THE OPERATION, MANAGEMENT AND MAINTENANCE OF A PEDESTRIAN PLAZA LOCATED ON WILLOUGHBY STREET BETWEEN PEARL STREET AND ADAMS STREET BOROUGH OF BROOKLYN

Pursuant to the Concession Rules of the City of New York, the Department of Transportation ("DOT") intends to enter into a concession for the operation, management, and maintenance of a pedestrian plaza located on Willoughby Street between Pearl Street and Adams Street in Brooklyn ("Licensed Plaza"), including through DOT-approved events, sponsorships, and subconcessions including but not limited to providing for the sale of any of the following: prepared food, flowers, locally grown produce or locally manufactured products, merchandise (such as souvenirs or T-shirts) that helps brand or promote the neighborhood or the concessionaire, and other similar merchandise.

Subconcessions would be awarded based on solicitations issued by the concessionaire in the basic form of Request for Proposals or Request for Bids, subject to DOT's prior written approval of both solicitation and award.

The concession agreement will provide for one (1) five-year term, with four (4) one-year renewal options. The renewal options shall be exercisable at DOT's sole discretion.

DOT has identified the MetroTech Business Improvement District as a potential concessionaire, but DOT will consider additional expressions of interest from other potential not for profit concessionaires for the operation, management, and maintenance of the Licensed Plaza. In order to qualify, interested organizations should be active in the neighborhood of the Licensed Plaza and have demonstrated experience in the management, operation and maintenance of publicly accessible facilities, including but not limited to programming/events management and concession or retail operation/management.

Not for profit organizations may express interest in the proposed concession by contacting Andrew Wiley-Schwartz, Assistant Commissioner for Public Spaces, by email at awileyschwartz@dot.nyc.gov or in writing at 55 Water Street, 9th Floor, New York, NY 10041 by July 13, 2010. Mr. Wiley-Schwartz may also be contacted with any questions relating to the proposed concession by email or by telephone at (212) 839-6678.

Please note that the New York City Comptroller is charged with the audit of concession agreements in New York City. Any person or entity that believes that there has been unfairness, favoritism or impropriety in the concession process should inform the Comptroller, Office of Contract Administration, 1 Centre Street, New York, New York 10007, telephone number (212) 669-2323.

j7-jy13

CHANGES IN PERSONNEL

DEPT OF HEALTH/MENTAL HYGIENE
FOR PERIOD ENDING 06/25/10

NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE
COOPER-LUCAS	ESTHER	52613	\$61233.0000	APPOINTED	NO	05/02/10
CORNIEL	TERESA	52613	\$60316.0000	APPOINTED	NO	05/02/10
CORNISH	TRACEY	10251	\$52966.0000	APPOINTED	NO	05/25/10
CUOCO	LOUIS F	52613	\$61233.0000	APPOINTED	NO	05/02/10
DAVIS	GHISLAIN M	52613	\$55119.0000	APPOINTED	NO	06/13/10
DEMO	EMILY B	10232	\$20.4900	APPOINTED	YES	06/13/10
DOWNES	NEVILLE	10069	\$63279.0000	INCREASE	YES	06/06/10
DUMAY	GABRIELA	10209	\$9.4100	APPOINTED	YES	06/10/10
FERNANDEZ	JENNY	10069	\$92738.0000	RESIGNED	YES	06/13/10
FEUERSTEIN	DAVID	52613	\$61233.0000	APPOINTED	NO	05/02/10
FLORES	WILLIAM	90644	\$27065.0000	APPOINTED	YES	06/13/10
FRANCIS	LATOYA	31215	\$38436.0000	APPOINTED	YES	06/13/10
FREUND	SHARON B	95937	\$39.4700	RESIGNED	YES	06/13/10
FULLER	SASHANA	51105	\$37518.0000	RESIGNED	YES	06/11/10
FURR	ANGELA	52613	\$43068.0000	APPOINTED	NO	06/13/10
GANEM	PAULINA A	21744	\$54080.0000	INCREASE	YES	06/06/10
GENAO JR. JR	VICTOR P	10069	\$64535.0000	APPOINTED	YES	06/13/10
GONZALEZ	MIGUEL A	70810	\$36764.0000	RESIGNED	YES	06/06/10
GRAHAM	JOHN E	90644	\$12.9600	APPOINTED	YES	06/13/10
GREENE	DENISE S	52613	\$49528.0000	APPOINTED	NO	05/02/10
HAMEL	MARIANNE	53859	\$159701.0000	INCREASE	YES	09/09/09
HAXALL	KATHARIN G	21744	\$63662.0000	RESIGNED	YES	05/26/10
HAZARI	ABID	13642	\$69097.0000	APPOINTED	YES	06/13/10
HERNANDEZ	VIELKA	52613	\$61233.0000	APPOINTED	NO	05/02/10
HIRSCHHORN	BARRY A	10025	\$78321.0000	RESIGNED	YES	03/09/08
HODGES	TRAVIS	10251	\$44055.0000	RESIGNED	YES	06/13/10
HORAN	MARGARET M	52613	\$56808.0000	APPOINTED	NO	05/02/10
HOYTE	DARIUS J	10209	\$10.3600	APPOINTED	YES	06/08/10
HUNNICUTT	NATALIE E	90644	\$27065.0000	APPOINTED	YES	06/13/10
IBITOYE	MOBOLAJI O	10209	\$12.9600	APPOINTED	YES	06/09/10
IWIG	LAURA C	10209	\$12.9600	APPOINTED	YES	06/06/10
JACOB	NAMEETHA A	10232	\$20.4900	APPOINTED	YES	06/08/10
JOHNSON	SHAWN E	31215	\$38436.0000	APPOINTED	YES	06/06/10
JONES	MIRANDA	10251	\$52966.0000	APPOINTED	NO	05/02/10

JOSEPH	PATRICIA N	52613	\$49528.0000	APPOINTED	NO	05/02/10
KAUFER	LISA	10251	\$52966.0000	APPOINTED	NO	05/04/10
KAUFMAN	LESLIE D	10069	\$106630.0000	RESIGNED	YES	05/02/10
KEY	LINDA	10251	\$35285.0000	RESIGNED	NO	06/13/10
KIM	MICHELLE S	21744	\$54080.0000	APPOINTED	YES	06/13/10
KING	KELLY M	10232	\$20.4900	APPOINTED	YES	06/13/10
KLIEGMAN	ALISON S	10232	\$20.4900	APPOINTED	YES	06/13/10
KONTE	SULAYMAN G	12627	\$65000.0000	APPOINTED	YES	06/06/10
KOZYANSKY	ELLEN	52613	\$49528.0000	APPOINTED	NO	05/02/10
KREYNGOLD	MAKSIM	52613	\$49528.0000	APPOINTED	NO	05/02/10
LAROCHEL	CLIFF	10209	\$12.8600	APPOINTED	YES	06/06/10
LEHRER	AMANDA E	52613	\$61233.0000	APPOINTED	NO	05/02/10
LIAO	DAISY	31215	\$38436.0000	APPOINTED	YES	06/13/10
LIBERMAN	LAUREN E	21849	\$55593.0000	RESIGNED	YES	06/17/10
LOPEZ	ANTHONY	80609	\$28912.0000	APPOINTED	YES	06/13/10
LOPEZ	JACKELIN	51110	\$56098.0000	RESIGNED	YES	06/15/10
LORD	JENNIFER A	21744	\$73212.0000	RESIGNED	YES	06/09/10
LYNCH	CHERITA T	71022	\$43292.0000	APPOINTED	NO	06/06/10
MADAD	ASMA Z	10209	\$12.8600	APPOINTED	YES	06/06/10
MALL	PRADEEP	10050	\$95000.0000	APPOINTED	YES	06/13/10
MATHIEZ	CRISTIN M	52613	\$61233.0000	APPOINTED	NO	05/02/10
MATOS	FRANCES N	10251	\$51445.0000	APPOINTED	NO	05/07/10
MCBRIDE	LATOYA N	10251	\$35249.0000	INCREASE	NO	06/06/10
MCCALLISTER	ASHLEY J	10209	\$9.4100	RESIGNED	YES	05/30/10
MCKENZIE	GWENDOLY H	52613	\$61233.0000	APPOINTED	NO	05/02/10
MCTEAGUE	TARA	10209	\$12.9600	APPOINTED	YES	06/13/10
MEDERO	DIANE	52406	\$15.6500	RESIGNED	YES	06/06/10
MEEHAN	KATHRYN A	10209	\$12.8600	APPOINTED	YES	06/06/10
MENDOZA	SOLANGE J	52613	\$59536.0000	APPOINTED	NO	05/02/10
MOYANO	STEVEN	71022	\$43292.0000	APPOINTED	NO	05/23/10
NAGALINGAM KANA	KAMESAN	82107	\$15.0400	APPOINTED	YES	06/13/10
NG	CAROLYN P	21849	\$46455.0000	RESIGNED	YES	06/08/10
NIMMONS	MONE C	10234	\$10.3600	APPOINTED	YES	06/13/10
OFORI-GYAMERAH	AKUA A	10209	\$12.8600	RESIGNED	YES	05/30/10
OKOLOJI	ANGELIS N	31215	\$38436.0000	RESIGNED	YES	06/02/10
PALMER	NEYSA A	71022	\$43292.0000	APPOINTED	NO	06/06/10
PAMPELLONNE	OTTO C	52613	\$45000.0000	APPOINTED	NO	06/13/10
PARMAR	BIBI F	1002A	\$56937.0000	INCREASE	YES	06/13/10
PAUL-DAVID	MARIE C	51191	\$45585.0000	RESIGNED	NO	05/02/10
PEREZ	GEORGE L	52613	\$61233.0000	APPOINTED	NO	05/02/10
POPE	KATHERIN C	11702	\$32321.0000	APPOINTED	YES	06/06/10
PORTIS	LONNIE J	10209	\$9.4100	APPOINTED	YES	06/08/10
RAOVFOGEL	SUSAN S	12627	\$68466.0000	APPOINTED	YES	06/13/10

☛ jy9

LATE NOTICES

CITYWIDE ADMINISTRATIVE SERVICES

DIVISION OF REAL ESTATE SERVICES

■ PUBLIC AUCTION

PROPOSED LEASE OF CERTAIN NEW YORK CITY REAL PROPERTY

PUBLIC LEASE AUCTION BY SEALED BID

PUBLIC NOTICE IS HEREBY GIVEN THAT the Department of Citywide Administrative Services, Division of Real Estate Services proposes to offer a lease at public auction by sealed bid for the below listed property.

In accordance with Section 384 of the City Charter, a public hearing will be held regarding the proposed lease on Tuesday, August 10, 2010 at Spector Hall, 22 Reade Street, Main Floor, Borough of Manhattan, commencing at 10:00 A.M.

If approved for lease by the Mayor of the City of New York, the time and place of the sealed bid lease auction will be separately advertised in the City Record.

Further information, including public inspection of the proposed lease may be obtained at the Department of Citywide Administrative Services, Division of Real Estate

Services, Bureau of Property Management and Leasing, 1 Centre Street, 19th Floor North, New York, New York 10007. To schedule an inspection, please contact Martin O'Hara at (212) 669-4052 or mohara@dcas.nyc.gov.

Note: Individuals requesting Sign Language Interpreters should contact the Mayor's Office of Contract Services, Public Hearings Unit, 253 Broadway, 9th Floor, New York, New York 10007, (212) 788-7490, no later than SEVEN (7) BUSINESS DAYS PRIOR TO THE PUBLIC HEARING. TDD users should call Verizon relay services.

1 Parcel

PREMISES ADDRESS: 1764-68 Randall Avenue

LOCATION: South side of Randall Avenue, 50 feet east of Commonwealth Avenue

BOROUGH: Bronx

BLOCK: 3520

LOT: 34

PROPERTY TYPE: Single story building with basement

SQUARE FOOTAGE: Approximately 2,750 square feet on ground floor and 2,750 square feet of basement space

USE: Community Facility or Retail

ZONE: R5/C1-2

LEASE TERM: Five (5) Years

RENEWAL TERMS: Two (2) five (5) year renewal terms

MINIMUM ANNUAL BID: \$83,000

RATE OF ANNUAL INCREASE: The annual rental shall be increased by 3% per annum compounded every year or by the Consumer Price Index whichever is greater for the balance of the lease term including the renewal term, if applicable, with the first escalation occurring at the first anniversary of the lease commencement date.

SPECIAL TERM AND CONDITION: At the request of the highest qualified bidder, the City and said bidder will enter into a Revocable License Agreement (the "License") in form as acceptable to the City, for use of the Premises for the sole and exclusive purpose of conducting activities to prepare the Premises for occupancy pursuant to the contemplated long term lease. Use of the Premises under the License shall be strictly limited to architectural, engineering and construction work of a non-structural nature, and for no other purpose. The License fee shall be Ten Dollars (\$10.00) per month and shall not exceed sixty (60) calendar days preceding the commencement of the long term lease.

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PARKS AND RECREATION

PUBLIC HEARINGS

Notice of a Public Hearing to be held on Wednesday, July 21, 2010, at 22 Reade Street, Borough of Manhattan, commencing at 11:00 A.M. in connection with the matter described below.

(Photo identification must be provided to gain entry into the building.)

Pursuant to Urban Development Corporation Act ("UDC Act") §14(2), notice is hereby given that the City of New York ("City") proposes to grant to Brooklyn Bridge Park Development Corporation (the "Corporation"), in accordance with the General Project Plan for the Brooklyn Bridge Park Civic and Land Use Improvement Project (the "Project") adopted July 22, 2005, by the Corporation and on July 26, 2005, by New York State Urban Development Corporation d/b/a Empire State Development Corporation ("ESDC"), which General Project Plan was affirmed as modified by the Corporation and ESDC on January 18, 2006, adopted as modified on December 18, 2006, by ESDC and the Corporation (the "First Modified General Project Plan") and affirmed as modified on April 19, 2007 by ESDC and on May 3, 2007 by the Corporation, which First Modified General Project Plan was further adopted as further modified on March 10, 2010 by the Corporation and on March 26, 2010 by ESDC, which further modified First Modified General Project Plan, was affirmed as modified on June 9, 2010 by the Corporation and on June 15, 2010 by ESDC (collectively, the "MGPP"), a ground lease (the "Lease" as described below) of certain properties listed below, of which the City is the fee owner, located in the City and State of New York, Borough of Brooklyn, hereinafter referred to as the Premises, for One Dollar (\$1.00).

Pursuant to UDC Act §14(2), by letter dated July 8, 2010, ESDC, in connection with the Project, has (i) requested that the City grant to the Corporation a ground lease (the "Lease" as described below) of certain properties listed below, of which the City is the fee owner, located in the City and State of New York, Borough of Brooklyn (the "Premises"), for One Dollar (\$1.00), and (ii) certified that the Lease is necessary and convenient for ESDC's purposes of implementing the Project.

The Lease shall provide in substance for the further sublease of the Premises by the Corporation, together with a lease of certain other properties owned by the Corporation, pursuant to a Master Ground Lease between the Corporation, as landlord, and Brooklyn Bridge Park Corporation ("BBPC"), for nominal consideration, to develop, construct, operate and maintain the Project for park uses and other uses to the extent permitted by the MGPP. BBPC is a not-for-profit corporation and an instrumentality of the City formed to carry out the development, construction, maintenance and operation of the Project.

Premises to be demised to Brooklyn Bridge Park Development Corporation, described by Tax Block and Lot and by Street Descriptions:

A. Tax Blocks and Lots. All references to "Blocks" hereafter shall be deemed to refer to Blocks as shown on the official Tax Map of the City of New York, County of Kings, and all references to "Lots" shall be deemed to refer to tax lots within said Blocks, also as shown and described.

Block 245

- All of Lot 29, including the upland, pier, and all lands under water.
- All of that portion of Lot 15 constituting the extension of the street end of Joralemon Street to the US Pierhead line, being that portion of Lot 15 excluded from the portion of Lot 15 conveyed to Brooklyn Bridge Park Development Corporation ("BBPDC") by the Port Authority of New York & New Jersey ("PANYNJ") in a deed dated May 22, 2006 and recorded June 20, 2006 by the Office of the City Register in CRFN 2006000348412, reserving, however, from the demise hereunder of said Lot 15, to and for the benefit of the New York City Transit Authority ("NYCTA"), the right to construct, maintain and operate subway lines through, under, over and across Lot 15.
- All of Lot 2.

Block 199

- All of Lots 1, 100 and 126, including the upland, pier, and all lands under water embraced within said Lots, reserving, however, from the demise hereunder of Lot 126, to and for the benefit of

NYCTA, the right to construct, maintain and operate subway lines through, under, over and across Lot 15.

Block 25

- All of Lots 1 and 12 excepting and excluding, however, from this demise, such portion of Lot 12 as shall constitute the Brooklyn Bridge roadway and right of way including the stone bridge abutment supporting the bridge and reserving to the City, acting by and through its Department of Transportation, a right of access exercisable at any time and from time to time, to maintain, repair, restore, rebuild and replace any portion of the Brooklyn Bridge roadway and all supporting, structural and decorative elements, including any and all ancillary components of the bridge, together with the right to bring upon the demised premises such machinery, equipment, tools and supplies as may be necessary or desirable to accomplish the aforesaid purpose and to further secure said Brooklyn Bridge against all risk and danger whatsoever, which right of access may be exercised without notice in the event of any emergency or potentially dangerous condition; the demise hereunder of Lot 1 shall be further subject to the rights of Dircksen and Talleyrand, Inc., and their lawful successors and assigns, arising from the leasehold estate heretofore granted to said Dircksen and Talleyrand for use of the premises so demised to said entity for a restaurant, currently known as The River Café, and further subject to the rights of creditors of Dircksen and Talleyrand to the extent of any security interest duly recorded against the aforesaid leasehold estate.

Block 16

- All of Lots 1, 5 and 17, including the upland, pier, and all lands under water embraced within said Lots.

Block 7

- All of Lots 1, 9 and 21, subject, however, to the continuing right of the City's Department of Environmental Protection to occupy and maintain a meter testing facility within the building on Lot 21 being used for said purposes at the time of this demise, and if said building shall cease to be used for said purposes the City may continue to occupy and maintain said building for lawful municipal purposes, and subject further to the right of the City, acting by and through the Department of Transportation to occupy and maintain such portion of Lot 1 as it may be occupying, maintaining, and using for a paint shed and if said paint shed shall cease to be used for said purposes the City may continue to occupy and maintain said paint shed for other lawful municipal purposes, excepting and excluding, however, from this demise such portion of Lot 1 as shall constitute the Manhattan Bridge roadway and right of way and reserving to the City, acting by and through its Department of Transportation, a right of access exercisable at any time and from time to time, to maintain, repair, restore, rebuild and replace any portion of the Manhattan Bridge roadway and all supporting, structural and decorative elements, including any and all ancillary components of the bridge, together with the right to bring upon the demised premises such machinery, equipment, tools and supplies as may be necessary or desirable to accomplish the aforesaid purpose and to further secure said Manhattan Bridge against all risk and danger whatsoever, which right of access may be exercised without notice in the event of any emergency or potentially dangerous condition.

B. Streets. All references to streets shall be to such streets as the same may be laid-out, shown and described on the City Map as the same is maintained by the Borough Engineer within the Brooklyn Borough President's Office.

Old Fulton and Water Streets

- Such portions of Old Fulton Street and Water Street as may be embraced within the "Legal Description" for the proposed Easement "C" as described and set forth and as shown on a map prepared for "Skanska," as client, by Lockwood, Kessler and Bartlett, Inc. dated December 7, 2009 Project # 8510-01, Drawing # 1.

Joralemon Street

- All that portion of Joralemon Street westerly of the westerly boundary of Furman Street, as shown and described on the City Map, to the easterly boundary of Block 245, Lot 2.

New Dock Street

- All of that portion of New Dock Street, as it appears on the City Map, beginning at the northerly boundary of Water Street and extending therefrom to the concrete bulkhead line at the East River a distance of approximately 435.72 feet.

Washington Street

- All of Washington Street, as shown and described on the City Map, beginning at the northerly boundary of Plymouth Street to the terminus of Washington Street.

Reserving however from the demise of all of the aforesaid streets a right of access on behalf of the City, acting by and through its Department of Parks and Recreation or Department of Transportation and on behalf of any public utility company having a franchise in the streets of the City for the purpose of providing any public utility service, to maintain, repair, restore, rebuild and replace any utility lines, cables, ducts, wires, pipes, conduits, and other apparatus, as well as, any lighting, fire prevention systems, emergency response systems or other public fixtures or equipment, that shall presently be found in, under, on or over said streets, or any of them, for the purpose of providing services to the City and/or the General Public; and reserving further from any and all of the above described lands herein demised a right of access on behalf of the City, acting by and through its Department of Parks and Recreation or Department of Transportation, to come upon the lands herein demised to undertake and perform any act which it shall deem necessary to protect and advance any public interest or purpose or to maintain, repair or salvage any City owned property.

C. "Pearl Street"

- That parcel known as and by the name of "Pearl Street", demising hereby such rights as the City may have in and to said "Pearl Street" described as follows: beginning at a point approximately 207.8 feet from a point at the Northwest corner of Jay Street and John Street running thence Northerly approximately 166.3 feet, thence Westerly parallel with John Street approximately 50 feet, thence Southerly on a line forming an interior angle of 89 degrees 56 minutes with the last course 165 feet 10 inches to the Northerly side of John Street, thence Easterly along the Northerly side of John Street 50 feet to the point or place of beginning, but subject to such rights of third parties as may be proven to obtain and attach with respect to such parcel, the City hereby disclaiming any warranty of title whatsoever hereunder with respect to its title to the aforesaid "Pearl Street" and subject further, therefore, to BBPDC's acceptance of said "Pearl Street" parcel "as is."

Individuals requesting sign language interpreters should contact the Mayor's Office of Contract Services, Public Hearings Unit, 253 Broadway, Room 915, New York, New York 10007, (212) 788-7490, no later than seven (7) business days prior to the public hearing. TDD users should call Verizon relay services.

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PARKS AND RECREATION

REVENUE AND CONCESSIONS

AWARDS

Services (Other Than Human Services)

SALE OF FOOD FROM A PROCESSING MOBILE TRUCK

Competitive Sealed Bids – PIN# B66-MT – The City of New York Department of Parks and Recreation ("Parks") has awarded as a concession to Osman Pehlivan for the Sale of Food from a processing Mobile Truck at Owl's Head Park located at Colonial Road between 67th and 68th Streets in Brooklyn. The concession, which was solicited by a Request for Bids, operates pursuant to a permit agreement for a five (5) year term. Compensation to the City is as follows: in each operating year of the permit, permittee shall pay the City a fee consisting of the higher of the minimum annual fee: Year 1: \$1,500; Year 2: \$2,000; Year 3: \$2,500; Year 4: \$3,000; Year 5: \$7,500.

SALE OF FOOD FROM A NON-PROCESSING PUSHCART

Competitive Sealed Bids – PIN# B192-C. - The City of New York Department of Parks and Recreation ("Parks") has awarded as a concession to Osman Pehlivan (Anatolia Trading) for the Sale of Food from a non-processing pushcart at Russell Pederson Playground between 83rd and 84th Streets, New York. The concession, which was solicited by a Request for Bids, operates pursuant to a permit agreement for a five (5) year term. Compensation to the City is as follows: in each operating year of the permit, permittee shall pay the City a fee consisting of the higher of the minimum annual fee: Year 1: \$1,500; Year 2: \$2,000; Year 3: \$2,500; Year 4: \$3,000; Year 5: \$7,500.

SALE OF FOOD FROM A NON-PROCESSING PUSHCART

Competitive Sealed Bids – PIN# B57-2-C. - The City of New York Department of Parks and Recreation ("Parks") has awarded as a concession to Gaber Mahmoud for the Sale of Food from a non-processing pushcart at Marine Park, on Avenue S, Parking lot and the Oval, in Brooklyn. The concession, which was solicited by a Request for Bids, operates pursuant to a permit agreement for a five (5) year term. Compensation to the City is as follows: in each operating year of the permit, permittee shall pay the City a fee consisting of the higher of the minimum annual fee: Year 1: \$4,100; Year 2: \$5,100; Year 3: \$6,100; Year 4: \$7,100; Year 5: \$8,100.

SALE OF FOOD FROM A NON-PROCESSING PUSHCART

Competitive Sealed Bids – PIN# B57-3-C. - The City of New York Department of Parks and Recreation ("Parks") has awarded as a concession to Gaber Mahmoud for the Sale of Food from a non-processing pushcart at Marine Park, on Avenue U, Parking lot and the Oval, in Brooklyn. The concession, which was solicited by a Request for Bids, operates pursuant to a permit agreement for a five (5) year term. Compensation to the City is as follows: in each operating year of the permit, permittee shall pay the City a fee consisting of the higher of the minimum annual fee: Year 1: \$2,500; Year 2: \$3,000; Year 3: \$3,500; Year 4: \$4,000; Year 5: \$5,000.

SALE OF FOOD FROM A NON-PROCESSING PUSHCART

Competitive Sealed Bids – PIN# B058-C. - The City of New York Department of Parks and Recreation ("Parks") has awarded as a concession to Zoila Orellana for the Sale of Food from a non-processing pushcart at McCarren Park, on Driggs Avenue and N. 12th Street in Brooklyn. The concession, which was solicited by a Request for Bids, operates pursuant to a permit agreement for a five (5) year term. Compensation to the City is as follows: in each operating year of the permit, permittee shall pay the City a fee consisting of the higher of the minimum annual fee: Year 1: \$4,000; Year 2: \$4,200; Year 3: \$4,410; Year 4: \$4,700; Year 5: \$5,000.

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SOLICITATIONS

Services (Other Than Human Services)

OPERATION OF CONCESSIONS FOR THE SALE OF CHRISTMAS TREES AND RELATED PRODUCTS

Competitive Sealed Bids – PIN# TR-2010 – DUE 08-10-10 AT 11:00 A.M. – At various locations throughout the five boroughs. TELECOMMUNICATION DEVICE FOR THE DEAF (TDD) 212-504-4115.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.

Parks and Recreation, The Arsenal-Central Park, 830 Fifth Avenue, Room 407, New York, NY 10021. Glenn Kaalund (212) 360-1397, fax: (212) 360-3434, glenn.kaalund@parks.nyc.gov

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