



THE CITY RECORD

Official Journal of The City of New York

THE CITY RECORD
U.S.P.S. 0114-660

Printed on paper containing
40% post-consumer material

VOLUME CXXXVII NUMBER 50

TUESDAY, MARCH 16, 2010

PRICE \$4.00

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THE CITY RECORD MICHAEL R. BLOOMBERG, Mayor

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Published Monday through Friday, except legal holidays by the Department of Citywide Administrative Services of the City of New York under Authority of Section 1066 of the New York City Charter.

Subscription—\$500 a year; daily, \$4.00 a copy (\$5.00 by mail) Periodicals Postage Paid at New York, N.Y.
POSTMASTER: Send address changes to THE CITY RECORD, 1 Centre Street, Room 2208, New York, N.Y. 10007 - 1602

Editorial Office
1 Centre Street, Room 2208
New York N.Y. 10007-1602
Telephone (212) 669-8252

Subscription Changes/Information
1 Centre Street, Room 2208
New York N.Y. 10007-1602
Telephone (212) 669-8252

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PUBLIC HEARINGS AND MEETINGS

See Also: Procurement; Agency Rules

BRONX BOROUGH PRESIDENT

■ PUBLIC HEARINGS

A PUBLIC HEARING is being called by the President of the Borough of The Bronx, Honorable Ruben Diaz Jr. for Tuesday, March 23, 2010 at 11:30 A.M. in the office of the Borough President, 851 Grand Concourse, Room 916. The hearing will consider the following items:

CD#6 - ULURP APPLICATION NO: C 090143 ZMX-IN THE MATTER OF an application submitted by 625 Fordham, LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 3c:

1. Changing from a C8-1 District to an R6 District property bounded by Hughes Avenue, a line 100 feet northeasterly of East Fordham Road, Belmont Avenue and East Rodham Road;
2. Establishing within an existing and proposed R6 District a C2-4 District bounded by Hughes Avenue, a line perpendicular to the northwesterly street line of Belmont Avenue distant 100 feet northeasterly (as measured along the street line) from the point of intersection of the northeasterly street line of East Fordham Road and northwesterly street line of Belmont Avenue, and East Fordham Road;

As shown in a diagram (for illustrative purposes only) dated January 4, 2010, and subject to the conditions of CEQR Declaration E-244.

CD#4 - ULURP APPLICATION NO: C 050001 MMX-IN THE MATTER OF an application submitted by Roc-Sedgwick, LLC, and the Trust under the Will of Robert S. Olnick, pursuant to Sections 197-c and 199 of the New York City Charter, and Section 5-430 et.seq. of the New York City Administrative Code, for an amendment to the City Map involving:

- The elimination, discontinuance and closing of West 169th Street between Dr. Martin Luther King Jr. Boulevard and Major Deegan Boulevard,

Including authorization for any acquisition or disposition of real property related thereto, in Community District 4, Borough of The Bronx, in accordance with map No. 13106, dated April 25, 2007, and signed by the Borough President.

ANYONE WISHING TO SPEAK MAY REGISTER AT THE HEARING. PLEASE CONTACT THE BOROUGH PRESIDENT'S OFFICE AT (718) 590-6124 WITH ANY QUESTIONS CONCERNING THESE MATTERS.

m16-22

CITY PLANNING COMMISSION

■ PUBLIC HEARING

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 Spector Hall, 22 Reade Street New York, New York, on Wednesday, March 24, 2010, commencing at 10:00 A.M.

BOROUGH OF THE BRONX No. 1 BRONX RIVER ART CENTER

CD 6 C 100083 HAX

IN THE MATTER OF an 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 1087 East Tremont Avenue (Block 3141, part of Lot 1), 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 the rehabilitation of an existing four-story community facility building.

No. 2 CROTONA TERRACE REZONING

CD 3 C 080157 ZMX

IN THE MATTER OF an application submitted by CBC Associates and the South Bronx Overall 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. 3d:

1. changing from a C8-3 District to an R7-1 District property bounded by East 176th Street, Boston Road, East 175th Street, and Southern Boulevard; and
2. establishing within the proposed R7-1 District a C2-4 District bounded by East 176th Street, Boston Road, East 175th Street, and Southern Boulevard;

as shown on a diagram (for illustrative purposes only) dated January 4, 2010, and subject to the conditions of CEQR Declaration E-243.

BOROUGH OF MANHATTAN No. 3 102 GREENE STREET

CD 2 C 080260 ZSM

IN THE MATTER OF an application submitted by 102

Green Street Realty LLC pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-711 of the Zoning Resolution to modify:

1. the bulk regulations of Section 43-17 (Special Provisions for Joint Living-Work Quarters for Artists in M1-5A and M1-5B Districts) to allow the enlargement of a building containing Joint Living Work Quarters for Artists; and
2. the use regulations of Sections 42-14D(1)(a) to allow Joint Living Work Quarters for Artists in the proposed enlargement portions of a building not in existence on or prior to December 15, 1961;

in connection with the proposed 2-story and penthouse enlargement of an existing 3-story building on property located at 102 Greene Street (Block 499, Lot 6), in an M1-5A District, within the SoHo-Cast Iron Historic District. Plans for this proposal are on file with the City Planning Commission and may be seen in Room 3N, 22 Reade Street, New York, N.Y. 10007.

BOROUGH OF QUEENS Nos. 4 & 5 ASTORIA REZONING AND TEXT AMENDMENT No. 4

CD 1 C 100199 ZMQ

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. 6b, 9a, 9b and 9c:

1. eliminating from an existing R5 District a C1-2 District bounded by:
 - a. 29th Street, a line 150 northeasterly of Ditmars Boulevard, 31st Street, 21st Avenue, 32nd Street, a line 150 feet northeasterly of Ditmars Boulevard, 37th Street, a line 150 feet southwesterly of Ditmars Boulevard, 33rd Street, a line 225 feet southwesterly of Ditmars Boulevard, a line 163 feet northwesterly of 33rd Street, a line 275 feet northeasterly of 23rd Avenue, a line 116 feet northwesterly of 33rd Street, a line 150 feet northeasterly of 23rd Avenue, 33rd Street, a centerline of the New York Connecting Railroad Right-of-Way, a line 163 feet northwesterly of 33rd Street, 23rd Avenue, 26th Street, a line 150 feet northeasterly of 23rd Avenue, a line midway between 29th Street and 31st Street, and a line 150 feet southwesterly of Ditmars Boulevard;
 - b. 21st Street, a line midway between 23rd Terrace and 24th Avenue, 23rd Street, a line 150 feet northeasterly of 24th Avenue, 24th Street, and 24th Avenue;
 - c. 27th Street, a line 150 feet northeasterly of 24th Avenue, 31st Street, and 24th Avenue;
 - d. 31st Street, a line 240 feet northeasterly of 24th Road, a line 100 feet southeasterly of 31st Street, 24th Road, 32nd Street, and Astoria Boulevard (northerly portion); and
 - e. 23rd Street, a line 150 feet northeasterly of Astoria Boulevard, Crescent Street, and Astoria Boulevard;
2. eliminating from an existing R6 District a C1-2 District bounded by:
 - a. Crescent Street, a line 150 feet northeasterly of Astoria Boulevard, 29th Street, Hoyt Avenue South, 31st Street,

- Astoria Boulevard, 32nd Street, a line 150 feet southwesterly of Astoria Boulevard, 28th Street, and Astoria Boulevard;
- b. Crescent Street, a line 150 feet northeasterly of 30th Avenue, 30th Street, Newtown Avenue, 31st Street, a line 150 feet northeasterly of Newton Avenue, a line 150 feet northeasterly of 30th Avenue, 38th Street, 30th Avenue, a line midway between 38th Street and Steinway Street, a line 250 feet southwesterly of 30th Avenue, 38th Street, a line 150 feet southwesterly of 30th Avenue, 29th Street, and a line midway between 30th Road and 30th Avenue;
- c. 33rd Street, a line 150 feet northeasterly of 31st Avenue, 35th Street, and a line 150 feet southwesterly of 31st Avenue;
- d. 37th Street, a line 150 feet northeasterly of 31st Avenue, a line midway between 38th Street and Steinway Street, and a line 150 feet southwesterly of 31st Avenue; and
- e. 21st Street, 31st Drive, 23rd Street, and Broadway;
3. eliminating from an existing R6B District a C1-2 District bounded by 30th Road, 14th Street, 30th Drive, a line 100 feet southeasterly of 14th Street, 31st Avenue, and a line 100 feet northwesterly of 14th Street;
4. eliminating from an existing R5 District a C1-3 District bounded by:
- a. 21st Street, a line 150 feet northeasterly of 21st Avenue, 24th Street, and a line 100 feet northeasterly of 21st Avenue; and
- b. 19th Street, a line 100 feet southwesterly of 21st Avenue, a line 100 feet southeasterly of 21st Street, and a line 150 feet southwesterly of 21st Avenue;
5. eliminating from an existing R5 District a C1-4 District bounded by 24th Avenue, 31st Street, a line 100 feet southwesterly of 24th Avenue, and a line 200 feet northwesterly of 31st Street;
6. eliminating from an existing R6B District a C1-4 District bounded by 30th Street, a line 100 feet northeasterly of Broadway, 31st Street, Broadway, 32nd Street, a line 100 feet northeasterly of Broadway, a line midway between 38th Street and Steinway Street, and a line 100 feet southwesterly of Broadway;
7. eliminating from an existing R5 District a C2-2 District bounded by:
- a. 20th Avenue, a line midway between Steinway Street and 41st Street, 21st Avenue, a line midway between 38th Street and Steinway Street, a line 150 feet southwesterly of 20th Avenue, and a line midway between 37th Street and 38th Street;
- b. 37th Street, a line 150 feet northeasterly of Ditmars Boulevard, 41st Street, and a line 150 feet southwesterly of Ditmars Boulevard;
- c. 23rd Avenue, 32nd Street, 23rd Road, a line midway between 29th Street and 31st Street, a line 150 feet southwesterly of 23rd Avenue, and 26th Street;
- d. 23rd Avenue, Steinway Street, a centerline of the New York Connecting Railroad right-of-way, 41st Street, Astoria Boulevard (northerly portion), and a line midway between 38th Street and Steinway Street; and
- e. Astoria Boulevard (southerly portion), 41st Street, a line 150 feet southwesterly of Astoria Boulevard (southerly portion), a line midway between Steinway Street and 41st Street, a line 150 feet northeasterly of 28th Street, 41st Street, 28th Avenue, a line midway between 38th Street and Steinway Street, a line 100 feet southwesterly of Astoria Boulevard (southerly portion), and Steinway Street;
8. eliminating from an existing R6 District a C2-2 District bounded by:
- a. Crescent Street, Astoria Boulevard, 28th Street, a line 150 feet southwesterly of Astoria Boulevard, a line 100 feet northwesterly of 28th Street, and a line 200 feet northeasterly of Newton Avenue;
- b. 33rd Street, Astoria Boulevard (southerly portion), 35th Street, and a line 150 feet southwesterly of Astoria Boulevard (northerly portion);
- c. 36th Street, Astoria Boulevard (southerly portion), Steinway Street, a line 100 feet southwesterly of Astoria Boulevard (southerly portion), a line midway between 38th Street and Steinway Street, and a line 150 feet southwesterly of Astoria Boulevard (southerly portion);
- d. 38th Street, a line 200 feet northeasterly of 28th Avenue, a line midway between 38th Street and Steinway Street, and 28th Avenue;
- e. 38th Street, a line 150 feet northeasterly of 30th Avenue, a line midway between 38th Street and Steinway Street, and 30th Avenue; and
- f. 31st Street, a line 235 feet northeasterly of Broadway, 32nd Street, and a line 150 feet northeasterly of Broadway;
9. eliminating from an existing R6A District a C2-2 District bounded by a line 150 feet southeasterly of 8th Street, a line 100 feet northeasterly and northerly of Astoria Boulevard, 12th Street, 30th Avenue, Main Avenue, and Astoria Boulevard;
10. eliminating from an existing R6B District a C2-2 District bounded by:
- a. 31st Street, a line 150 feet northeasterly of Broadway, 32nd Street, and Broadway; and
- b. 12th Street, a line 100 feet northerly of Astoria Boulevard, 18th Street, 27th Avenue, 18th Street, 26th Road, line 150 feet northeasterly of 27th Avenue, a line 100 feet northwesterly of 21st Street, 28th Avenue, 14th Street, and 29th Avenue;
11. eliminating from an existing R7A District a C2-2 District bounded by Vernon Boulevard, a line 100 feet northeasterly of Broadway, 21st Street, and Broadway;
12. eliminating from an existing R7B District a C2-2 District bounded by a line midway between 21st Street and 22nd Street, a line 150 feet northeasterly of Astoria Boulevard, 23rd Street, 27th Road, a line 100 feet southeasterly of 21st Street, and Newtown Avenue;
13. eliminating from an existing R7X District a C2-2 District bounded:
- a. by a line 100 feet northwesterly of 21st Street, a line 150 feet northeasterly of 27th Avenue, 21st Street, a line 330 feet northeasterly of Astoria Boulevard, a line midway between 21st Street and 22nd Street, Newtown Avenue, a line 100 feet southeasterly of 21st Street, and 28th Avenue; and
- b. 31st Road, 21st Street, a line 100 feet northeasterly of Broadway, and a line 100 feet northwesterly of 21st Street;
14. eliminating from an existing R6 District a C2-4 District bounded by:
- a. 30th Drive, 31st Street, a line 300 feet northeasterly of 31st Avenue, a line midway between 31st Street and 32nd Street, 31st Avenue, and a line midway between 30th Street and 31st Street; and
- b. a line 150 feet southwesterly of Astoria Boulevard, 31st Street, Newtown Avenue, and a line midway between 30th Street and 31st Street;
15. changing from an R5 District to an R4 District property bounded by 20th Avenue, a line midway between 37th Street and 38th Street, a line 250 feet southwesterly of 20th Avenue, 38th Street, a line 75 feet northeasterly of 20th Road, and 33rd Street;
16. changing from an R4 District to an R4-1 District property bounded by 30th Avenue, a line 100 feet northwesterly of 21st Street, 30th Road, and a line 100 feet southeasterly of 14th Street;
17. changing from an R5 District to an R4-1 District property bounded by 33rd Street, a line 75 feet northeasterly of 20th Road, 38th Street, 20th Road, 37th Street, a line 100 feet northeasterly of 21st Avenue, a line midway between 33rd Street and 35th Street, and 20th Road;
18. changing from an R6 District to an R4B District property bounded by a line 100 feet southwesterly of 30th Avenue, a line midway between 36th Street and 37th Street, a line 400 feet southwesterly of 30th Avenue, and a line midway between 35th Street and 36th Street;
19. changing from an R6B District to an R5 District property bounded by a line 100 feet southwesterly of Astoria Park South, a line midway between 14th Place and 18th Street and its southwesterly prolongation, a line perpendicular to the southeasterly street line of 14th Street distant 80 feet northeasterly (as measured along the street line) from the point of intersection of the northeasterly street line of 27th Avenue and the southeasterly street line of 14th Street, a line 100 feet southeasterly of 14th Street, 26th Avenue, and a line midway between 14th Street and 14th Place;
20. changing from an R5 District to an R5B District property bounded by:
- a. 20th Avenue, a line of midway between 28th Street and 29th Street, a line 100 feet southwesterly of 20th Avenue, a line 175 feet northwesterly of 31st Street, 21st Avenue, 29th Street, a line 100 feet southwesterly of 21st Avenue, a line 175 feet northwesterly of 31st Street, a line 100 feet northeasterly of Ditmars Boulevard, a line midway between 27th Street and 28th Street, a line 100 feet southwesterly of 21st Avenue, a line midway between 24th Street and Crescent Street, a line 100 feet northeasterly of Ditmars Boulevard, Crescent Street, a line 100 feet southwesterly of Ditmars Boulevard, a line 125 feet northwesterly of 31st Street, a line 100 feet northeasterly of 23rd Avenue, 26th Street, a line 100 feet southwesterly of 23rd Avenue, a line midway between 28th Street and 29th Street, a line 100 feet northeasterly of 24th Avenue, 21st Street, 23rd Terrace, 19th Street, 22nd Road, a line 100 feet southeasterly of 19th Street, Ditmars Boulevard, 21st Street, a line midway between Ditmars Boulevard and 21st Drive, Shore Boulevard, a line midway between 21st Road and 21st Avenue, 21st Street, a line 100 feet northeasterly of 21st Avenue, 23rd Street, 21st Avenue, 28th Street, a line 200 feet northeasterly of 21st Avenue, and a line midway between Crescent Street and 26th Street;
- b. 31st Street, 20th Road, the northeasterly centerline prolongation of 32nd Street, a line 100 feet southwesterly of 20th Avenue, 33rd Street, 20th Road, a line midway between 33rd Street and 35th Street, a line 100 feet northeasterly of 21st Avenue, 37th Street, 20th Road, 38th Street, a line 250 feet southwesterly of 20th Avenue, a line midway between 37th Street and 38th Street, a line 80 feet southwesterly of 20th Avenue, a line midway between 38th Street and Steinway Street, a line 100 feet northeasterly of Ditmars Boulevard, 35th Street, 21st Avenue, 33rd Street, a line 100 feet northeasterly of Ditmars Boulevard, 32nd Street, and 21st Avenue;
- c. 33rd Street, a line 100 feet southwesterly of Ditmars Boulevard, a line midway between 38th Street and Steinway Street, and a line 100 feet northeasterly of 23rd Avenue;
- d. a line 100 feet southwesterly of 23rd Avenue, a line midway between 38th Street and Steinway Street, Astoria Boulevard (southerly portion), Hoyt Avenue South, a line 80 feet southeasterly of 31st Street, a line 130 feet southwesterly of 24th Avenue, 32nd Street, 24th Avenue, and a line 90 feet southeasterly of 31st Street;
- e. 24th Avenue, 23rd Street, a line 100 feet southwesterly of 24th Avenue, a line midway between 26th Street and 27th Street and its southwesterly prolongation, Hoyt Avenue South, 21st Street, Hoyt Avenue North, and 19th Street;
- f. a line midway between 21st Street and 22nd Street and its northeasterly prolongation, a line midway between Hoyt Avenue South and 25th Road, 23rd Street, a line 100 feet southwesterly of Hoyt Avenue South, a line 200 feet northwesterly of Crescent Street, a line 100 feet northeasterly of Astoria Boulevard, 23rd Street, a line perpendicular to the northwesterly street line of 23rd Street distant 310 feet northeasterly (as measured along the street line) from the point of intersection of the northeasterly street line of Astoria Boulevard and the northwesterly street line of 23rd Street, 22nd Street, and a line perpendicular to the southeasterly street line of 21st Street distant 330 feet northeasterly (as measured along the street line) from the point of intersection of the northeasterly street line of Astoria Boulevard and the southeasterly street line of 21st Street ;
- g. a line 100 feet southwesterly of 27th Avenue, 14th Street, 27th Avenue, a line 200 feet northeasterly of 14th Street, a line 100 feet northwesterly of Astoria Boulevard, a line midway between 28th Avenue and Astoria Boulevard, and a line 300 feet southeasterly of 8th Street;
- h. 12th Street, a line 150 feet southwesterly of 30th Avenue, a line 100 feet northwesterly of 14th Street, a line 100 feet northeasterly of 31st Avenue,

- 12th Street, 30th Drive, a line 100 feet easterly of Vernon Boulevard, and 30th Road;
- i. a line 100 feet southwesterly of 31st Avenue, a line 100 feet northwesterly of 14th Street, a line 100 feet northeasterly of Broadway, and a line 100 feet northwesterly of 12th Street;
- j. a line midway between 31st Avenue and 31st Road, a line 100 feet northwesterly of 21st Street, a line 100 feet northeasterly of Broadway, and a line 100 feet southeasterly of 14th Street; and
- k. 27th Road, 23rd Street, a line midway between 28th Avenue and 29th Avenue, a line 100 feet northwesterly of Crescent Street, 29th Avenue, 23rd Street, 30th Avenue, 21st Street, 28th Avenue, and a line 100 feet southeasterly of 21st Street;
21. changing from an R6 District to an R5B District property bounded by:
- a. a line 100 feet southwesterly of Astoria Boulevard (southerly portion), a line midway between 37th Street and 38th Street, a line 670 feet northeasterly of 28th Avenue, and a line midway between 36th Street and 37th Street;
- b. a line 100 feet southwesterly of 28th Avenue, a line midway between 38th Street and Steinway Street, a line 100 feet northeasterly of 30th Avenue, and a line midway between 35th Street and 36th Street; and
- c. a line 100 feet southwesterly of 30th Avenue, a line midway between 37th Street and 38th Street, a line 100 feet northeasterly of 31st Avenue, 35th Street, a line 300 feet northeasterly of 31st Avenue, a line midway between 34th Street and 35th Street, a line 100 feet southwesterly of 30th Avenue, a line midway between 35th Street and 36th Street, a line 400 feet southwesterly of 30th Avenue, and a line midway between 36th Street and 37th Street;
22. changing from an R5 District to an R5D District property bounded by:
- a. Shore Boulevard, a line midway between Ditmars Boulevard and 21st Drive, 21st Street, Ditmars Boulevard, a line 100 feet southeasterly of 19th Street, 22nd Road, 19th Street, and Ditmars Boulevard;
- b. a line 100 feet southwesterly of 21st Avenue, a line midway between 27th Street and 28th Street, a line 100 feet northeasterly of Ditmars Boulevard, a line 125 feet northwesterly of 31st Street, a line 100 feet southwesterly of Ditmars Boulevard, Crescent Street, a line 100 feet northeasterly of Ditmars Boulevard, and a line midway between 24th Street and Crescent Street;
- c. a line 100 feet northeasterly of 23rd Avenue, a line 125 feet northwesterly of 31st Street, a line 100 feet northeasterly of 23rd Road, a line 100 feet northwesterly of 31st Street, 24th Avenue, a line midway between 29th Street and 31st Street, a northeasterly, northwesterly, and southwesterly boundary lines of a playground, the southwesterly prolongation of a line midway between 29th Street and 31st Street, Hoyt Avenue South, a line midway between 26th Street and 27th Street and its southwesterly prolongation, a line 100 feet southwesterly of 24th Avenue, 23rd Street, 24th Avenue, 21st Street, a line 100 feet northeasterly of 24th Avenue, a line midway between 28th Street and 29th Street, a line 100 feet southwesterly of 23rd Avenue, and 26th Street;
- d. 20th Avenue, a line midway between Steinway Street and 41st Street, Astoria Boulevard (southerly portion), a line midway between 38th Street and Steinway Street, a line 100 feet southwesterly of 23rd Avenue, 32nd Street, 23rd Avenue, 33rd Street, a line 100 feet northeasterly of 23rd Avenue, a line midway between 38th Street and Steinway Street, a line 100 feet southwesterly of Ditmars Boulevard, 33rd Street, Ditmars Boulevard, 35th Street, a line 100 feet northeasterly of Ditmars Boulevard, a line midway between 38th Street and Steinway Street, a line 80 feet southwesterly of 20th Avenue, and a line midway between 37th Street and 38th Street; and
- e. a line 100 feet southwesterly of Hoyt Avenue South, Crescent Street, a line 100 feet northeasterly of Astoria Boulevard, and a line 200 feet northwesterly of Crescent Street;
23. changing from an R6 District to an R5D District property bounded by a line 100 feet southwesterly of Hoyt Avenue South, a line 100 feet northwesterly of 27th Street, a line 100 feet northeasterly of Astoria Boulevard, and Crescent Street;
24. changing from an R5 District to an R6A District property bounded by:
- a. a line 100 feet northeasterly of Astoria Boulevard, Crescent Street, 30th Avenue, 23rd Street, 29th Avenue, a line 100 feet northwesterly of Crescent Street, a line midway between 28th Avenue and 29th Avenue, and 23rd Street;
- b. 21st Avenue, 32nd Street, a line 100 feet northeasterly of Ditmars Boulevard, a line 175 feet northwesterly of 31st Street, a line 100 feet southwesterly of 21st Street, and 29th Street; and
- c. 21st Avenue, 35th Street, Ditmars Boulevard, and 33rd Street;
25. changing from an R6 District to an R6A District property bounded by:
- a. a line 100 feet northeasterly of Newtown Avenue, 30th Street, a line 100 feet southwesterly of 30th Avenue, a line midway between 30th Street and 31st Street, 30th Drive, a line midway between 29th Street and 30th Street, a line 150 feet northeasterly of Broadway, a line 100 feet northwesterly of Crescent Street, a line midway between 31st Avenue and 31st Road, a line 100 feet southeasterly of 21st Street, a line 150 feet southwesterly of 30th Drive, a line 100 feet northwesterly of Crescent Street, a line 100 feet southwesterly of 30th Avenue, a line 100 feet southeasterly of 21st Street, 30th Avenue, Crescent Street, 30th Road, a line 200 feet northwesterly of 29th Street, 30th Avenue, Crescent Street, a line 100 feet northeasterly of 30th Avenue, 29th Street, a line 100 feet southwesterly of Newtown Avenue, and Crescent Street;
- b. 32nd Street, a line 100 feet northeasterly of 28th Avenue, a line midway between 38th Street and Steinway Street, a line 100 feet southwesterly of 28th Avenue, a line midway between 35th Street and 36th Street, a line 100 feet northeasterly of 30th Avenue, 33rd Street, and 28th Avenue;
- c. a line 100 feet southwesterly of 30th Avenue, a line midway between 34th Street and 35th Street, a line 300 feet northeasterly of 31st Avenue, 35th Street, a line 100 feet northeasterly of 31st Avenue, a line midway between 38th Street and Steinway Street, a line 100 feet southwesterly of 31st Avenue, a line midway between 31st Street and 32nd Street, a line 100 feet northeasterly of 31st Avenue, 33rd Street, a line 400 feet northeasterly of 31st Avenue, and a line midway between 33rd Street and 34th Street; and
- d. Crescent Street, a line 100 feet northeasterly of Astoria Boulevard, 29th Street, Astoria Boulevard, 29th Street, and a line 100 feet southwesterly of Astoria Boulevard;
26. changing from an R6B District to an R6A District property bounded by 21st Street, Broadway, 23rd Street, a line 150 feet northeasterly of Broadway, a line midway between 29th Street and 30th Street, a line 100 feet northeasterly of Broadway, 30th Street, and a line 100 feet southwesterly of Broadway;
27. changing from an R5 District to an R6B District property bounded by Hoyt Avenue South, Crescent Street, a line 100 feet southwesterly of Hoyt Avenue South, 23rd Street, a line midway between Hoyt Avenue South and 25th Road, a line midway between 21st Street and 22nd Street and its northeasterly prolongation, a line perpendicular to the southeasterly street line of 21st Street distant 330 feet northeasterly (as measured along the street line) from the point of intersection of the northeasterly street line of Astoria Boulevard and the southeasterly street line of 21st Street, and 21st Street;
28. changing from an R6 District to an R6B District property bounded by:
- a. Hoyt Avenue South, 27th Street, a line 100 feet northeasterly of Astoria Boulevard, a line 100 feet northwesterly of 27th Street, a line 100 feet southwesterly of Hoyt Avenue South, and Crescent Street;
- b. Crescent Street, a line 100 feet southwesterly of Astoria Boulevard, a line midway between 30th Street and 31st Street, and a line 100 feet northeasterly of Newtown Avenue;
- c. Crescent Street, a line 100 feet southwesterly of Newtown Avenue, 29th Street, and a line 100 feet northeasterly of 30th Avenue;
- d. a line 100 feet southwesterly of 30th Avenue, a line 100 feet northwesterly of Crescent Street, a line 150 feet southwesterly of 30th Drive, and a line 100 feet southeasterly of 21st Street;
- e. a line midway between 31st Avenue and 31st Road, a line 100 feet northwesterly of Crescent Street, a line 150 feet northeasterly of Broadway, 23rd Street, Broadway, and a line 100 feet southeasterly of 21st Street;
- f. a line 100 feet southwesterly of Astoria Boulevard (southerly portion), 35th Street, Astoria Boulevard (southerly portion), Steinway Street, a line 100 feet southwesterly of Astoria Boulevard (southerly portion), a line midway between 38th Street and Steinway Street, a line 100 feet northeasterly of 28th Avenue, 32nd Street, 28th Avenue, 33rd Street, a line 100 feet northeasterly of Newtown Avenue, a line 75 feet southeasterly of 31st Street, 28th Avenue, and a line midway between 31st Street and 32nd Street, and excluding property bounded by a line 100 feet southwesterly of Astoria Boulevard (southerly portion), a line midway between 37th Street and 38th Street, a line 670 feet northeasterly of 28th Avenue, and a line midway between 36th Street and 37th Street;
- g. a line 100 feet southwesterly of 30th Avenue, a line midway between 33rd Street and 34th Street, a line 400 feet northeasterly of 31st Avenue, 33rd Street, a line 100 feet northeasterly of 31st Avenue, and a line 90 feet southeasterly of 31st Street;
- h. 30th Drive, a line midway between 30th Street and 31st Street, a line 150 feet northeasterly of Broadway, and a line midway between 29th Street and 30th Street;
- i. a line 100 feet southwesterly of 31st Avenue, a line midway between 38th Street and Steinway Street, a line 150 feet northeasterly of Broadway, 32nd Street, a line 235 feet northeasterly of Broadway, and a line 90 feet southeasterly of 31st Street; and
- j. a line 100 feet southwesterly of 30th Avenue, a line midway between 38th Street and Steinway Street, a line 100 feet northeasterly of 31st Street, and a line midway between 37th Street and 38th Street;
29. changing from an R5 District to an R7A District property bounded by 28th Avenue, 21st Street, 30th Avenue, and a line 100 feet northwesterly of 21st Street;
30. changing from an R6 District to an R7A District property bounded by:
- a. Vernon Boulevard, the southwesterly centerline prolongation of Welling Court, a line 100 feet easterly of Vernon Boulevard, 30th Drive, a line 100 feet northwesterly of 12th Street, and a line 100 feet northeasterly of Broadway; and
- b. 30th Avenue, a line 100 feet southeasterly of 21st Street, Broadway, 21st Street, 31st Road, and a line 100 feet northwesterly of 21st Street;
31. changing from an R5 District to a C4-2A District property bounded by:
- a. a line 100 feet northeasterly of Ditmars Boulevard, 33rd Street, the centerline of the New York Connecting Railroad right-of-way, and a line 125 feet northwesterly of 31st Street; and
- b. a line 100 feet southeasterly of Astoria Boulevard (southerly portion), Steinway Street, Astoria Boulevard (southerly portion), a line midway between Steinway Street and 41st Street, 28th Avenue, and a line midway between 38th Street and Steinway Street;
32. changing from an R6 District to a C4-2A District property bounded by:
- a. 30th Street, a line 75 feet northeasterly of 30th Avenue, the northeasterly centerline prolongation of 32nd Street, a line 100 feet northeasterly of Newton Avenue, a line 100 feet northeasterly of

- 30th Avenue, a line midway between 38th Street and Steinway Street, and a line 100 feet southwesterly of 30th Avenue; and
- b. a line midway between 31st Street and 32nd Street, a line 235 feet northeasterly of Broadway, 32nd Street, and a line 150 feet northeasterly of Broadway;
33. changing from an R6B District to a C4-2A District property bounded by a line 90 feet southeasterly of 31st Street, a line 150 feet northeasterly of Broadway, 32nd Street, a line 100 feet northeasterly of Broadway, a line midway between 38th Street and Steinway Street, and a line 100 feet southwesterly of Broadway;
34. changing from an R5 District to a C4-3 District property bounded by the centerline of the New York Connecting Railroad right-of-way, 33rd Street, 23rd Avenue, 32nd Street, a line 100 feet southwesterly of 23rd Avenue, a line 90 feet southeasterly of 31st Street, 24th Avenue, 32nd Street, a line 130 feet southwesterly of 24th Avenue, a line 80 feet southeasterly of 31st Street and its southwesterly prolongation, Hoyt Avenue South, the southwesterly prolongation of a line midway between 29th Street and 31st Street; a southwesterly, southeasterly and northeasterly boundary line of a playground, a line midway between 29th Street and 31st Street, 24th Avenue, a line 100 feet northwesterly of 31st Street, a line 100 feet northeasterly of 23rd Road, and a line 125 feet northwesterly of 31st Street;
35. changing from an R6 District to a C4-3 District property bounded by:
- a. a line 100 feet southwesterly of 30th Avenue, a line 90 feet southeasterly of 31st Street, a line 150 feet northeasterly of Broadway, and a line midway between 30th Street and 31st Street; and
- b. Hoyt Avenue South, Astoria Boulevard (southerly portion), 35th Street, a line 100 feet southwesterly of Astoria Boulevard (southerly portion), a line midway between 31st Street and 32nd Street, 28th Avenue, a line 75 feet southeasterly of 31st Street, a line 100 feet northeasterly of Newtown Avenue, a line midway between 30th Street and 31st Street, a line 100 feet southwesterly of Astoria Boulevard, and 29th Street;
36. changing from an R6B District to a C4-3 District property bounded by 30th Street, a line 100 feet northeasterly of Broadway, a line midway between 30th Street and 31st Street, a line 150 feet northeasterly of Broadway, a line 90 feet southeasterly of 31st Street, and a line 100 feet southwesterly of Broadway;
37. changing from an R6 District to a C4-4A District property bounded by 30th Street, a line 100 feet northeasterly of Newton Avenue, 32nd Street and its northeasterly centerline prolongation, and a line 75 feet northeasterly of 30th Avenue;
38. establishing within an existing R5 District a C1-3 District bounded by:
- a. 21st Avenue, 21st Street, a line 100 feet southwesterly of 21st Avenue, and 19th Street; and
- b. 3rd Street, a line 100 feet northeasterly of 21st Avenue, 24th Street, and 21st Avenue;
39. establishing within a proposed R5B District a C1-3 District bounded by:
- a. 31st Street, a line 100 feet northeasterly of 21st Avenue, 32nd Street, and 21st Avenue; and
- b. 21st Street, a line 100 feet northeasterly of 21st Avenue, 23rd Street, 21st Avenue, a line 100 feet southeasterly of 21st Street, and a line 100 feet southwesterly of 21st Avenue;
40. establishing within a proposed R5D District a C1-3 District bounded by:
- a. a line 200 feet northwesterly of 21st Street, a line midway between 21st Drive and Ditmars Boulevard, 21st Street, and Ditmars Boulevard;
- b. 19th Street, Ditmars Boulevard, a line 100 feet southeasterly of 19th Street, and a line 100 feet southwesterly of Ditmars Boulevard;
- c. 28th Street, a line 100 feet northeasterly of Ditmars Boulevard, a line 125 feet northwesterly of 31st Street, and a line 100 feet southwesterly of Ditmars Boulevard;
- d. 35th Street, a line 100 feet northeasterly of Ditmars Boulevard, 37th Street, a line 100 feet southwesterly of Ditmars Boulevard, 33rd Street, and Ditmars Boulevard;
- e. 26th Street, a line 100 feet northeasterly of 23rd Avenue, a line 125 feet northwesterly of 31st Street, and a line 100 feet southwesterly of 23rd Avenue;
- f. 21st Street, a line 100 feet northeasterly of 24th Avenue, 24th Street, and 24th Avenue; and
- g. 27th Street, a line 100 feet northeasterly of 24th Avenue, a line 100 feet northwesterly of 31st Street, and 24th Avenue;
41. establishing within an existing R6 District a C1-3 District bounded by 30th Avenue, a line 200 feet northwesterly of 29th Street, a line 100 feet southwesterly of 30th Avenue, and Crescent Street;
42. establishing within an existing R6A District a C1-3 District bounded by a line 100 feet northeasterly of 21st Avenue, 31st Street, 21st Avenue, and a line 175 feet northwesterly of 31st Street;
43. establishing within a proposed R6A District a C1-3 District bounded by:
- a. 23rd Street, a line 100 feet northeasterly of Astoria Boulevard, 29th Street, a line 100 feet southwesterly of Astoria Boulevard, 28th Street, and Astoria Boulevard;
- b. a line 100 feet northeasterly of 31st Avenue, a line midway between 38th Street and Steinway Street, a line 100 feet southwesterly of 31st Avenue, 37th Street, 31st Avenue, 35th Street, a line 100 feet southwesterly of 31st Avenue, and a line midway between 31st Street and 32nd Street;
- c. 21st Avenue, 32nd Street, a line 100 feet northeasterly of Ditmars Boulevard, 31st Street, a line 100 feet southwesterly of 21st Avenue, and a line 100 feet northwesterly of 31st Street; and
- d. 33rd Street, a line 100 feet northeasterly of Ditmars Boulevard, 35th Street, and Ditmars Boulevard;
- e. 27th Street, a line 100 feet northeasterly of Astoria Boulevard, 29th Street, a line 100 feet southwesterly of Astoria Boulevard, 28th Street, and Astoria Boulevard;
- f. Crescent Street, a line 100 feet northeasterly of 30th Avenue, 30th Street, a line 100 feet southwesterly of 30th Avenue, a line 200 feet northwesterly of 29th Street, and 30th Avenue;
44. establishing within an existing R6B District a C1-3 District bounded by:
- a. 18th Street, a line midway between 25th Road and Astoria Park South, a line 100 feet southeasterly of 18th Street, and a line perpendicular to the southeasterly street line of 18th Street distant 100 feet southwesterly (as measured along the street line) from the point of intersection of the southwesterly street line of 25th Road and the southeasterly street line of 18th Street;
- b. a line midway between 14th Place and 18th Street and its southwesterly prolongation, a line 100 feet northeasterly of 26th Avenue, a line 100 feet southeasterly of 18th Street, 26th Avenue, 18th Street, and a line 100 feet southwesterly of 26th Avenue;
- c. the southwesterly prolongation of a line midway between 14th Place and 18th Street, a line 200 feet north easterly of 27th Avenue, 18th Street, a line perpendicular to the southeasterly street line of 18th Street distant 100 feet northeasterly (as measured along the street line) from the point of intersection of the northerly boundary line of 26th Road and the southeasterly street line of 18th Street, a line 100 feet southeasterly of 18th Street, 26th Road, 18th Street, and a line 100 feet northeasterly of 27th Avenue; and
- d. 30th Road, 14th Street, 30th Drive, a line 100 feet southeasterly of 14th Street, 31st Avenue, and a line 100 feet northwesterly of 14th Street;
45. establishing within a proposed R6B District a C1-3 District bounded by 31st Drive, 23rd Street, Broadway, and a line 100 feet southeasterly of 21st Street;
46. establishing within a proposed R7A District a C1-3 District bounded by:
- a. Vernon Boulevard, the southwesterly centerline prolongation of Welling Court, a line 100 feet southeasterly of Vernon Boulevard, and a line 100 feet northeasterly of Broadway; and
- b. 31st Drive, a line 100 feet southeasterly of 21st Street, Broadway, and 21st Street;
47. establishing within a proposed R6A District a C1-4 District bounded by:
- a. a line 100 feet southeasterly of 23rd Street, a line 100 feet northeasterly of Broadway, a line 150 feet northwesterly of Crescent Street, a line 100 feet southwesterly of Broadway, 23rd Street, and Broadway; and
- b. Broadway, a line 100 feet northwesterly of 23rd Street, a line 100 feet southwesterly of Broadway, and a line 100 feet southeasterly of 21st Street;
48. establishing within an existing R5 District a C2-3 District bounded by:
- a. 20th Avenue, 33rd Street, a line 100 feet southwesterly of 20th Avenue, the northeasterly centerline prolongation of 32nd Street, 20th Road, 31st Street, a line 100 feet southwesterly of 20th Avenue, and a line midway between 28th Street and 29th Street;
- b. a line midway between Steinway Street and 41st Street, a line 100 feet northeasterly of Ditmars Boulevard, 41st Street, and a line 100 feet southwesterly of Ditmars Boulevard;
- c. a line midway between Steinway Street and 41st Street, the centerline of the New York Connecting Railroad right-of-way, 41st Street, and Astoria Boulevard (northerly portion); and
- d. a line midway between Steinway Street and 41st Street, Astoria Boulevard (southerly portion), 41st Street, and a line 100 feet southwesterly of Astoria Boulevard (southerly portion);
49. establishing within a proposed R5D District a C2-3 District bounded by:
- a. 20th Avenue, a line midway between Steinway Street and 41st Street, 21st Avenue, a line midway between 38th Street and Steinway Street, a line 100 feet southwesterly of 20th Avenue, and a line midway between 37th Street and 38th Street;
- b. 37th Street, a line 100 feet northeasterly of Ditmars Boulevard, Steinway Street, a line 150 feet northeasterly of Ditmars Boulevard, a line midway between Steinway Street and 41st Street, a northeasterly boundary line of a park and its northwesterly prolongation, Steinway Street, and a line 100 feet southwesterly of Ditmars Boulevard; and
- c. 23rd Avenue, Steinway Street, the centerline of the New York Connecting Railroad right-of-way, a line midway between Steinway Street and 41st Street, Astoria Boulevard (northerly portion), and a line midway between 38th Street and Steinway Street;
50. establishing within an existing R6A District a C2-3 District bounded by 12th Street, 30th Avenue, Main Avenue, Astoria Boulevard, a line 150 feet southeasterly of 8th Street, a line midway between 28th Avenue and Astoria Boulevard, and a line 100 feet northerly of Astoria Boulevard;
51. establishing within a proposed R6A District a C2-3 District bounded by Crescent Street, Astoria Boulevard, 28th Street, and a line 100 feet southwesterly of Astoria Boulevard;
52. establishing within an existing R6B District a C2-3 District bounded by 12th Street, a line 100 feet northerly of Astoria Boulevard, 18th Street, a line 100 feet northeasterly of 27th Avenue, a line 100 feet northwesterly of 21st Street, 28th Avenue, 14th Street, and 29th Avenue;
53. establishing within a proposed R6B District a C2-3 District bounded by:
- a. Crescent Street, a line 100 feet southwesterly of Astoria Boulevard, a line 100 feet northwesterly of 28th Street, and a line 200 feet northeasterly of Newtown Avenue;
- b. Astoria Boulevard (southerly portion), Steinway Street, a line 100 feet southwesterly of Astoria Boulevard (southerly portion), and 36th Street; and
- c. 38th Street, a line 100 feet southwesterly of 30th Avenue, a line midway between 38th Street and Steinway Street, and a line 275 feet southwesterly of 30th Avenue;
54. establishing within an existing R7A District a C2-3 District bounded by Vernon Boulevard, a line 100 feet northeasterly of Broadway, 21st Street, and Broadway;
55. establishing within a proposed R7A District a C2-3 District bounded by 28th Avenue, 21st Street, 30th Avenue, a line 100 feet southeasterly of 21st Street, 31st Drive, 21st Street, 31st Road, and a line 100 feet northwesterly of 21st Street;

- 56. establishing within an existing R7B District a C2-3 District bounded by a line midway between 21st Street and 22nd Street, a line 100 feet northeasterly of Astoria Boulevard, 23rd Street, 27th Road, a line 100 feet southeasterly of 21st Street, and Newtown Avenue;
- 57. establishing within an existing R7X District a C2-3 District bounded by:
 - a. 31st Road, 21st Street, a line 100 feet northeasterly of Broadway, and a line 100 feet northwesterly of 21st Street; and
 - b. a line 100 feet northwesterly of 21st Street, a line 100 feet northeasterly of 27th Avenue, 21st Street, a line perpendicular to the southeasterly street line of 21st Street distant 330 feet northeasterly (as measured along the street line) from the point of intersection of the southeasterly street line of 21st Street and the northeasterly street line of Astoria Boulevard, Astoria Boulevard, a line midway between 21st Street and 22nd Street, Newtown Avenue, a line 100 feet southeasterly of 21st Street, and 28th Avenue;

Borough of Queens, Community District 1, as shown on a diagram (for illustrative purposes only) dated January 25, 2010 and subject to the conditions of CEQR Declaration 245.

No. 5

CD 1 N 100200 ZRQ
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 Article II, Chapter 3 (Bulk Regulations for Residential Buildings in Residence Districts), Section 23-144, and Appendix F (Inclusionary Housing Designated Areas), inclusive, relating to the extension of the Inclusionary Housing Program to proposed R7A districts.

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

Article 2
Residence District Regulations

Chapter 3
Bulk Regulations for Residential Buildings in Residence Districts

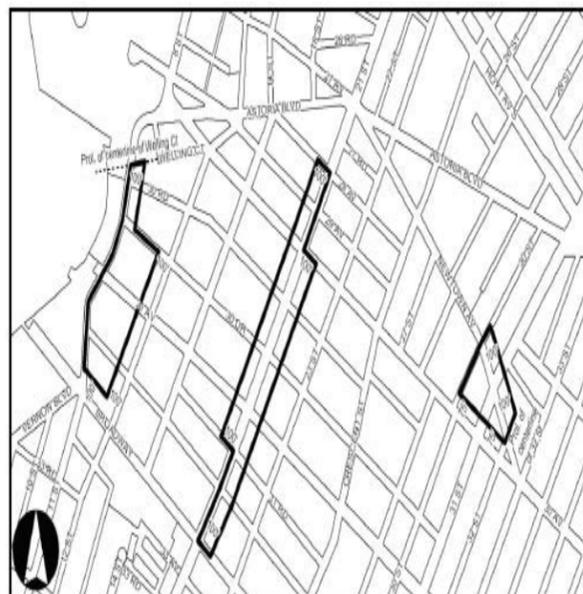
* * *
23-144
In designated areas where the Inclusionary Housing Program is applicable

In #Inclusionary Housing designated areas#, as listed in the table in this Section, the maximum permitted #floor area ratios# shall be as set forth in Section 23-952 (Floor area compensation in Inclusionary Housing designated areas). The locations of such areas are specified in APPENDIX F (Inclusionary Housing Designated Areas) of this Resolution.

Community District	Zoning District
Community District 1, Bronx	R6A R7-2 R7A R7X R8A
Community District 4, Bronx	R8A R9D
Community District 1, Brooklyn	R6 R6A R6B R7A R7-3
Community District 2, Brooklyn	R7A R8A R9A
Community District 3, Brooklyn	R7D
Community District 6, Brooklyn	R7-2
Community District 7, Brooklyn	R7A R8A
Community District 14, Brooklyn	R7A
Community District 3, Manhattan	R7A R8A R9A
Community District 6, Manhattan	R10
Community District 7, Manhattan	R9A
Community District 1, Queens	R7A
Community District 2, Queens	R7X
* * *	

APPENIX F
Inclusionary Housing Designated Areas
 * * *

Queens
Queens Community District 1
In the R7A Districts within the areas shown on the following Map 1:
 Map 1 – (2/24/10)



Portion of Community District 1, Queens

No. 6
55TH ROAD

CD 2 C 070109 MMQ
IN THE MATTER OF an application submitted by Robinson Brothers, Inc., pursuant to Sections 197-c and 199 of the New York City Charter, and Section 5-430 *et seq.* of the New York City Administrative Code, for an amendment to the City Map involving:

- the elimination, discontinuance and closing of 55th Road between 43rd Street and 44th Street;
- the delineation of a sewer easement; and
- the adjustment of grades necessitated thereby,

including authorization for any acquisition or disposition of real property related thereto, in accordance with Map No. 4989, dated December 24, 2007, and signed by the Borough President.

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

m11-24

COMMUNITY BOARDS

■ PUBLIC HEARINGS

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

BOROUGH OF BROOKLYN

COMMUNITY BOARD NO. 18 - Wednesday, March 17, 2010, 8:00 P.M., Kings Plaza Community Room, Flatbush Avenue & Avenue V, Brooklyn, NY

BSA# 6-10-BZ
 Premises affected - 2147 Mill Avenue between Avenue U and Strickland Avenue
 A public hearing pursuant to Sections 72-21 and 22-00 of the Zoning Resolution to legalize the adjoining portion of the existing restaurant in Use Group 6 within an R2 zoning district.

m11-17

BSA# 22-10-BZ
 Premises affected - 620 East 102nd Street (warehouse building)
 A public hearing pursuant to Sections 73-19, 11-41 and 32-00 of the Zoning Resolution for a special permit to establish a day care center - school in Use Group 3 within a C8-1 zoning district.

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

BOROUGH OF QUEENS

COMMUNITY BOARD NO. 07 - Monday, March 22, 2010, 7:00 P.M., Union Plaza Care Center, 33-23 Union Street - 1st Floor, Flushing, NY

#C 100216HAQ
IN THE MATTER OF an application submitted by the Department of Housing Preservation and Development (HPD) pursuant to Section 197-c of the New York City Charter, to facilitate development of a 14-story building tentatively known as Macedonia Plaza with approximately 140 units.

#C100206PPQ
IN THE MATTER OF an application submitted by the NYC Department of Citywide Administrative Services (DCAS) pursuant to Section 197-c of the New York City Charter, for the disposition of one city-owned property pursuant to zoning.

#C 100207ZMQ
IN THE MATTER OF an 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 changing from an C4-3 district to a C4-4 district property.

#C 100208ZSQ
IN THE MATTER OF an 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 the Zoning Resolution; Section 74-743 (a) (2), Section 74-743 (a) (4) and Section 74-744 (b).

#C 100209ZSQ
IN THE MATTER OF an 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 maximum capacity of 1600 spaces, including 908 self-park spaces and 692 attended parking spaces.

#C 100212ZSQ
IN THE MATTER OF an 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.

#C 100213ZSQ
IN THE MATTER OF an 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.

#C 100214ZSQ
IN THE MATTER OF an 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 attended parking spaces.

m16-22

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

BOROUGH OF QUEENS

COMMUNITY BOARD NO. 07 - Monday, March 22, 2010 at 7:00 P.M., Union Plaza Care Center, 33-23 Union Street, Flushing, NY

BSA# 32-609-BZ
 Application for special permit to allow proposed building in the Flushing Commons mixed-use development to exceed the height set forth in Section 61-21 Applying Around Airports.

m16-22

EMPLOYEES' RETIREMENT SYSTEM

■ INVESTMENT MEETING

Please be advised that the next Investment Meeting of the Board of Trustees of the New York City Employees' Retirement System has been scheduled for Tuesday, March 23, 2010 at 9:30 A.M. to be held at the New York City Employees' Retirement System, 335 Adams Street, 22nd Floor Boardroom, Brooklyn, NY 11201-3751.

m16-22

ENVIRONMENTAL CONTROL BOARD

■ MEETING

OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS / ENVIRONMENTAL CONTROL BOARD

The next meeting will take place on Thursday, March 25, 2010 at 40 Rector Street, OATH Lecture Room, 14th Floor, New York, N.Y. 10006 at 9:15 A.M., at the call of the Chairman.

m15-17

HOUSING AUTHORITY

■ MEETING

SPECIAL NOTICE

Please be advised that the New York City Housing Authority has cancelled its Board Meeting scheduled for Wednesday, March 17, 2010 at 10:00 A.M.

m15-17

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, March 23, 2010**, the Landmarks Preservation Commission will conduct a *public hearing* in the Public Meeting Room of the Landmarks Preservation Commission, located at The Municipal Building, 1 Centre Street, 9th Floor North, City of New York with respect to the following proposed Landmarks, Landmark Sites and Historic District. 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.

BOROUGH OF BROOKLYN
 LP-2408
CONY ISLAND THEATRE BUILDING later SHORE THEATER, 1301 Surf Avenue (aka 2932-2952 Stillwell Avenue), Brooklyn.
Landmark Site: Borough of Brooklyn Tax Map Block 7064, Lot 16

LP-2412
CHILDS RESTAURANT BUILDING, 1208 Surf Avenue (aka 1202-1212 Surf Avenue, 3002-3014 West 12th Street), Brooklyn.
Landmark Site: Borough of Brooklyn Tax Map Block 8694, Lot 18

BOROUGH OF MANHATTAN
 LP-2392
OLIVET MEMORIAL CHURCH/now RUSSIAN ORTHODOX CATHEDRAL OF THE HOLY VIRGIN PROTECTION, 59-63 East 2nd Street, Manhattan.
Landmark Site: Borough of Manhattan Tax Map Block 443, Lot 16

LP-2398

ELEVENTH STREET METHODIST EPISCOPAL CHAPEL
(now THE FATHER'S HEART CHURCH), 545-547 East 11th Street, Manhattan.

Landmark Site: Borough of Manhattan Tax Map Block 405, Lot 39

LP-2406

FISK-HARKNESS HOUSE, 12 East 53rd Street, Manhattan.
Landmark Site: Borough of Manhattan Tax Map Block 1288, Lot 63

LP-2407

GRAMERCY HOUSE, 235-237 East 22nd Street (aka 381-387 2nd Avenue; 223-237 East 22nd Street), Manhattan.
Landmark Site: Borough of Manhattan Tax Map Block 903, Lot 7502

BOROUGH OF QUEENS

LP-2405

ADDISLEIGH PARK HISTORIC DISTRICT, Borough of Queens
Boundary Description

The proposed Addisleigh Park Historic District consists of the properties bounded by a line beginning at the southeast corner of Merrick Boulevard and 111th Road, extending easterly along the southern curb line of 111th Road, southerly along the western curb line of 172nd Street to a point in said curb line form by its intersection with a line extending westerly from the northern property line of 172-01 Sayres Avenue, easterly across 172nd Street and along the northern property lines of 172-01 to 172-19 Sayres Avenue, across 173rd Street and along the northern property lines of 173-01 to 173-09 Sayres Avenue, northerly along the western property lines of 111-36 to 111-12 174th Street, easterly along the northern property line of 111-12 174th Street to the western curb line of 174th Street, southerly along said curb line to a point formed by its intersection with a line extending westerly from the northern property line of 111-23 174th Street, easterly across 174th Street and along said property line, northerly along the western property lines of 111-20 and 111-18 175th Street, easterly along the northern property line of 111-18 175th Street, southerly along the western curb line of 175th Street to a point in said curb line formed by its intersection with a line extending easterly from the northern property line of 111-28 175th Street, westerly along said property line, southerly along the eastern property line of 111-28 175th Street, westerly along the southern property line of 111-24 175th Street, southwesterly along the southeastern property line of 111-29 174th Street, westerly along the southern property line of 111-29 174th Street and across 174th Street to the western curb line of 174th Street, southerly along said curb line, crossing Sayres Avenue and continuing along the western curb line of Marne Place to a point in said curb line formed by the intersection of a line extending westerly from the northern property line of 174-05 Adelaide Road, easterly across Marne Place and long the northern property lines of 174-05 to 174-21 Adelaide Road, northerly along the western property line of 174-27 Adelaide Road, easterly along the northern property line of 174-27 Adelaide Road, southerly along the western curb line of 175th Street (crossing Adelaide Road) to a point in said curb line formed by its intersection with a line extending westerly from the northern property line of 112-39 175th Street, easterly across 175th Street and along said property line, northerly along the western property lines of 112-50 to 112-28 175th Place, easterly along the angled northern property line of 112-28 175th Place, across 175th Place and continuing easterly along the northern property line of 112-37 175th Place, southerly along the eastern property lines of 112-37 to 112-49 175th Place, easterly along the northern property line of 112-26 176th Street to the western curb line of 176th Street, southerly along said curb line to a point formed by its intersection with a line extending westerly from the northern property line of 112-31 176th Street, easterly across 176th Street and along said property line, northerly along the western property lines of 112-24 to 112-04 177th Street, easterly along the northern property line of 112-04 177th Street and across 177th Street to its eastern curb line, northerly along said curb line, easterly along the southern curb line of 112th Avenue, southerly along the eastern property lines of 112-03 and 112-07 177th Street, easterly along the northern property line of 112-08 178th Street, across 178th Street to its eastern curb line, northerly along said curb line, easterly along the southern curb line of 112th Avenue, southerly along the eastern property line of 112-07 178th Street, easterly along the northern property line of 112-06 178th Place, across 178th Place and the northern property line of 112-05 178th Place, southerly along the eastern property lines of 112-05 and 112-09 178th Place, easterly along the northern property line of 112-14 179th Street, across 179th Street to its eastern curb line, northerly along said curb line to a point formed by its intersection with a line extending westerly from the northern property line of 112-11 179th Street, easterly along said property line, southerly along the eastern property lines of 112-11 179th Street to 112-55 179th Street, easterly along the northern property lines of 179-11 and 179-17 Murdock Avenue to the western curb line of 180th Street, southerly along said curb line and across Murdock Avenue to the southwest corner of Murdock Avenue and 180th Street, easterly across 180th Street and along the southern curb line of Murdock Avenue, southerly along the eastern property lines of 114-01 to 115-09 180th Street, westerly along the southern property line of 115-09 180th Street to the eastern curb line of 180th Street, northerly along said curb line to a point formed by its intersection with a line extending easterly from the southern property line of 114-84 180th Street, westerly along the southern property line of 114-84 180th Street, southerly along the eastern property lines of 114-87 to 115-33 179th Street, westerly along the southern property line of 115-33 179th Street, and across 179th Street to the northwest corner of 179th Street and Linden Boulevard, northwesterly along the northeastern curb line of Linden Boulevard, northerly along the eastern curb line of 178th Place to a point formed by its intersection with a line extending easterly from the southern property line of 114-74 178th Place, westerly across 178th place and along the southern property lines of 114-74

178th Place, 178-12 and 178-02 114th Road and across 178th Street to the northwest corner of 178th Street and Linden Boulevard, northwesterly along the northeastern curb line of Linden Boulevard to the southeast corner of Linden Boulevard and 114th Road, northerly across 114th Road to the northern curb line of 114th Road, easterly along said curb line to a point formed by its intersection with a line extending southerly from the western property line of 177-15 114th Road, northerly along said property line, westerly along the southern property line of 114-52 178th Street, southwesterly along the southeastern property line of 177-05 Linden Boulevard (aka 177-05 to 177-13 Linden Boulevard) to the northeastern curb line of Linden Boulevard, northwesterly along said curb line, northerly along the eastern curb line of 177th Street to a point formed by its intersection with a line extending easterly from the southern property line of 114-34 177th Street, westerly across 177th Street and along said property line, southerly along a portion of the eastern property line of 114-34 177th Street, westerly along a portion of the southern property line of 114-34 177th Street, northerly along the western property lines of 114-34 to 114-20 177th Street, westerly along the southern property line of 114-15 176th Street and across 176th Street to the western curb line of 176th Street, southerly along said curb line and across Linden Boulevard to the southern curb line of Linden Boulevard, easterly along said curb line (following its southward curve) to the southwest corner of Linden Boulevard and 177th Street, southerly along the western curb line of 177th Street to a point formed by its intersection with a line extending easterly from the southern property line of 176-16 Linden Boulevard, westerly along said property line, southerly along the eastern property lines of 114-45 (aka 114-45 to 114-49) to 114-83 176th Street to the northern curb line of 115th Avenue, westerly along said curb line, across 176th Street and 175th Place to a point formed by its intersection with a line extending southerly from the western property line of 114-78 175th Place, northerly along the western property lines of 114-78 to 114-34 175th Place and across Linden Boulevard to the northern curb line of Linden Boulevard, westerly along said curb line, across 175th Street, 174th Street, Murdock Avenue, and Marne Place, to a point formed by its intersection with a line extending southerly from the western property line of 172-01 Linden Boulevard, northerly along said property line, westerly along the southern property line of St. Alban's Memorial Park to the eastern curb line of Merrick Boulevard, and northerly along said curb line to the point of the beginning.

m9-22

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, **March 16, 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 MANHATTAN 10-5885 - Block 847, lot 16-873 Broadway - Ladies' Mile Historic District A Second Empire Commercial style store and loft building designed by Griffith Thomas and built in 1868 and 1888. Application is to install an electrical sidewalk vault.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 10-5886 - Block 847, lot 7501-888 Broadway - Ladies' Mile Historic District A Commercial Palace style store and warehouse building designed by William Wheeler Smith and built in 1882. Application is to install an electrical sidewalk vault.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF QUEENS 10-6293 - Block 148, lot 777-West Side of 48th Street, East Side of 47th Street, South side of 39th Avenue, Roosevelt Court - Sunnyside Garden Historic District

A Court, divided into eight rows comprised of 74 houses, covering most of the block bounded by 39th Avenue (north), 48th Street (east), Skillman Avenue (south), and 47th Street (west), designed by Clarence Stein, Henry Wright, and Frederick Ackerman, and built in 1927. Application is to establish a master plan governing the installation of sidewalk planters.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF BROOKLYN 10-5208 - Block 2090, lot 27-215 Carlton Avenue - Fort Greene Historic District
An early Italianate style brick house built c. 1856. Application is to legalize the installation of windows at the parlor floor without Landmarks Preservation Commission permits.

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 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.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 10-4343 - Block 97, lot 7502-130 Beekman Street - South Street Seaport Historic District
A warehouse building built in 1827. Application is to install storefront infill.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 10-0498 - Block 588, lot 66-316 Bleecker Street, aka 47 Grove Street - Greenwich Village Historic District
An Italianate style building built in 1854. Application is to replace windows.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 10-5686 - Block 618, lot 40-

201 West 13th Street, aka 42-46 7th Avenue - Greenwich Village Historic District
A Gothic style church building designed by Louis E. Jallade and built in 1931. Application is to alter the side entrance to provide barrier free access and to construct an elevator bulkhead.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 10-1538 - Block 1120, lot 38-12-14 West 68th Street - Upper West Side/Central Park West Historic District

A Queen Anne style house designed by Louis Thouvard and built in 1895, with attached studio building designed by Edwin C. Georgi and built in 1925. Application is to modify an addition to the 1925 studio building which was constructed without Landmarks Preservation Commission permits. Zoned R-8.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 10-5802 - Block 1408, lot 1-783-789 Park Avenue, aka 101 East 73rd Street - Upper East Side Historic District

A modern style apartment building designed by George Pelham, Jr. and built in 1930-1940. Application is to install a ramp.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 10-4479 - Block 1390, lot 163-12 East 76th Street - Upper East Side Historic District
A building constructed in 1881-82 and altered in 1946 by James Casale. Application is to redesign the facade.

Zoned R8-B LH-1A.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 10-4760 - Block 1390, lot 17-960 Madison Avenue - Upper East Side Historic District
A neo-Grec style rowhouse designed by James Frame and built in 1877-78 altered in 1916 with a two-story storefront extension. Application is to alter window openings.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 10-5764 - Block 1493, lot 60-20 East 82nd Street - Metropolitan Museum Historic District
A French Beaux-Arts style townhouse designed by Richard W. Buckley, and built in 1901. Application is to install a gate at the entrance.

m3-16

SMALL BUSINESS SERVICES

■ NOTICE

NOTICE IS HEREBY GIVEN THAT THE FOLLOWING NEW YORK CITY EMPIRE ZONES ADMINISTRATIVE BOARD MEETINGS WILL BE HELD IN MANHATTAN, BRONX, BROOKLYN, QUEENS AND STATEN ISLAND AS CITED BELOW:

EMPIRE ZONE ADMINISTRATIVE BOARD MEETINGS **March 19-30, 2010**

Zone - Date - Time - Location

North Shore - Friday, March 19 - 2:00 P.M. – 4:00 P.M. - S.I. Workforce 1 Center, 60 Bay Street - S.I., N.Y.

West Shore - Friday, March 19 - 2:00 P.M. – 4:00 P.M. - S.I. - Workforce 1 Center, 60 Bay Street - S.I., N.Y.

Hunts Point - Thursday, March 25 - 10:00 A.M. – 11:30 A.M. Bronx Workforce 1 Center, 358 East 149th St., 2nd Fl. - Bronx

Port Morris - Thursday, March 25 - 12:00 P.M. – 1:30 P.M. Bronx Workforce 1 Center, 358 East 149th St., 2nd Fl. - Bronx

Southwest Brooklyn - Friday, March 26 - 9:30 A.M. – 11:00 A.M. - Brooklyn Workforce 1 Center, 9 Bond Street, 5th Fl. - Brooklyn

North Brooklyn/Brooklyn Navy Yard - Friday, March 26 - 11:30 A.M. – 1:00 P.M. - Brooklyn Workforce 1 Center, 9 Bond Street, 5th Fl. - Brooklyn

East Brooklyn - Friday, March 26 - 1:30 P.M. – 3:00 P.M. Brooklyn Workforce 1 Center, 9 Bond Street, 5th Fl. - Brooklyn

South Jamaica - Monday, March 29 - 10:00 A.M. – 11:30 A.M. Queens Borough President's Office, 120-55 Queens Boulevard

Rockaway - Monday, March 29 - 12:00 P.M. – 1:30 P.M. Queens Borough President's Office, 120-55 Queens Boulevard

Chinatown/LES - Tuesday, March 30 - 10:00 A.M. – 11:30 A.M. - SBS Office – Fordham Room, 110 William Street, 7th Floor

East Harlem - Tuesday, March 30 - 12:00 P.M. – 1:30 P.M. SBS Office – Fordham Room, 110 William Street, 7th Floor

FOR FURTHER INFORMATION CALL:
MR. JARED WALKOWITZ (212) 618-8863
NEW YORK CITY DEPARTMENT OF SMALL BUSINESS SERVICES
110 William Street, 7th Floor – New York, NY 10038

m16-18

TRANSPORTATION

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN, pursuant to law, that the following proposed revocable consents, have been scheduled for a public hearing by the New York City Department of Transportation. The hearing will be held at 55 Water Street,

9th Floor, Room 945 commencing at 2:00 P.M. on Wednesday, March 31, 2010. Interested parties can obtain copies of proposed agreements or request sign-language interpreters (with at least seven days prior notice) at 55 Water Street, 9th Floor SW, New York, NY 10041, or by calling (212) 839-6550.

#1 In the matter of a proposed revocable consent authorizing 125 Broad Condominium to continue to maintain and use a conduit and pipes under and across Broad Street, north of South Street, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from July 1, 2010 to June 30, 2020 and provides, among other terms and conditions, for compensation payable to the City according to the following schedule:

(b)
For the period July 1, 2010 to June 30, 2011 - \$14,528
For the period July 1, 2011 to June 30, 2012 - \$14,951
For the period July 1, 2012 to June 30, 2013 - \$15,374
For the period July 1, 2013 to June 30, 2014 - \$15,797
For the period July 1, 2014 to June 30, 2015 - \$16,220
For the period July 1, 2015 to June 30, 2016 - \$16,643
For the period July 1, 2016 to June 30, 2017 - \$17,066
For the period July 1, 2017 to June 30, 2018 - \$17,489
For the period July 1, 2018 to June 30, 2019 - \$17,912
For the period July 1, 2019 to June 30, 2020 - \$18,335

the maintenance of a security deposit in the sum of \$18,400, and the filing of an insurance policy in the minimum amount of \$250,000/\$1,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$100,000.

#2 In the matter of a proposed revocable consent authorizing Rockwell Avenue Homeowners Association, Inc. to construct, maintain and use a force main together with a manholes, under, along and across Rockwell Avenue, northwest of Virginia Avenue, in the Borough of Staten Island. The proposed revocable consent is for a term of ten years from the Date of Approval by the Mayor and provides, among other terms and conditions, for compensation payable to the City according to the following schedule:

From the Date of Approval to June 30, 2010 - \$4,578/annum
For the period July 1, 2010 to June 30, 2011 - \$4,716
For the period July 1, 2011 to June 30, 2012 - \$4,854
For the period July 1, 2012 to June 30, 2013 - \$4,992
For the period July 1, 2013 to June 30, 2014 - \$5,130
For the period July 1, 2014 to June 30, 2015 - \$5,268
For the period July 1, 2015 to June 30, 2016 - \$5,406
For the period July 1, 2016 to June 30, 2017 - \$5,544
For the period July 1, 2017 to June 30, 2018 - \$5,682
For the period July 1, 2018 to June 30, 2019 - \$5,820
For the period July 1, 2019 to June 30, 2020 - \$5,958

the maintenance of a security deposit in the sum of \$6,000 and the filing of an insurance policy in the minimum amount of \$250,000/\$1,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$100,000.

#3 In the matter of a proposed revocable consent authorizing The Mount Morris Park West Condominium to continue to maintain and use stoops and fenced-in areas on the west sidewalk of Mount Morris Park West, north of West 120th Street, and on the north sidewalk of West 120th Street, west of Mount Morris Park West, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from July 1, 2010 to June 30, 2020 and provides, among other terms and conditions, for compensation payable to the City according to the following schedule:

For the period from July 1, 2010 to June 30, 2020 - \$225/per annum.

the maintenance of a security deposit in the sum of \$8,964.00 and the filing of an insurance policy in the minimum amount of \$250,000/\$1,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$100,000.

#4 In the matter of a proposed revocable consent authorizing 277 First LLC to construct, maintain and use a planted area on the northeast sidewalk of 1st Street, between 4th and 5th Avenues, in the Borough of Brooklyn. The proposed revocable consent is for a term of ten years from the Date of Approval by the Mayor and provides, among other terms and conditions, for compensation payable to the City according to the following schedule:

From the date of Approval by the Mayor - \$273/per annum.

the maintenance of a security deposit in the sum of \$4,000 and the filing of an insurance policy in the minimum amount of \$250,000/\$1,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$100,000.

#5 In the matter of a proposed revocable consent authorizing Rutledge Estates LLC to construct, maintain and use manholes in the south sidewalk of Rutledge Street, east of Wythe Avenue, and in the east sidewalk of Wythe Avenue, south of Rutledge Street, in the Borough of Brooklyn. The proposed revocable consent is for a term of ten years and provides, among other terms and conditions, for compensation payable to the City according to the following schedule:

From the Date of Approval to June 30, 2010 - \$477/annum
For the period July 1, 2010 to June 30, 2011 - \$491
For the period July 1, 2011 to June 30, 2012 - \$505
For the period July 1, 2012 to June 30, 2013 - \$519
For the period July 1, 2013 to June 30, 2014 - \$533
For the period July 1, 2014 to June 30, 2015 - \$547
For the period July 1, 2015 to June 30, 2016 - \$561
For the period July 1, 2016 to June 30, 2017 - \$575
For the period July 1, 2017 to June 30, 2018 - \$589
For the period July 1, 2018 to June 30, 2019 - \$603
For the period July 1, 2019 to June 30, 2020 - \$617

the maintenance of a security deposit in the sum of \$1,000, and the filing of an insurance policy in the minimum amount of \$250,000/\$1,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$100,000.

m12-31

COURT NOTICES

SUPREME COURT

■ NOTICE

QUEENS COUNTY IA PART 8 NOTICE OF PETITION INDEX NUMBER 5208/2010

In the Matter of the Application of the

NEW YORK CITY SCHOOL CONSTRUCTION AUTHORITY,

Petitioner,

To Acquire By Exercise of its Powers of Eminent Domain Title in Fee Simple Absolute To Certain Real Property Known as Tax Block 1247, Lots 40 and 41, Located in the Borough of the Queens, City of New York, in Connection With the Construction of I.S. 230Q, Annex- Queens

PLEASE TAKE NOTICE that, upon the annexed petition of the New York City School Construction Authority (the "Authority"), duly verified on the 24th day of February, 2010, by Ross J. Holden, Vice President and General Counsel of the Authority, Petitioner shall move this Court on the 2nd day of April 2010 at 9:30 A.M., or as soon thereafter as counsel may be heard, at I.A. Part 8, of this Court, to be held at the Courthouse thereof, located at 88-11 Sutphin Boulevard, Jamaica, New York, for an order:

- granting the Petition in all respects;
- authorizing the Authority to file the Acquisition Map in the Office of the County Clerk or the Office of the City Register of Queens County;
- directing that, upon the filing of the Order of this Court and the Acquisition Map, title and possession to the property shown on said Map shall vest in the Authority, said property consisting of all that certain plot, piece or parcel of land, comprising Tax Block 1247 Lots 40 and 41, with any buildings and improvements thereon, erected, situated, lying and being in the Borough Of the Queens, County of Queens, State of New York, bounded and described as follows:

Beginning at the corner formed by the intersection of the northerly side of 34th Avenue (95 feet wide) and the easterly side of 74th Street (60 feet wide);

Thence northerly along the easterly side of 74th Street, 100 feet;

Thence easterly and parallel with the northerly side of 34th Avenue, 100 feet;

Thence southerly and parallel with the easterly side of 74th Street, 100 feet to the northerly side of 34th Avenue;

Thence westerly along the northerly side of 34th Avenue, 100 feet to the corner, at the point or place of beginning.

The parcel described above consists of Tax Lots 40 and 41 in Tax Block 1247 as shown on the Tax Map of The City of New York for the Borough of the Queens, as said Tax Map existed on February 6, 2009.

(The above-described property is hereafter referred to as the "Property").

- determine all claims for just compensation arising from the acquisition of said Property and that such claims shall be heard without a jury and without referral to a referee or commissioner;
- directing that, within thirty (30) days after the entry of the Order of this Court, the Authority shall cause a Notice of Acquisition to be served upon each condemnee or such condemnee's attorney of record;
- directing that all claimants have a period of one hundred eighty (180) days from the date of service of the Notice of Acquisition within which to file a written claim or notice of appearance; and
- granting such other and further relief as this Court deems just and proper.

Surveys, maps or plans of the property to be acquired are on file in the office of the Corporation Counsel of the City of New York, 100 Church Street, New York, New York 10007.

PLEASE TAKE FURTHER NOTICE THAT, pursuant to EDPL § 402(B)(4), any party seeking to oppose the acquisition must interpose a verified answer, which must contain specific denial of each material allegation of the petition controverted by the opponent, or any statement of new matter deemed by the opponent to be a defense to the proceeding. Pursuant to CPLR 403, said answer must be served upon the office of the Corporation Counsel at least seven (7) days before the date that the petition is noticed to be heard.

Dated: February 24, 2010, New York, New York
MICHAEL A. CARDOZO
Corporation Counsel of the City of New York
Attorney for the Condemnor
100 Church Street
New York, New York 10007
Tel. (212) 788-0446

SEE MAP ON BACK PAGE

m8-19

PROPERTY DISPOSITION

CITYWIDE ADMINISTRATIVE SERVICES

DIVISION OF MUNICIPAL SUPPLY SERVICES

■ AUCTION

PUBLIC AUCTION SALE NUMBER 10001-T

NOTICE IS HEREBY GIVEN of a bi-weekly public auction of City fleet vehicles consisting of cars, vans, light duty vehicles, trucks, heavy equipment and miscellaneous automotive equipment to be held on Wednesday, March 17, 2010 (SALE NUMBER 10001-T). This auction is held every other Wednesday unless otherwise notified. Viewing is on auction day only from 8:30 A.M. until 9:00 A.M. The auction begins at 9:00 A.M.

LOCATION: 570 Kent Avenue, Brooklyn, NY (in the Brooklyn Navy Yard between Taylor and Clymer Streets).

A listing of vehicles to be offered for sale in the next auction can be viewed on our web site, on the Friday prior to the sale date at:

<http://www.nyc.gov/autoauction> OR
<http://www.nyc.gov/autoauctions>

Terms and Conditions of Sale can also be viewed at this site.

For further information, please call (718) 417-2155 or (718) 625-1313.

m4-17

■ SALE BY SEALED BID

SALE OF: 5 LOTS OF MISCELLANEOUS EQUIPMENT, USED.

S.P.#: 10017

DUE: March 16, 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.

m3-16

SALE OF: 1 SURVEY BOAT AND 1 SKIMMER VESSEL, USED.

S.P.#: 10016

DUE: March 18, 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.

m5-18

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."

BROOKLYN NAVY YARD

■ SOLICITATIONS

Services (Other Than Human Services)

ENVIRONMENTAL AND TRAFFIC CONSULTING SERVICES – Competitive Sealed Proposals – Judgment required in evaluating proposals - PIN# 201006 – DUE 04-05-10 AT 5:00 P.M. – And other environmental technical support as needed pursuant to the requirements of the State Environmental Quality Review Act. The City's Environmental Quality Review Process, and the Uniform Land Use Review Process in connection with the redevelopment of Admirals Row at the Brooklyn Navy Yard. The RFP is available at: www.brooklynnavyard.com

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.

Brooklyn Navy Yard Development Corp., 63 Flushing Avenue, Unit 300, Bldg., 292, 3rd Fl. Shani Leibowitz (718) 907-5955, sleibowitz@brooklynnavyard.com

☛ m16

CHIEF MEDICAL EXAMINER

CONTRACTS

■ INTENT TO AWARD

Services (Other Than Human Services)

MAINTENANCE OF APPLIED BIOSYSTEMS INSTRUMENTS – Sole Source – Available only from a single source - PIN# 81609ME0027 – DUE 03-24-10 AT 3:00 P.M. – Instruments receiving repair work and maintenance must undergo certification performance test, temperature calibration, ground continuity and AB upgrades performed by certified AB engineers.

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.

Office of Chief Medical Examiner, 421 East 26th Street 10th Floor, New York, NY 10016. Althea Samuels (212) 323-1730.

☛ m16-22

CITYWIDE ADMINISTRATIVE SERVICES

AGENCY CHIEF CONTRACTING OFFICER

■ AWARDS

Construction / Construction Services

ELECTRICAL UPGRADE – Competitive Sealed Bids – PIN# 856090000761 – AMT: \$2,689,000.00 – TO: Sajjun Electric, 105 West 27th St., NYC 10001. Modernization of Midtown Community Court, 314 W. 54th St., NYC. Prevailing Wage contract.

☛ m16

DIVISION OF MUNICIPAL SUPPLY SERVICES

■ AWARDS

Goods

DUCTILE IRON MODIFIED SLEEVES – Competitive Sealed Bids – PIN# 8571000090 – AMT: \$369,180.00 – TO: T Mina Supply, Inc., 126-53 36th Avenue, Flushing, NY 11368.

☛ m16

■ 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.

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

☛ j17-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:

- Collection Truck Bodies
- Collection Truck Cab Chassis
- 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.

☛ j17-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.

☛ j17-j4

COMPTROLLER

BUREAU OF ASSET MANAGEMENT

■ SOLICITATIONS

Services (Other Than Human Services)

U.S. EQUITY PASSIVE INDEX SERVICES – Request for Proposals – PIN# 015-10812900Q1 – DUE 03-29-10 – THIS ADVERTISEMENT IS TO CORRECT THE DUE DATE OF PROPOSALS FOR THE RFP. THE RFP WAS PREVIOUSLY ADVERTISED IN THE MARCH 8, 2010 EDITION OF THE CITY RECORD. THE PROPOSAL DUE DATE HAS CHANGED FROM MARCH 26, 2010 BY 4:00 P.M. TO MARCH 29, 2010 BY 12:00 NOON.

The Comptroller of the City of New York (the "Comptroller"), acting on behalf of the New York City Retirement Systems ("NYCRS"), and specifically the New York City Employees' Retirement System ("NYCERS"), the Teachers Retirement System of the City of New York ("TRS"), the New York City Police Pension Fund, Subchapter 2 ("Police"), the New York City Fire Department Pension Fund, Subchapter Two ("Fire"), the New York City Board of Education Retirement System ("BERS"), the New York City Police Officers' Variable Supplements Fund ("POVSF"), the New York City Police Superior Officers' Variable Supplements Fund ("PSOVSF"), the New York City Firefighters' Variable Supplements Fund ("FFVSF"), the New York City Fire Officers' Variable Supplements Fund ("FOVSF"), and the New York City Correction Officers' Variable Supplements Fund ("COVSF"), collectively referred to as "NYCRS" or the "Systems", has prepared and is distributing this Request for Proposals ("RFP") to identify investment management firms and/or a pool of investment management firms to create and manage one or more U.S. equity index portfolios for the System(s).

Each of the Systems may select one or more proposers through this RFP. Approximately \$35.8 billion of the Systems' assets are currently managed through passive U.S. equity index strategies. Proposers may be awarded more than one account. It is anticipated that the contracts resulting from this RFP will be for an initial term of three (3) years with renewal options up to an additional six (6) years.

Proposals for U.S. equity passive index products will be evaluated based on the criteria set forth in the RFP. Proposals that do not meet the following minimum requirements, or which do not comply with the specifications or material terms and conditions of the RFP, shall be considered non-responsive and shall be rejected.

1. Investment Approach

Proposers must offer to manage a U.S. equity index portfolio using a full replication or an optimization or stratified sampling strategy with an expected tracking error not to exceed 10 basis points for S and P 500 benchmarked products and not to exceed 20 basis points for Russell 3000 benchmarked products per year. Proposals for other types of products, such as the following, will not be considered responsive:

- Traditional active equity strategies
- Tactical asset allocation strategies
- Products which allow larger divergences from their benchmark, and have an expected tracking error greater than 10 basis points for S and P 500 products and 20 basis points for Russell 3000 products.
- Products utilizing derivatives

2. Organization

Proposer firms must have, at a minimum, as of December 31, 2009:

- At least five years continuous experience in the management of U.S.-equity index products based on the S and P 500 Index, S and P 1500 Index, the Russell 3000 Index, or Wilshire 5000 index.

- The proposing firm must be a registered investment adviser under the Investment Advisors Act of 1940 or must be a bank or insurance company.

3. Assets Under Management

At a minimum as of December 31, 2009, the proposer must:

- Have at least \$10 billion under management in U.S. equity index products, and
- Have proven ability in managing institutional-sized portfolios, including having at least one non-affiliated client for whom the proposer manages \$1 billion or more in the proposed product.

4. Track Record

- Proposers must have, at a minimum, a live, GIPS-compliant five-year track record managing a U.S. equity index product based on the S and P 500 Index, S and P 1500

Index, the Russell 3000 Index, or the Wilshire 5000 Index for the period ending December 31, 2009.

b. Only proposers who demonstrate a track record for one of the above index products managed for the entire period will be considered. The following track records will not be considered responsive:

- Linked performance of two or more different products. Performance may not be combined between, for example, a Russell 3000 product and a previous S and P 500 product
- Performance extracted from any other product
- Back tested or otherwise simulated track record
- Performance records that include securities lending, derivatives or other unrelated income

5. Ethics Compliance

Proposers should refer to the NYCERS' Ethics and Compliance Policy (the "Policy"), Exhibit 3 to this RFP, and then indicate your firm's ability and willingness to comply with the Policy by signing the NYCERS' Investment Management RFP Certification (the "Certification") which appears as Exhibit 3-A to this RFP. Certification must be appended to Exhibit 1, Proposer's Cover Sheet.

The RFP is available for download from the Comptroller's Web site at www.comptroller.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.

Comptroller's Office, 1 Centre Street, Room 650, New York, NY 10007. Evelyn Dresler (212) 669-8235.

☛ m16

EDUCATION

DIVISION OF CONTRACTS AND PURCHASING

■ SOLICITATIONS

Goods

INTEGRATED PEST MANAGEMENT – Competitive Sealed Bids – PIN# B1455040 – DUE 04-14-10 AT 5:00 P.M. – The Division on Contracts and Purchasing (DCP), on behalf of the Department of Education (DOE) and The Office of School Support Services (OSSS), is issuing this Request for Bid for INTEGRATED PEST MANAGEMENT. This RFB covers exterminating services and control of populations of cockroaches, ants, termites, rats, mice, bed bugs, and more in DOE properties. If you cannot download this bid, please send an e-mail to VendorHotline@schools.nyc.gov with the bid number and title in the subject line of your e-mail. For all questions related to this bid, please send an e-mail to fcastel@schools.nyc.gov with the bid number and title in the subject line of your e-mail.

A pre-bid conference will be held on Wednesday, March 24th, 2010 at 2:00 P.M., 65 Court Street, 12th Floor, Room 1202, Brooklyn, New York 11201. Send e-mail to fcastel@schools.nyc.gov to confirm attendance at the pre-bid conference. Bid Opening: Thursday, April 15th, 2010 at 11:00 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 Education, 65 Court Street, Room 1201 Brooklyn, NY 11201. Vendor Hotline (718) 935-2300.

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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

VOICE NOTIFICATION SYSTEM – Competitive Sealed Bids – PIN# RB10-454995 – DUE 04-06-10 AT 3:00 P.M. – To be installed in the "R" Building. System to comprise 38 code 66 orange; and 28 code 99 messages. Vendor to assemble for a walk thru' on 3/24/2010 at 10:30 A.M. in the Purchasing Department, 591 Kingston Avenue, Brooklyn, NY 11203 (Support Office Building). For technical assistance please contact Wayne Grossett at (718) 245-3333.

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.

Kings County Hospital Center, 451 Clarkson Avenue, Brooklyn, NY 11203. Rup Bhoumick (718) 245-2122, rup.bhoumick@nychhc.org Support Office Building, 591 Kingston Avenue, Room 251 Brooklyn, NY 11203.

☛ m16

CONVEYOR-STYLE, END-ACCESS CADAVER LIFT – Competitive Sealed Bids – PIN# 121110104 – DUE 04-01-10 AT 3:00 P.M. – Same as or equal to Mopex model JD950.

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.

Bellevue Hospital Center, Purchasing, 462 First Avenue, Room# 12 East 34, New York, NY 10016. Ezzat Saad (212) 562-2017, ezzat.saad@nychhc.org

☛ m16

CATERING SERVICES – Competitive Sealed Bids – PIN# 21-10-026 – DUE 04-05-10 AT 3:00 P.M. – Catering Services for Nurses Week Recognition for Jacobi Medical

Center and North Central Bronx and Clinics on 5/6/10 and 5/10/10.

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.
Jacobi Medical Center, Purchasing Department, Nurses Residence Building, 7 South, Pelham Parkway, Bronx, NY 10461. Cristina Flores (718) 918-3993.

m16

Goods & Services

CORRECTION; BOILER CLEANING SERVICE – Competitive Sealed Bids – PIN# 22210049 – DUE 04-01-10 AT 4:00 P.M. – A site visit is scheduled for both March 18, 2010 and March 22, 2010 at 11:00 A.M. at Lincoln Hospital Center located at 234 East 149th Street, Room 2A2, in the Purchasing Department, 2nd Floor.

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.
Lincoln Hospital Center, 234 East 149th Street, Room 2A2, Bronx, NY 10451. Edwin Iyasare (718) 579-5867.

m16

HOMELESS SERVICES

SOLICITATIONS

Goods & Services

LOW SODIUM DIABETIC MEALS – Competitive Sealed Bids – PIN# 07110S021454A – DUE 03-29-10 AT 11:00 A.M. – Period of Performance: Thirty-Six (36) months with an option to renew for 12 months from date of notice to commence work.

Optional pre-bid conference Tuesday, March 23, 2010 at 10:30 A.M. to be held at 33 Beaver Street, New York, N.Y. 10004, Rm. 1343. Vendor Source ID#: 66806.

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 New York, NY 10004. Barry Gabriel (212) 361-8438.

m16

Construction / Construction Services

WINDOW REPLACEMENT AND INTERIOR REPAIR – Competitive Sealed Bids – PIN# 07110S021474 – DUE 04-13-10 AT 11:00 A.M. – Period of Performance: Two hundred and seventy (270) days from date of notice to commence work.

Mandatory pre-bid conference and site visit Tuesday, March 30, 2010 at 10:30 A.M. to be held at Bedford Atlantic Facility located at 1322 Bedford Avenue, Brooklyn, NY 11216. Vendor Source ID#: 66882.

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 New York, NY 10004. Barry Gabriel (212) 361-8438.

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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, mzmzmoira@dhs.nyc.gov

j6-20

HOUSING AUTHORITY

PURCHASING DIVISION

SOLICITATIONS

Goods

FURNISH CCTV - DVR'S – Competitive Sealed Bids – RFQ# 26311 AS – DUE 04-06-10 AT 10:35 A.M.
● **ELEVATOR PARTS** – Competitive Sealed Bids – RFQ# 20075-2 – DUE 04-06-10 AT 10:30 A.M.
● **ELECTRICAL LAMPS** – Competitive Sealed Bids – RFQ# 26313 AS – DUE 04-14-10 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.
Housing Authority, 23-02 49th Avenue, 5th Floor SCOD Long Island City, NY 11101. Bid documents available via internet ONLY:
http://www.nyc.gov/html/nycha/html/business/goods_materials.shtml Atul Shah (718) 707-5450.

m16

FURNISH REPLACEMENT ELEVATOR PARTS – Competitive Sealed Bids – RFQ# 26328 AS – DUE 04-14-10 AT 10:35 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.
Housing Authority, 23-02 49th Avenue, 5th Floor SCOD Long Island City, NY 11101. Bid documents available via internet ONLY:
http://www.nyc.gov/html/nycha/html/business/goods_materials.shtml Atul Shah (718) 707-5450.

m16

MAILBOX PARTS AND ACCESSORIES – Competitive Sealed Bids – RFQ# 26280 MF – DUE 04-06-10 AT 10:40 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.
Housing Authority, 23-02 49th Avenue, 5th Floor Long Island City, NY 11101. Marjorie Flores (718) 707-5460.

m16

HUDSON RIVER PARK TRUST

SOLICITATIONS

Goods

2010 FORD TRANSIT CONNECT CARGO VAN – Request for Proposals – PIN# 106001 – DUE 04-01-10 AT 11:00 A.M. – Criteria for determining the lowest qualified bidder will include but is not limited to: 1. Proposal's response to the technical specifications. 2. Delivery Date. 3. An analysis of the dealer's volume and service capabilities. 4. An analysis of Trust, State, and City mandated procurement forms as may be required by law. Submissions will be evaluated to assess the proposer's ability and capacity to perform.

The Trust is an equal opportunity contracting agency. Any resulting contracts will include provisions mandating compliance with Executive Law Article 15A and the regulations promulgated there under.

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.
Hudson River Park Trust, 353 West Street, Pier 40, 2nd Floor New York, NY 10014. Jennifer Sosa (212) 627-2020 jsosa@hrpt.state.ny.us

m16

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

OFFICE OF THE MAYOR

CRIMINAL JUSTICE COORDINATOR'S OFFICE

INTENT TO AWARD

Human / Client Service

PROVIDE SUPERVISED RECREATIONAL PROGRAMS TO INNER-CITY YOUTH – Negotiated Acquisition – PIN# 00210DMPS415 – DUE 03-17-10 AT 3:00 P.M. – In accordance with Section 3-04(b)(2) of the Procurement Policy Board Rules ("PPB") the City intends to enter into negotiations with Police Athletic League, Inc. to provide supervised recreational programming through PAL/Playstreets to inner-city youth to help prevent juvenile delinquency, drug abuse and mistrust of authority figures. The initial term of the contract shall be 3 years and will start July 1, 2010. The total estimated amount of the contract will be in an amount not to exceed \$2,189,820.00.

Pursuant to Section 3-04(b)(2) of the PPB Rules, the Agency Chief Contracting Officer (ACCO) has determined that it is not practicable and/or advantageous for the City to award a contract by Competitive Sealed Proposals for the reason(s) indicated below.

There is a limited number of suppliers available and able to perform the work.

Vendors interested in responding to a future solicitation for these services, should so indicate either in writing to the address listed or via e-mail to the e-mail address listed by the due date.

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.

Mayor's Office, 1 Centre Street, Room 1012 North New York, NY 10007. Irmali Rivera-Mora (212) 788-7809.

m10-16

PROVIDE INNER CITY YOUTH WITH SUPERVISED PROGRAMS TO HELP COMBAT JUVENILE DELINQUENCY

– Negotiated Acquisition – PIN# 00210DMPS416 – DUE 03-17-10 AT 3:00 P.M. – In accordance with Section 3-04(b)(2) of the Procurement Policy Board Rules ("PPB") the City intends to enter into negotiations with Police Athletic League, Inc. to provide supervised recreational programming through PAL Centers and Sports Leagues to inner-city youth to help prevent juvenile delinquency, drug abuse and overcome mistrust of authority figures. The initial term of the contract shall be 3 years and will start July 1, 2010. The total estimated amount of the contract will be in an amount not to exceed \$2,803,635.00.

Pursuant to Section 3-04(b)(2) of the PPB Rules, the Agency Chief Contracting Officer (ACCO) has determined that it is not practicable and/or advantageous for the City to award a contract by Competitive Sealed Proposals for the reason(s) indicated below.

There is a limited number of suppliers available and able to perform the work.

Vendors interested in responding to a future solicitation for these services, should so indicate either in writing to the address listed or via e-mail to the e-mail address listed by the due date.

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.

Mayor's Office, 1 Centre Street, Room 1012 North New York, NY 10007. Irmali Rivera-Mora (212) 788-7809.

m10-16

PARKS AND RECREATION

SOLICITATIONS

Goods & Services

MBJ CATERING, INC. – Sole Source – Available only from a single source - PIN# 31557846 – DUE 03-31-10 AT 11:00 A.M. – Department of Parks and Recreation intends to enter into sole source negotiations with MBJ Catering, Inc., to provide catering services for the annual Greenthumb Growtogether Conference at Hostos Community College. MBJ Catering is currently the only catering company authorized to sell at Hostos Community College. Any firm that would like to join the City Bidders list may do so by filling out the NYC-FMS Vendor Enrollment application online at: http://www.nyc.gov/html/selltonyc/html/new_vendors.html, and in hard copy call the Vendor Enrollment Center at (212) 856-1680.

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, 24 West 61st Street, New York, NY 10023. Deonarine Peters (212) 830-7957.

m10-16

REVENUE AND CONCESSIONS

SOLICITATIONS

Services (Other Than Human Services)

OPERATION OF TENNIS PROFESSIONAL CONCESSIONS – Competitive Sealed Bids – PIN# CWTP2010 – DUE 04-05-10 AT 3:00 P.M. – At various locations, citywide.

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. Evan George (212) 360-3495, evan.george@parks.nyc.gov

m9-22

SCHOOL CONSTRUCTION AUTHORITY

CONTRACT ADMINISTRATION

SOLICITATIONS

Construction / Construction Services

BRICK MASONRY/WATER PENETRATION AND WINDOWS – Competitive Sealed Bids – PIN# SCA10-12919D-1 – DUE 03-29-10 AT 11:30 A.M. – P.S. 182 (Bronx). Project Range: \$3,180,000.00 to \$3,345,000.00. Non-refundable bid document charge: \$100.00, certified check or money order only. Make payable to the New York City School Construction Authority. Bidders must be pre-qualified by the SCA.

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.
School Construction Authority, Plans Room Window Room #1046, 30-30 Thomson Avenue, 1st Floor Long Island City, New York 11101. Anthony Largie (718) 752-5842.

m10-16

BLACKTOP, CONCRETE PAVED AREAS – Competitive Sealed Bids – PIN# SCA10-13160D-1 – DUE 04-01-10 AT 2:30 P.M. – Bronx HS of Science (Bronx). Project Range: \$1,270,000.00 to \$1,340,000.00. Non-refundable bid document charge: \$100.00, certified check or money order only. Make payable to the New York City School Construction Authority. Bidders must be pre-qualified by the SCA.

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.
School Construction Authority, 30-30 Thomson Avenue
Long Island City, NY 11101. Stephanie Lyle (718) 752-5854
slyle@nysca.org

m15-19

RENOVATION OF GROUND, 1ST AND 2ND FLOORS AND MEZZANINE – Competitive Sealed Bids/Pre-Qualified List – PIN# SCA10-12952D-1 – DUE 04-16-10 AT 3:00 P.M. – Broadway Education Campus (7 Beaver Street) (Manhattan). Project Range: \$35,280,000.00 to \$37,140,000.00. Mandatory pre-bid meeting date: March 26, 2010 at 10:30 A.M. at NYC School Construction Authority, 30-30 Thompson Avenue, L.I.C., NY 11101.

Limited List: Bids will only be accepted from the following Construction Managers/Prime General Contractors: The Morgan Contracting Co., Turner Construction Co., The Plaza Construction Corp., Pavarini McGovern and Hunter Roberts Const.

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.
School Construction Authority, 30-30 Thomson Avenue
Long Island City, NY 11101. Kevantae Idlett (718) 472-8360.

m15-19

INTERIOR SPACES – Competitive Sealed Bids – PIN# SCA10-13225D-1 – DUE 04-01-10 AT 11:00 A.M. – Edward R. Murrow HS (Brooklyn). Project Range: \$2,210,000.00 to \$2,340,000.00.

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.
School Construction Authority, 30-30 Thomson Avenue
Long Island City, NY 11101. Kevantae Idlett (718) 472-8360
kidlett@nysca.org

m12-18

FLOOD ELIMINATION – Competitive Sealed Bids – PIN# SCA10-13212D-1 – DUE 04-05-10 AT 11:00 A.M. – IS 5 (Queens). Pre-bid Meeting: March 23, 2010 at 10:00 A.M. Project Range: \$1,810,000.00 to \$1,910,000.00. Non-refundable bid document charge: \$100.00, certified check or money order only. Make payable to the New York City School Construction Authority.

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.
School Construction Authority, Plans Room Window
Room #1046, 30-30 Thomson Avenue, 1st Floor
Long Island City, New York 11101. Anthony Largie
(718) 752-5842.

m15-19

CONTRACT SERVICES

■ SOLICITATIONS

Construction / Construction Services

PARAPETS – Competitive Sealed Bids – PIN# SCA10-12728D-1 – DUE 03-29-10 AT 11:30 A.M. – P.S. 121 (Brooklyn). Project Range: \$1,169,000.00 - \$1,220,000.00. Pre-bid Meeting: March 17, 2010 at 10:00 A.M. at 53 01 20th Avenue, Brooklyn, NY 11204. Non-refundable bid document charge: \$100.00, certified check or money order only. Make payable to the New York City School Construction Authority. Bidders must be pre-qualified by the SCA.

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.
School Construction Authority, 30-30 Thomson Avenue
Long Island City, NY 11101. Lily Persaud (718) 752-5852
lpersaud@nysca.org

m10-16

FLOOD ELIMINATION – Competitive Sealed Bids – PIN# SCA10-13235D-1 – DUE 04-05-10 AT 11:30 A.M. – PS 107 (Queens). Project Range: \$1,450,000.00 to \$1,530,000.00. Non-refundable document fee: \$100.00.

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.
School Construction Authority, 30-30 Thomson Avenue
First Floor, Long Island City, NY 11101.
Ricardo Forde (718) 752-5288, rforde@nysca.org

m16-22

PROCUREMENT

■ SOLICITATIONS

Construction / Construction Services

HEATING PLANT UPGRADE/CLIMATE CONTROL – Competitive Sealed Bids – PIN# SCA10-12297D-2 – DUE 03-31-10 AT 11:00 A.M. – PS 121 (Queens). Project Range: \$3,324,000.00 - \$3,500,000.00. Pre-bid Meeting:

3/11/10 at 10:00 A.M. at 26-10 109th Ave., So. Ozone Park, NY 11420. Meet at the Custodian's office. Bidders are strongly urged to attend. Non-refundable bid document charge: \$100.00, certified check or money order only. Made payable to New York City School Construction Authority. Bidders must be pre-qualified by the SCA.

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.
School Construction Authority, 30-30 Thomson Avenue
Long Island City, NY 11101. Iris Vega (718) 472-8292
ivega@nysca.org

m11-17

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.**

PARKS AND RECREATION

■ PUBLIC HEARING

CANCELLATION OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a public hearing will be held at Spector Hall, located at 22 Reade Street, Main Floor, Borough of Manhattan, on March 18, 2010 commencing at 10:00a.m. on the following:

IN THE MATTER of a proposed contract between the City of New York Parks and Recreation and Prospect Park Alliance, 95 Prospect park West, Brooklyn, NY 11215, to provide Design Services for the Reconstruction of the Wellhouse located South of Lookout Hill and North of the Peninsula on Wellhouse Drive in Prospect Park, Borough of Brooklyn. The contract amount shall be \$156,971.11. The term of the contract shall be 365 consecutive calendar days. PIN: 8462009B073D01.

The proposed contractor was selected by the Sole Source Procurement Method pursuant to Section 3-05 of the Procurement Policy Board Rules.

A draft copy of the proposed contract is available for public inspection at the City of New York Parks and Recreation, Consultant Procurement Unit, Room 59, Olmsted Center, Flushing Meadows-Corona Park, Queens, New York 11368, from March 5, 2010 to March 18, 2010, excluding Saturdays, Sundays and Holidays, from 9:00 A.M. to 4:00 P.M.

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 requests should be sent to Grace Fields-Mitchell, Supervisor for Consultant Contracts, Department of Parks & Recreation, Olmsted Center, Room 61, Flushing Meadows-Corona Park, Flushing, New York 11368. (Grace.fields-mitchell@parks.nyc.gov.) If The Department of Parks & Recreation receives no written requests to speak within the prescribed time, Parks & Recreation reserves the right not to conduct the public hearing.

m15-18

SMALL BUSINESS SERVICES

■ PUBLIC HEARINGS

CANCELLATION OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a Contract Public Hearing will be held on Thursday, March 18, 2010, in Spector Hall, 22 Reade Street, Main Floor, Borough of Manhattan, commencing at 10:00 A.M. on the following:

IN THE MATTER of a proposed contract between the Department of Small Business Services (SBS) and the Fund for the City of New York, 121 Avenue of the Americas, New York, NY 10013, to provide services to operate programs to retain and create industrial and manufacturing businesses. The contract shall be in an amount not to exceed \$145,000. The contract term shall be from July 1, 2009 to June 30, 2010. PIN#: 801SBS100110.

The proposed contractor is being funded through City Council Discretionary Funds Appropriation, pursuant to Section 1-02 (e) of the Procurement Board Rules.

A draft copy of the proposed contract is available for public inspection at the Department of Small Business Services, 110 William Street, 7th Floor, New York, NY 10038, from March 5, 2010 to March 18, 2010, excluding Weekends and Holidays, from 9:00 A.M. to 5:00 P.M.

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 requests to speak should be sent to Mr. Daryl Williams, ACCO, Department of Small Business Services, 110 William Street, 7th Floor, New York, NY 10038, or email to: dwilliams@sbs.nyc.gov. If SBS receives no written requests to speak within the prescribed time, SBS reserves the right not to conduct the public hearing.

m15-18

CANCELLATION OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a Contract Public Hearing will be held on Thursday, March 18, 2010, in Spector Hall, 22 Reade Street, Main Floor, Borough of Manhattan, commencing at 10:00 A.M. on the following:

IN THE MATTER of a proposed contract between the Department of Small Business Services (SBS) and the NYC Industrial & Technology Assistance Corporation, 253 Broadway, Room 302, New York, NY 10007, to provide services to operate programs to retain and create industrial and manufacturing businesses. The contract shall be in an amount not to exceed \$300,000. The contract term shall be from July 1, 2009 to June 30, 2010. PIN#: 801SBS100111.

The proposed contractor is being funded through City Council Discretionary Funds Appropriation, pursuant to Section 1-02 (e) of the Procurement Board Rules.

A draft copy of the proposed contract is available for public inspection at the Department of Small Business Services, 110 William Street, 7th Floor, New York, NY 10038, from March 5, 2010 to March 18, 2010, excluding Weekends and Holidays, from 9:00 A.M. to 5:00 P.M.

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 requests to speak should be sent to Mr. Daryl Williams, ACCO, Department of Small Business Services, 110 William Street, 7th Floor, New York, NY 10038, or email to: dwilliams@sbs.nyc.gov. If SBS receives no written requests to speak within the prescribed time, SBS reserves the right not to conduct the public hearing.

m15-18

CANCELLATION OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a Contract Public Hearing will be held on Thursday, March 18, 2010, in Spector Hall, 22 Reade Street, Main Floor, Borough of Manhattan, commencing at 10:00 A.M. on the following:

IN THE MATTER of a proposed contract between the Department of Small Business Services and the Contractor listed below, to provide economic development programs in the Borough of Brooklyn. The contract term shall be from July 1, 2009 to June 30, 2010.

Contractor/Address

Business Outreach Center Network, Inc.
85 South Oxford Street, Brooklyn, NY 11217

Amount \$120,000

PIN# 801-SBS100086

The proposed contractor is being funded through City Council Discretionary Funds Appropriation, pursuant to Section 1-02 (e) of the Procurement Board Rules.

A draft copy of the proposed contract is available for public inspection at the Department of Small Business Services, 110 William Street, 7th Floor, New York, NY 10038, from March 5, 2010 to March 18, 2010, excluding Weekends and Holidays, from 9:00 A.M. to 5:00 P.M.

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 requests to speak should be sent to Mr. Daryl Williams, ACCO, Department of Small Business Services, 110 William Street, 7th Floor, New York, NY 10038, or email to: dwilliams@sbs.nyc.gov. If DSBS receives no written requests to speak within the prescribed time, DSBS reserves the right not to conduct a public hearing.

m15-18

AGENCY RULES

MAYOR'S OFFICE OF ENVIRONMENTAL REMEDIATION

■ NOTICE

NOTICE OF OPPORTUNITY TO COMMENT ON PROPOSED RULE RELATING TO A NEW YORK CITY BROWNFIELD FINANCIAL INCENTIVE GRANT PROGRAM

NOTICE IS HEREBY GIVEN PURSUANT TO THE AUTHORITY VESTED IN THE Director of Environmental Remediation by subdivision e of section 15 of the New York City Charter, that the Office of Environmental Remediation proposes to promulgate a rule relating to a New York City brownfield financial incentive grant program.

A public hearing on the proposed rules will be held on April 16, 2010 at 10:00 A.M. at 110 William Street, New York, N.Y. in Rm. 4 A/B. Written comments regarding the proposed rule may be sent to Dr. Daniel C. Walsh, Director of Environmental Remediation, 253 Broadway, 14th floor, New York, NY 10007 on or before April 19, 2010.

Written comments and a summary of oral comments received at the hearing will be available for public inspection, within a reasonable time after receipt, between the hours of 9:30 A.M. and 4:30 P.M. at the Office of Environmental Remediation, 253 Broadway, 14th floor, New York, New York 10007.

Persons who request that a sign language interpreter or other form of reasonable accommodation for a disability be provided at the hearing are asked to notify Dr. Walsh at the foregoing address by April 5, 2010.

Section 1. Chapter 14 of Title 43 of the Rules of the City of New York is amended by adding a new Subchapter 2 to read as follows:

SUBCHAPTER 2

New York City Brownfield Financial Incentive Grant Program**§ 43-1415 Purpose and applicability**

a. Purpose. The New York city brownfield financial incentive grant program is intended to promote the cleanup and redevelopment of brownfield properties in the city of New York.

b. Applicability. Brownfield financial incentive grants are available to provide financial assistance for qualified brownfield properties and applicants for and recipients of brownfield opportunity area grants for the performance of pre-development assessments and investigations, environmental investigations, property remediation, environmental insurance purchase, and technical assistance services and for the development of work plans and applications.

§ 43-1416 Definitions

a. "Affordable housing development" means a development that will be built by a developer on a qualifying brownfield property where at least twenty percent of the housing units are affordable to families that earn no more than eighty percent of the average median income of an area, as determined by the United States department of housing and urban development, and that has been issued a letter of interest from a federal, state, or local housing subsidy program.

b. "Brownfield opportunity area" means an area in the city of New York with a concentration of brownfields for which the New York state department of state has awarded a brownfield opportunity area grant to a recipient pursuant to general municipal law section 970-r.

c. "Community based organization" means a community based organization as defined in section 970-r(1)(c) of the general municipal law.

d. "Community facility development" means a development that will be built by a developer on a qualifying brownfield property where the development provides specific benefits to the local community, including, but not limited to, a community facility use pursuant to the zoning resolution, and where the development is funded and feasible.

e. "E-designation hazardous material site" means a property that has been designated with an (E) on a zoning map, pursuant to section 11-15 of the zoning resolution, because of potential hazardous material contamination.

f. "Grant administration contractor" means an entity under contract with the New York city economic development corporation for administration of the New York city brownfield financial incentive grant program. The grant administration contractor shall provide oversight of the grant process, including, but not limited to, review of grant applications including evaluation of eligibility for grants; review of statements of work; establishment and maintenance of a list of qualified vendors; communication with grantees and qualified vendors; and performance of quality control of work products.

g. "Grant payment percentage limit" means the seventy-five percent maximum payment by the office for eligible costs for approved services and activities performed under a pre-development grant or an environmental investigation grant. The grant payment percentage limit is intended to ensure that the grantee bears some of the costs for pre-development and environmental investigation services and activities.

h. "Grantee" means an owner or developer of a qualifying brownfield property, including all parties with an ownership interest in the property, or a recipient of, or an applicant for, a brownfield opportunity area grant in New York city who has been accepted into the New York city brownfield financial incentive grant program.

i. "Office" means the office of environmental remediation.

j. "Person" means an individual, trust, firm, joint stock company, limited liability company, corporation, joint venture, partnership, association, a local development corporations, and a community development corporation.

k. "Preferred community development project" means a development proposed for a qualifying brownfield property that is: (1) an affordable housing development; (2) consistent with the strategic brownfield goals established in a brownfield opportunity area plan pursuant to section 970-r of the general municipal law, as evidenced by a letter from the recipient of a brownfield opportunity area grant pursuant to section 43-1418(d)(4)(B)(ii); or (3) a community facility development.

l. "Qualifying brownfield property" means: (1) for a pre-enrollment grant, a property that contains a recognized environmental condition; (2) for an enrollment grant and a track one bonus cleanup grant, a property admitted to the local brownfield cleanup program; (3) for an e-designation hazardous material remediation grant or a restrictive declaration hazardous material remediation grant, an e-designation hazardous material site or a restrictive declaration hazardous material site respectively; (4) for a technical assistance grant, a preferred community development project where the developer is a not-for-profit corporation or a community based organization that seeks to apply for a brownfield opportunity grant from the New York state department of state; and (5) for a brownfield opportunity area strategic property bonus cleanup grant, a strategic brownfield property that has received a New York state brownfield opportunity area grant for site assessment.

m. "Restrictive declaration hazardous material site" means a property with an institutional control, arising from a city environmental quality review and recorded by the property owner, which requires a potential hazardous material condition to be addressed to the office's satisfaction before the property can be developed or an action involving soil disturbance can be undertaken.

n. "Recognized environmental condition" means the presence or likely presence of any hazardous substances on a property under conditions that indicate an existing release, a past release, or a material threat of a release of any hazardous substances into structures on the property or into the ground, ground water, or surface water of the property. The term includes hazardous substances even under conditions in compliance with laws. The term does not include de minimus conditions that generally do not present material risk of harm to public health or the environment.

o. "Strategic brownfield property" means a property within a brownfield opportunity area that has been determined by the recipient of the brownfield opportunity area grant to be a strategic site during the execution of the brownfield opportunity area program and that has received funding from New York state for site assessment under such program.

§ 43-1417 Types of grants

a. Pre-enrollment grants are awarded for services and activities performed at qualifying brownfield properties that are not yet enrolled in the local brownfield cleanup program.

1. Pre-development grants finance the services and activities that usually precede environmental field investigation and advance brownfield projects at an early stage of the project. Pre-development grants may be used for eligible services and/or activities, as provided in section 43-1419.

2. Environmental investigation grants finance the characterization of a property's subsurface contamination. Environmental investigation services and activities are typically performed after pre-development work and prior to environmental remediation on a brownfield property.

Environmental investigation grants may be used for eligible services and/or activities, as provided in section 43-1419.

b. Enrollment grants are awarded for activities performed at qualifying brownfield properties that are enrolled in the local brownfield cleanup program.

1. Cleanup grants.

i. Cleanup grants pay for costs incurred in a property's remediation. They may be used for eligible services and/or activities, as provided in section 43-1419, that are included in, and performed according to the terms of, a remedial action work plan approved by the office.

ii. Brownfield opportunity area strategic property bonus cleanup grants are a type of cleanup grant that is awarded to pay for eligible cleanup services and/or activities at strategic brownfield properties.

iii. Track one bonus cleanup grants are a type of cleanup grant that provides funding for track one cleanups, as defined in section 43-1407(h)(1) of this chapter.

2. Environmental insurance grants pay for the purchase of environmental insurance, as provided in section 43-1419.

c. Other Grants

1. Technical assistance grants are awarded to a developer of a preferred community development project where the developer is a not-for-profit corporation, or to a community based organization that seeks to apply for a department of state brownfield opportunity area grant. The grant covers a range of technical services performed by a qualified vendor for project management and technical assistance, as provided in section 43-1419.

2. Brownfield opportunity area local match grants are awarded to a recipient of a New York state department of state brownfield opportunity area grant to facilitate brownfield activities and services performed under that program, by assisting recipients of brownfield opportunity area grants to meet the local match requirement for a state brownfield opportunity area grant pursuant to general municipal law section 970-r.

3. E-designation hazardous material remediation grants and restrictive declaration hazardous material remediation grants provide funding for hazardous material cleanup at e-designation hazardous material sites and restrictive declaration hazardous material sites that are not enrolled in the local brownfield cleanup program, that have an approved remedial action plan, and that have received a notice of satisfaction from the office for remediation of hazardous material.

§ 43-1418 Eligibility

a. General

1. Grants are awarded within each fiscal year to grantees. Awards shall be made until brownfield financial incentive grant funds for a fiscal year are exhausted.

2. Decisions on eligibility for all grants are made by the office and are final.

b. Property eligibility

1. A property shall be located within the city of New York.

2. A property shall meet the definition of a qualifying brownfield property for the type of grant(s) sought.

3. A property admitted to the brownfield cleanup program administered by the New York state department of environmental conservation is ineligible for a grant.

c. Applicant eligibility

1. An applicant is ineligible for a grant if the person is subject to any pending action or proceeding or order identified in section 43-1403(b) of this chapter relating to the property.

2. An applicant who has received a prior grant and did not submit information on the outcome of the brownfield project as required by section 43-1421(b)(5) is not eligible for any additional brownfield financial incentive grant.

3. An applicant who has received a prior pre-enrollment grant for a property that was subsequently developed and that was not enrolled in a New York city or New York state remedial program is not eligible for any additional brownfield financial incentive grant.

4. A grantee may receive grants for a maximum of two qualifying brownfield properties each fiscal year. For the purpose of this subdivision, all grants issued for a single property are considered one grant that is received in the year of the initial award payment. For example, a grantee that receives a pre-development grant award for a property in one fiscal year and an environmental investigation grant for the same property the next fiscal year is considered to have received only one grant issued in the first fiscal year.

5. A grantee may not receive a pre-enrollment grant for more than one qualifying brownfield property each fiscal year. However, if a qualifying brownfield property for which a pre-enrollment grant was obtained is subsequently enrolled by the grantee into a New York city or New York state brownfield cleanup program in the same fiscal year, the grantee may receive a maximum of one additional pre-enrollment grant for a second qualifying brownfield property in the same fiscal year. Pursuant to paragraph 4 of this subdivision, the grantee shall not receive a pre-enrollment grant for more than the two qualifying brownfield properties in such fiscal year.

d. Eligibility requirements for specific grants.

1. Pre-enrollment grants.

A. Pre-development grants. For a qualifying brownfield property to be eligible for a pre-development grant, the applicant shall provide the office with evidence indicating that the property contains a recognized environmental condition that has not been remediated. Such evidence may include, but is not limited to, records of past usage, records derived from fire insurance maps, or information from direct observation and testing.

B. Environmental investigation grants.

i. Submission of a satisfactory phase one investigation shall be required for a qualifying brownfield property to be eligible for an environmental investigation grant, except as provided in clause iii of this subparagraph. A phase one investigation

is a search of records and government databases to determine whether prior land uses or processes were likely to have left behind contamination at a property. Phase one investigations shall be reviewed by the office and/or the grant administration contractor. Upon request of the applicant, the grant administration contractor alone, and not the office, shall review phase one investigations.

ii. To be eligible for an environmental investigation grant, a phase one investigation shall indicate that the property contains a recognized environmental condition. Such determination of a recognized environmental condition shall be made by the office.

iii. In lieu of a phase one investigation, recognized environmental conditions may be identified in studies performed by the office, or by other means acceptable to the office.

C. E-designation hazardous material sites and restrictive declaration hazardous material sites are not eligible for pre-enrollment grants.

2. Enrollment grants. Enrollment in the local brownfield cleanup program is required for a property to be eligible for an enrollment grant.

A. Cleanup grants.

i. To be eligible for a cleanup grant, a qualifying brownfield property shall have an office-approved remedial action work plan under the local brownfield cleanup program.

ii. Cleanup services and/or activities that are eligible for awards under this grant are listed in schedule B.

iii. Cleanup services and/or activities eligible for awards under this grant shall be performed in accordance with the office-approved remedial action work plan.

B. Brownfield opportunity area strategic property bonus cleanup grant. To be eligible for a brownfield opportunity area strategic property bonus cleanup grant, a qualifying brownfield property shall be eligible for a cleanup grant and shall be a strategic brownfield property that has received a New York state brownfield opportunity area assessment grant.

C. Track one bonus cleanup grant. To be eligible for a track one bonus grant, a qualifying brownfield property shall be eligible for a cleanup grant and satisfy the requirements for a track one unrestricted remediation as defined in section 43-1407(h)(1).

D. Environmental insurance grants. To be eligible for an environmental insurance grant, a qualifying brownfield property shall have an office-approved remedial action work plan.

E. E-designation hazardous material sites and restrictive declaration hazardous material sites are eligible for enrollment grants if the applicant enrolls in the local brownfield cleanup program.

3. Other Grants.

A. Technical Assistance Grants.

i. To be eligible for a technical assistance grant for a qualifying brownfield property that is a preferred community development project where the developer is a not-for-profit corporation, the applicant shall provide the office with evidence that the developer is a not-for-profit corporation and evidence in accordance with paragraph four of this subdivision.

ii. Community based organizations that seek to apply for a brownfield opportunity grant are eligible for a technical assistance grant for the purpose of development of the brownfield opportunity area grant application.

B. Brownfield opportunity area local match grants. For the recipient of a brownfield opportunity area grant to be eligible for a brownfield opportunity area local match grant, the applicant shall be a community based organization and have entered into a brownfield opportunity area contract with the New York state department of state.

C. E-designation hazardous material remediation grants and restrictive declaration hazardous material remediation grants. To be eligible for an e-designation hazardous material remediation grant or a restrictive declaration hazardous material remediation grant respectively, a qualifying brownfield property shall have been remediated pursuant to an office-approved remedial action plan for an e-designation hazardous material site or a restrictive declaration hazardous material site and have received a notice of satisfaction from the office.

4. Preferred community development projects.

A. For a qualifying brownfield property to be eligible for a grant as a preferred community development project based on a proposed development of an affordable housing development, the applicant shall provide the office:

i. evidence that at least twenty percent of the housing units are affordable to families that earn no more than eighty percent of the average median income of the area;

ii. a proposal for redevelopment of the property that evidences the feasibility of the project; and

iii. a letter of interest from a federal, state or local housing subsidy program.

B. For a qualifying brownfield property to be eligible for a grant as a preferred community development project based on a proposed development that is consistent with the strategic brownfield goals established in a brownfield opportunity area plan, the applicant shall provide the office with a signed letter of support for the proposed development from the recipient of a brownfield opportunity area grant that has an executed brownfield opportunity area contract with the New York state department of state pursuant to section 970-r of the general municipal law. The letter shall state that the brownfield property is located within the identified brownfield opportunity area and that its proposed redevelopment is consistent with plans established for the brownfield opportunity area by such recipient of a brownfield opportunity area grant.

C. For a qualifying brownfield property to be eligible for a grant as a preferred community development project based on a proposed development that is a community facility development, the applicant shall provide the office:

i. a proposal for redevelopment of the property that evidences the feasibility of the project;

ii. evidence of the specific benefits the facility provides the community; and

iii. evidence that the development is funded.

§ 43-1419 Eligible Services and Activities

a. Eligible services and/or activities within each grant type for which grant awards may be issued are listed in Schedule B.

1. For pre-development grants, eligible services and/or activities shall include, but shall not be limited to, title insurance, title search, project feasibility study (i.e. market analysis, concept plans, pro forma financial analysis, zoning analysis, and permitting), planning board application, community outreach, and phase one investigations.

2. For environmental investigation grants, eligible services and/or activities shall include, but shall not be limited to,

LBCP: The local brownfield cleanup program administered by the office of environmental remediation.
 BOA: The brownfield opportunity area. This is a program for area-wide brownfield and community planning managed by the New York state department of state.
 N/A: not applicable.

- i Properties for which a grant is pursued can fall into only one type. The property type may change as conditions change.
- ii Grants shall be reduced by ten percent for the cost of administration.
- iii Includes e-designation hazardous material sites and restrictive declaration hazardous material sites that are enrolled in the LBCP.
- iv Grants shall not be reduced by the cost of grant administration.
- v Includes e-designation hazardous material sites and restrictive declaration hazardous materials sites that are also preferred community development projects and enrolled in the LBCP.
- vi A BOA grant recipient with an executed state assistance contract by definition also has an approved work program.
- vii Limit includes all proceeds from pre-development grant.
- viii Limit includes all proceeds from pre-development grant, environmental investigation grant and environmental insurance grant.
- ix For e-designation hazardous material sites and restrictive declaration hazardous material sites that are remediated pursuant to an office-approved remedial work plan.
- x Limit includes all proceeds from pre-development grant, environmental investigation grant and cleanup grant.
- xi Cap includes proceeds from all standard grant types.
- xii Technical assistance grants for preferred community development projects are limited to not-for-profit developers.
- xiii Technical assistance with development of BOA program application.
- xiv Grant amount includes grant awards received for technical assistance.

Schedule B

Eligible Services and Activities / Reimbursable Allowance¹

Activity	Unit	Grant Allowance ²
Pre-development Design		
Site survey	day	\$1,275
Title insurance/ Title search		
full coverage	each	\$1,020
limited coverage	each	\$510
non-insured reports	each	\$340
Project Feasibility Study		
market analysis	each	\$1,020
concept plans	each	\$1,020
pro-forma financial analysis	each	\$1,020
zoning analysis	each	\$1,020
permitting (Federal, State, Local)	each	\$2,975
Community Outreach	each	\$1,275
Phase I ESA	each	\$2,125
Environmental Investigation		
Workplans		
Phase II / site characterization workplan	each	\$2,125
Remedial Investigation workplan	each	\$1,700
Phase II (soil)		
Geophysical Survey Report (GPR Contractor)	1/2 day	\$1,020
Geophysical Survey Report (GPR Contractor)	day	\$1,488
Geophysical anomalies investigation (excavator/operator)	day	\$808
soil boring Installation	1/2 day	\$850
soil boring Installation	day	\$1,275
soil sample collection / field screening	day	\$680
Phase II (Groundwater)		
monitoring well installation (Unconsolidated)	well	\$2,125
monitoring well installation (Bedrock)	well	\$3,400
disposal of drill cuttings and transportation	drum	\$106
monitoring well survey	day	\$1,275
temporary well-point installation	each	\$510
groundwater sample collection	day	\$680
disposal of purge water and transportation	drum	\$68
aquifer test	each	\$510
Reports		
Phase II / Site Characterization Report	each	\$1,700
Remedial Investigation Report	each	\$2,125
remedy selection report	each	\$1,700
grant project reporting	each	\$425
Lab Analysis		
metals (soil/water)		
Priority Pollutant metals (13 metals)	sample	\$83
Total RCRA metals (8 metals)	sample	\$53
Target Analyte List metals (23 Metals)	sample	\$129
organics (soil/water)		
base neutrals	sample	\$115
base neutrals + 10 or 15	sample	\$128
base neutrals/acid extractables		

¹ All listed prices are inclusive of all subcontractor, professional oversight, materials and equipment costs.

² The Grant Allowance amounts presented in Schedule B represent the maximum amounts up to which specified activities may be funded. An eligible service and activity will not necessarily be funded up to that maximum amount.

(semivolatile organics)	sample	\$204
BTEX	sample	\$41
BTEX + MTBE + TBA	sample	\$41
herbicides	sample	\$77
PAHs	sample	\$115
PCBs	sample	\$51
PCBs in oil	sample	\$41
pesticides	sample	\$51
volatiles	sample	\$68
volatiles + 10 or 15	sample	\$77
volatiles (drinking water)	sample	\$105
volatiles (drinking water) + 10 or 15 target compound list (VO+10, BNAE+20, Pest/PCB)	sample	\$408
organics (air)		
TO-15	sample	\$272
Group Tests		
ID-27 (TCLP Metals, TPH, PCBs, Reactive CN & S, Ignitability, pH)	sample	\$208
Priority Pollutants + 40 (VO+15, BNAE+25, pest/PCB, 13 metals, CN, phenol)	sample	\$535
RCRA characteristics (reactive CN & S, ignitability, corrosivity)	sample	\$51
TCLP-full (8 metals, VO, BNAE, pesticides, herbicides)	sample	\$509

Environmental Remediation

Workplans		
remedial action workplan (approved by OER)	each	\$25,000 ³
remedial action monitoring plan	each	\$1,275
community and environmental protection plan	each	\$510
Community Air Monitoring Plan	each	\$340
site management plan	each	\$765

Soil Removal

disposal - soil, hazardous (does not include transportation)	ton	\$102
disposal - soil, non-hazardous (does not include transportation)	ton	\$43
waste characterization: ID-27 (TCLP metals, TPH, PCBs, reactive CN & S, ignitability, pH)	sample	\$208
mobilization/demobilization - one time allowable per site per machine	each	\$425
loader/backhoe w/operator	day	\$808
Small-trackhoe w/operator J Deere 200LC or equivalent)	day	\$1,190
large trackhoe w/operator (Cat 325 or equivalent)	day	\$1,445
skid steer loader w/operator	day	\$595
Dump truck w/operator (approx. 12 yd3)	day	\$340
Dump truck, tandem - triaxle w/operator (25 yd3)	day	\$765
rolloff container (20 yd.3)	each	\$510
vacuum truck w/operator	hr	\$77
post-excavation soil sample collection	day	\$680

Backfill

recycled concrete aggregate	ton	\$13
certified clean fill material	ton	\$17
top soil	cy	\$21

Engineering Controls (cap emplacement)

clean fill/ gravel	ton	\$17
top soil	cy	\$21
asphalt (2in. compacted asphalt on 2 in gravel base)	sf	\$3.80
cement paving (4 in.)	sf	\$4.25

Institutional Controls

deed restriction preparation	each	\$2,125
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Reports

remedial action progress report	each	\$850
construction completion report	each	\$1,530
final engineering reports	each	\$2,125
periodic review report	each	\$680
grant project reporting	each	\$425

³ Amount may cover all activities leading up to preparation of a Remedial Action Work Plan report that have not already been funded.

Technical Assistance Grants

Professional Services	Unit	Grant Allowance
attorney	hr	\$213
architect	hr	\$128
planner	hr	\$128
professional engineers	hr	\$128
environmental consultants	hr	\$81
community based organizations	hr	\$81

Brownfield Opportunity Area Local Match Grants

For Brownfield Opportunity Area (BOA) Local Match Grants, eligible services and/or activities must be reasonable, relevant, and directly related to the BOA scope of work. In order for these eligible costs to be reimbursed, they must be related to a work plan approved by the New York State Department of State pursuant to an executed State Assistance Contract and be appropriately documented in accord with the BOA Record Keeping and Payment Guide. See BOA Program guidance for questions or clarification regarding eligible and ineligible costs. **The total amount of reimbursable expenses may not surpass the grant limit of the lesser of \$25,000 or 10% of the Brownfield Opportunity Area Grant award.**

Environmental Insurance Grants

For environmental insurance grants, eligible services and/or activities shall include purchase of Pollution Legal Liability Insurance and Cleanup Cost Cap Insurance. **The total amount of reimbursable expenses may not surpass the grant limit established in Schedule A.**

STATEMENT OF BASIS AND PURPOSE

Local Law No. 27 of 2009 amended the New York City Charter to create the Office of Environmental Remediation (OER) and authorized its director, *inter alia*, to develop and administer a financial incentive program to encourage public or private entities to identify, investigate, remediate, and redevelop brownfields in support of the City's economic development.

Through the New York City brownfield financial incentive grant program, OER would award grants to support and advance brownfield projects across the City. Eligible grantees include private and non-profit owners and developers of qualifying brownfields properties and recipients of New York State brownfield opportunity area grants in the City. Grant recipients can use grant funds to pay for eligible services and activities performed by a qualified vendor of their choosing, or in the case of a recipient of a brownfield opportunity area grant, for its local match for the State grant. Generally, grantees can receive grants for up to two brownfield projects per City fiscal year, but to qualify for a second grant at least one of these projects must be enrolled in the New York City local brownfield cleanup program.

The financial incentive grant program would make grant funds available to brownfield projects from the earliest stages of project development through project remediation. OER would create nine types of grants divided into three general grant categories, including pre-enrollment grants, enrollment grants, and other grants. Enrollment grants, which are only available to brownfield properties enrolled in the City's local brownfield cleanup program, are larger than pre-enrollment grants.

Pre-enrollment grants consist of predevelopment grants and environmental investigation grants. Depending upon the type of project, these pre-enrollment grants for eligible services and activities are available for up to \$10,000 to up to \$25,000.

Enrollment grants consist of environmental insurance grants, cleanup grants and two types of bonus cleanup grants for complete cleanups (called "Track 1" or unrestricted use cleanups) and for strategic brownfield properties in brownfield opportunity areas. Cleanup grants and environmental insurance grants range from up to \$60,000 to up to \$100,000; track one bonus cleanup grants are \$25,000, and BOA strategic property bonus cleanup grants are \$10,000.

In addition, OER would award three other grants. A grant for technical assistance would provide project management and planning assistance for brownfield projects to non-profit developers of preferred community development projects and to community based organizations that seek to apply for State brownfield opportunity area grants. Technical assistance grants range from up to \$5,000 to up to \$10,000. Another grant would assist recipients of State brownfield opportunity area grants in meeting the State program's local match requirements. The brownfield opportunity area local match grants would be up to \$25,000. Finally, OER would award cleanup grants to properties with either a hazardous material E-designation or a hazardous material restrictive declaration which, upon cleanup, receive a notice of satisfaction from OER. E-designation and restrictive declaration hazardous material remediation grants are \$5,000.

The proposed rule sets forth eligibility requirements for properties, applicants and types of grants. An eligible property must be located within the City of New York, may not be admitted to a State remedial program, and must meet specific eligibility requirements for each type of grant. An applicant would be ineligible for a grant if he or she is subject to any pending action, proceeding, or order relating to the property where the City, State, or federal government seeks penalties or the investigation, removal, or remediation of contamination.

The proposed rule also details the eligible services and activities for each type of grant and requires grantees to apply for grants and execute agreements with OER prior to performing grant-eligible services and activities.

m16

NOTICE OF OPPORTUNITY TO COMMENT ON PROPOSED RULE RELATING TO A FEE FOR REVIEW AND APPROVAL OF DEVELOPMENTS AND ALTERATIONS ON SITES WITH AN E-DESIGNATION

NOTICE IS HEREBY GIVEN PURSUANT TO THE AUTHORITY VESTED IN THE Director of Environmental Remediation by subdivision e of section 15 of the New York City Charter that the Office of Environmental Remediation proposes to promulgate rules relating to a fee for the review and approval of developments and alterations on sites with an E-designation.

A public hearing on the proposed rules will be held on April 16, 2010 at 10:00 A.M. at 110 William Street, New York, N.Y. in Rm. 4 A/B. Written comments regarding the proposed rules may be sent to Dr. Daniel C. Walsh, Director of Environmental Remediation, 253 Broadway, 14th floor, New York, NY 10007 on or before April 19, 2010.

Written comments and a summary of oral comments received at the hearing will be available for public inspection, within a reasonable time after receipt, between the hours of 9:30 A.M. and 4:30 P.M. at the Office of Environmental Remediation, 253 Broadway, 14th floor, New York, New York 10007.

Persons who request that a sign language interpreter or other form of reasonable accommodation for a disability be provided at the hearing are asked to notify Dr. Walsh at the foregoing address by April 5, 2010.

New text is underlined; deleted material is in [brackets].

Section 1. Section 24-01 of Chapter 24 of Title 15 of the Rules of the City of New York is amended to read as follows:

§ 24-01 Authority
 These rules are promulgated pursuant to §§ 15(e), 1403 and

1404 of the Charter of the City of New York and in accordance with § 11-15(c)[,] of the Zoning Resolution of the City of New York.

§ 2. Section 24-09 of Chapter 24 of Title 15 of the Rules of the City of New York is amended to read as follows:

§24-09 Department Review and Approval Fee and Procedure
a. An applicant who seeks Department approval of a minor alteration(s) and/or other action on a tax lot subject to an (E) designation or a restrictive declaration that does not require a full technical review by the Department shall pay a fee of \$250.

b. An applicant for a new development or for alterations on a tax lot subject to an (E) designation or a restrictive declaration that requires a detailed review by the Department involving a phased approval and sign-off procedure (e.g., monitoring, modeling, testing, remediation) shall pay a fee of \$750.

c. The Department shall conduct an initial review of the application to determine the extent of review required for approval of the application. The Department shall inform the applicant of the fee amount.

d. Each payment shall be in the form of a certified check or money order made payable to the New York City Department of Environmental Protection/Office of Environmental Remediation (DEP/OER) and shall be sent to:

Office of Environmental Remediation
Attn: Budget Manager
253 Broadway, 14th floor
New York, NY 10007

The applicant shall include the project name and/or address and the Office of Environmental Remediation project number on the certified check.

e. At the written request of the applicant, the Department will conduct a pre-submission conference with the applicant regarding the required contents of any submission required pursuant to §§ 24-06 and 24-07 of this rule and the schedule for proceeding with such submission.

[b.] f. Upon initial receipt of a submission required pursuant to this rule, the Department will review such submission and provide written comments within thirty (30) days of receipt of such initial submission.

[c.] g. If the Department requests additional information or a revised submission, the applicant shall resubmit the submission for review.

(1) Revised submissions will be reviewed by the Department as expeditiously as possible;

(2) Upon receipt of all information requested, the Department shall issue comments in writing with respect to the submission within thirty (30) days.

[d.] h. If the applicant disagrees with the Department's comments, the applicant shall have thirty (30) days, or such time as agreed upon by the Department and the applicant, to respond.

[e.] i. Upon receipt and review of all required submissions, the Department will issue its determination either approving or disapproving the submission within thirty (30) days.

[f.] j. If at any point in its review of a submission by the applicant, the Department requires more than the specified time period for the review, the Department will notify the applicant in writing of the necessity of such additional time.

[g.] k. If at any time the Department fails to provide written comments within a time period specified under this section, or such time as agreed upon by the Department and the applicant, and fails to provide written notice of the necessity of additional time, the applicant may submit a written notification to the Department requesting that any comments be provided within thirty (30) days.

STATEMENT OF BASIS AND PURPOSE

Local Law No. 27 of 2009 amended the New York City Charter to create an Office of Environmental Remediation, led by a director. The office oversees all aspects of the city's brownfield policies and, pursuant to paragraphs 15 and 16 of subdivision e of section 15 of the New York City Charter and section 1404 of the Charter, administers the E-designation program, as defined in the zoning resolution, and ensures compliance with hazardous waste restrictive declarations arising from the environmental review of land use actions.

Paragraph 17 of subdivision e of section 15 of the Charter, authorizes the office to establish fees for programs it administers, and paragraph 18 authorizes the office to promulgate rules. This rule would establish fees for the office's review and approval of building projects proposed for tax lots subject to an E-designation or a hazardous materials restrictive declaration. Applicants who seek office approval of minor alterations on E-designation sites or sites subject to hazardous materials restrictive declarations would pay a fee of \$250. Applicants who seek office approval of developments on E-designation sites or sites subject to hazardous materials restrictive declaration sites that require a phased approval and sign-off procedure would pay a fee of \$750.

■ m16

HOUSING PRESERVATION AND DEVELOPMENT

■ NOTICE

Notice of Adoption of Rules Governing Tax Exemption under §420-c, 421-a, 421-b, 421-g and 489 of the Real Property Tax Law

NOTICE IS HEREBY GIVEN PURSUANT TO THE AUTHORITY VESTED IN THE Commissioner of Housing Preservation and Development by §1802 (6)(c) and in

accordance with the requirements of §1043 of the New York City Charter that the Department of Housing Preservation and Development is adopting rules governing tax exemption under §§420-c, 421-a, 421-b, 421-g and 489 of the Real Property Tax Law of the State of New York. Additions to the rules are underlined and proposed deletions are [bracketed]. A public hearing was held on October 26, 2009.

Material to be added is underlined. Material to be deleted is in [brackets].

Section one. Title 28 of the Rules of the City of New York is amended by adding a new chapter 39 to read as follows:

CHAPTER 39

Revocation of Tax Benefits

§39-01 Definitions. As used in this chapter, the following terms shall have the following meanings:

Administrative Code. “Administrative Code” shall mean the Administrative Code of the City of New York.

Application. “Application” shall mean, collectively, any application for Tax Benefits submitted to HPD and all documents submitted therewith.

Approval Date. “Approval Date” shall mean the date upon which HPD approves the Certificate of Eligibility as stated therein.

Assistant Commissioner. “Assistant Commissioner” shall mean an Assistant Commissioner of HPD who has jurisdiction over Tax Benefit programs or such other person as may be designated in writing by the Commissioner of HPD.

Cause. “Cause” shall mean any Violation, Misrepresentation, Omission, Failure, or Discrimination, without regard to the date upon which HPD discovers such Violation, Misrepresentation, Omission, Failure, or Discrimination.

Cause Date. “Cause Date” shall mean the first date upon which any Cause occurred, without regard to the date upon which such Cause was discovered by HPD.

Certificate of Eligibility. “Certificate of Eligibility” shall mean a written final determination by HPD, issued on the basis of an Application, that a Property is eligible for the Tax Benefit. A Certificate of Eligibility shall not include a declaratory ruling or any other preliminary or informal communication regarding an actual or prospective Application.

Comments. “Comments” shall mean any written comments and/or information that the Taxpayer submits to HPD during the Comment Period regarding the alleged Cause for Revocation of a Tax Benefit.

Comment Period. “Comment Period” shall mean a period specified in the Initial Notice during which the Taxpayer may submit Comments to HPD.

Cure Agreement. “Cure Agreement” shall mean an agreement with a Taxpayer (i) requiring such Taxpayer to cure a Cause for Revocation, and (ii) providing that the Tax Benefit will remain in place if the Taxpayer and any successors or assigns comply with all of their respective obligations thereunder; provided, however, that such agreement may provide for the partial or temporary Revocation of a Tax Benefit in the event of a partial cure or a cure that does not rectify a period of non-compliance.

Determination Notice. “Determination Notice” shall mean a written notice from HPD to the Taxpayer delivered after the Hearing or, if there is no Hearing, after the Comment Period stating the determination of the Assistant Commissioner regarding whether a Tax Benefit will be Revoked or will remain in effect. Any Determination Notice stating that a Tax Benefit will be Revoked shall specify the Revocation Date.

DHCR. “DHCR” shall mean the Division of Housing and Community Renewal of the State of New York or any successor agency.

Discrimination. “Discrimination” shall mean the direct or indirect denial to any person of any housing accommodations in the Property receiving the Tax Benefit, or any of the privileges or services incident to occupancy of such housing accommodations, in violation of any local, state or federal law prohibiting discrimination on the basis of race, color, creed, national origin, gender, sexual orientation, disability, marital status, age, religion, alienage or citizenship status, or the use of, participation in, or eligibility for a governmentally funded housing assistance program, including, but not limited to, the section 8 housing voucher program and the section 8 housing certificate program, 42 U.S.C. 1437 et. seq., or the senior citizen rent increase exemption program, pursuant to either chapter seven or section five hundred nine of title twenty-six of the Administrative Code; provided however, that “Discrimination” shall not include any act for which the applicable Law does not permit the Revocation of the Tax Benefit. The term “disability” as used in this subdivision shall have the meaning set forth in §8-102 of the Administrative Code.

DOF. “DOF” shall mean the Department of Finance of the City of New York or any successor agency.

Effective Date. “Effective Date” shall mean the date upon which a Tax Benefit commences pursuant to applicable Law.

Expiration Date. “Expiration Date” shall mean the date upon which a Tax Benefit would expire pursuant to applicable Law.

Factual Issue. “Factual Issue” shall mean one or more issues of fact which, if resolved in favor of the Taxpayer, would require the conclusion that Cause for Revocation does not exist.

Failure. “Failure” shall mean the failure to (i) keep, preserve or make available upon request by HPD any Records required to be kept and maintained pursuant to § 39-06 herein or pursuant to any other provision of this title or any Law, (ii) appear before HPD at any time or place named in a summons, or (iii) give testimony under oath as may be relevant or material to HPD's inquiry relating to a Tax Benefit.

Hearing. “Hearing” shall mean an administrative hearing regarding one or more Factual Issues to determine whether there is Cause to revoke a Tax Benefit, at which administrative hearing the Taxpayer may be represented by counsel and may present witnesses and other evidence.

Hearing Notice. “Hearing Notice” shall mean a written notice from HPD to the Taxpayer stating the date, time, and location of a Hearing, identifying one or more Factual Issues to be addressed at such Hearing, and informing the Taxpayer that he or she may be represented by counsel and may present witnesses and other evidence at such Hearing.

Hearing Officer. “Hearing Officer” shall mean a person designated by HPD.

HPD. “HPD” shall mean the Department of Housing Preservation and Development of the City of New York or any successor agency.

Initial Notice. “Initial Notice” shall mean a written notice from HPD to the Taxpayer stating the intention to Revoke a Tax Benefit for Cause and the proposed Revocation Date, identifying the Property and Tax Benefit affected, briefly describing the alleged Cause for Revocation of such Tax Benefit, stating the Comment Period, and providing an address for the submission of Comments during the Comment Period.

Law. “Law” shall mean, collectively, the Real Property Tax Law, any provision of the Administrative Code enacted pursuant thereto, and any rule of the City of New York promulgated pursuant thereto.

Misrepresentation. “Misrepresentation” shall mean the submission of an Application which contains incorrect, misleading or fraudulent information.

Omission. “Omission” shall mean the submission of an Application which omits material information.

Pre-Hearing Notice. “Pre-Hearing Notice” shall mean a written notice from HPD to the Taxpayer stating (i) that the Taxpayer may request a Hearing prior to Revocation regarding one or more Factual Issues identified in such notice, (ii) the date by which such written request must be received by HPD, and (iii) an address for the submission of such written request.

Property. “Property” shall mean the real property receiving a Tax Benefit, including the land and all improvements thereon.

Records. “Records” shall mean all books, papers, records or other data which may be relevant or material to any Application or Tax Benefit, including an annual schedule of rents for each dwelling unit in the Property where so required by the Law governing any Tax Benefit.

Revocation or Revoke. “Revocation” or “Revoke” shall mean any partial or total suspension, reduction, termination or revocation of any Tax Benefit which takes effect as of a date which precedes the Expiration Date of such Tax Benefit, except where State law specifically authorizes the termination of one Tax Benefit upon the commencement of another Tax Benefit.

Revocation Date. “Revocation Date” shall mean the date as of which HPD proposes to Revoke, or does Revoke, a Tax Benefit. The Revocation Date may be upon such date as HPD may determine, but shall not precede the Cause Date.

Tax Benefit. “Tax Benefit” shall mean any exemption from or abatement of real property taxation pursuant to Law with respect to which HPD makes determinations of eligibility.

Taxpayer. “Taxpayer” shall mean (i) the individual or entity located at the address to which DOF sends tax bills for the applicable Property, (ii) any current holder of fee title to such Property whose interest is clearly recorded in the office of the City Register in the applicable borough, and (iii) any current mortgagee of such Property whose mortgage interest in such Property is clearly recorded in the office of the City Register in the applicable borough.

Violation. “Violation” shall mean any non-compliance with applicable Law.

§39-02 Revocation of Tax Benefits for Cause.

(a) HPD may Revoke a Tax Benefit for Cause at any time through the procedure set forth in this section.

(b) HPD shall deliver an Initial Notice to the Taxpayer by the method provided herein for delivery of notices.

(c) The Taxpayer may submit Comments to HPD during the Comment Period. HPD may thereafter meet with such Taxpayer if such Comments contain either (i) credible evidence that a Factual Issue exists, or (ii) a proposed cure for the alleged Cause for Revocation which HPD determines may be reasonably practicable.
(e) If HPD determines that the alleged Cause for Revocation of the Tax Benefit is curable and that the Taxpayer has

proposed a practicable cure, HPD may enter into a Cure Agreement with such Taxpayer. HPD may require the Taxpayer to record any such Cure Agreement against the Property receiving such Tax Benefit.

(f) If HPD does not enter into a Cure Agreement with the Taxpayer and either receives no Comments during the Comment Period or determines after reviewing such Comments that there is no Factual Issue concerning the Cause for Revocation, HPD shall deliver a Determination Notice to the Taxpayer by the method provided herein for delivery of notices stating that the Tax Benefit has been Revoked as of the Revocation Date set forth therein.

(g) If HPD determines that a Factual Issue exists, HPD shall deliver a Pre-Hearing Notice to the Taxpayer by the method provided herein for delivery of notices.

(h) If the Taxpayer requests a Hearing after receiving a Pre-Hearing Notice, HPD shall schedule a Hearing and shall deliver a Hearing Notice to the Taxpayer by the method provided herein for delivery of notices. Notwithstanding any provision of these rules to the contrary, a Taxpayer may waive its right to a Hearing.

(i) At the Hearing, the Taxpayer will have an opportunity to present witnesses and other evidence regarding any Factual Issue specified in the Hearing Notice.

(j) Upon conclusion of any Hearing, the Hearing Officer shall issue a written report containing findings regarding the Factual Issue(s) and a recommendation regarding whether or not the Tax Benefit should be Revoked.

(k) The Hearing Officer shall forward such report and recommendation, together with the record of the Hearing, to the Assistant Commissioner.

(l) The Assistant Commissioner shall review the report and recommendation of the Hearing Officer, shall determine whether or not the Tax Benefit should be Revoked and shall thereafter deliver a Determination Notice to the Taxpayer by the method provided herein for delivery of notices.

§39-03 Requirements of Law Survive Revocation. The Revocation of a Tax Benefit pursuant to this chapter shall not exempt any housing accommodations in the applicable Property from continued compliance with the requirements of the Law pursuant to which such Tax Benefit was granted, including, but not limited to, any provision of such Law regarding rent control or rent stabilization. Such housing accommodations shall be operated in compliance with such requirements of such Law until the Expiration Date or for such longer period as may be specified by Law.

§39-04 Rent Stabilization. At any Hearing, the information contained in DHCR's database shall be definitive evidence of whether any housing accommodations have been registered with DHCR which may only be rebutted by the presentation of certified copies of other DHCR documentation.

§39-05 Notices. HPD shall deliver all Initial Notices, Pre-Hearing Notices, Hearing Notices, and Determination Notices to the Taxpayer by mail to (i) the address to which DOF delivers real property tax bills for the Property that is the subject of such notice, (ii) the last address indicated in documents recorded in the office of the City Register for any Taxpayer holding fee title to or a mortgage on the Property that is the subject of such notice, and (iii) the address of the owner or agent registered for the Property that is the subject of such notice in accordance with article two of subchapter four of chapter two of title twenty-seven of the Administrative Code, if any. Any such notice shall be deemed to have been given upon the third day after such notice has been deposited in the United States mail.

§ 39-06 Record Keeping, Subpoenas and Oaths.

(a) For any Application granted on or after January 1, 2010, the Taxpayer shall keep and maintain all Records for six years after the later of the Approval Date or the Effective Date, and shall make such Records available for inspection by HPD upon written request therefor. For any Application granted before January 1, 2010, the Taxpayer shall keep and maintain all Records required by the Law pursuant to which the Tax Benefit was granted or by any other applicable law or rule.

(b) At any time subsequent to the filing of an Application, HPD may (i) examine any Records, and (ii) summon any person, including, but not limited to, the Taxpayer or an officer, director, member or employee of the Taxpayer, or any person having, or having had, possession, custody or control of Records requested or granted, or any person or firm that participated in the construction, conversion or rehabilitation of the Property that requested or was granted the Tax Benefit, to appear before HPD at the time or place designated in the summons or to produce such Records, and to give such testimony under oath as may be relevant or material to the Tax Benefit requested or granted.

§2. Subparagraph (ii) of paragraph (3) of subdivision (f) of Section 5-03 of Chapter 5 of Title 28 of the Rules of the City of New York is amended to read as follows:

(ii) As provided in Section 39-03, [R]ent regulation shall not be terminated by the waiver or revocation of tax benefits.

§3. Section 5-07 of Chapter 5 of Title 28 of the Rules of the City of New York is amended to read as follows:

§5-07 [Record Keeping:] Revocation of Tax Exemption/Tax Abatement for Failure to Substantiate Claimed Costs and Declaratory Rulings.

(a) [Subpoenas, oaths, books and records. For the purpose of determining the correctness of any application or certificate, the Commissioner may:

(1) Examine any books, papers, records or other data which may be relevant or material to such inquiry;

(2) Summon any person, including the owner or an officer or any employee of the owner, or any person having possession, custody or care of books, papers or records relating to the correctness of the application, to appear before the Commissioner or his designate at any time or place named in the summons or to produce such books, papers, records or other data and to give such testimony under oath, as may be relevant or material to such inquiry; and

(3) Take such testimony under oath as may be relevant to such inquiry.] Reserved.

(b) [Retention of books and records. All books, records and documents listed in §5-05, together with all other documents, which in accordance with generally accepted auditing standards, may be used to substantiate entries in the applicant's books and records shall be kept at all times available for inspection by the Office and shall be retained for a period of at least three years from the date on which an applicant collects a Certificate of Eligibility except that (1) where an audit has been initiated and a final determination has not been rendered, such records shall be retained until such determination has been made and (2) where an applicant has entered into an installment arrangement with respect to payment for work comprising all or a part of the project, such records shall be retained until the later of (i) three years from the date on which the applicant collects the Certificate of Eligibility and (ii) one year following payment in full for the work comprising the project.] Reserved.

(c) [On-going program review. To ensure that the Office will have sufficient current data to properly evaluate the program of tax exemption and tax abatement and effectively administer the program, the Office may, during the period of tax exemption and abatement, require owners to submit rental data, construction data and such other information as the Office deems necessary to carry out the functions delegated to it pursuant to the Act.] Reserved.

(d) [Preservation and inspection of records. Records of each application shall be maintained by the Office. Records of approved applications are available for inspection and copying upon prior written request to the Office. Copies of records are available upon payment in advance of twenty-five cents (\$0.25) per page.] Reserved.

(e) Revocation or reduction of tax exemption and tax abatement for failure to substantiate claimed costs. All applications are subject to post-audit by HPD.

(1) In addition to the bases for revocation of tax benefits provided in chapter thirty-seven of this title, the Commissioner may [, after notice pursuant to §5-07(g),] reduce or revoke past or future tax exemption or tax abatement if he or she finds that the application for tax exemption or tax abatement, including all affidavits submitted in connection with the application, contains a false statement or false information as to a material matter or omits a material matter relating to claimed costs. It is the responsibility of the recipient of the benefits, whether the original applicant or any subsequent owner, including any condominium or cooperative, to document all claimed costs in a manner acceptable to HPD and in accordance with generally accepted auditing standards so that original checks or such other proof of payment as the Office shall require can be properly matched against the items on the Itemized Cost Breakdown Schedule and so that the auditors may examine original documentation for the cost of all supplies and the cost of all subcontracts. If [, after notice of an opportunity to be heard and a request to produce documentation of claimed costs,] a recipient of tax benefits hereunder fails to substantiate claimed costs to the satisfaction of HPD, the CRC shall be reduced or revoked as applicable. In the event that HPD determines on the basis of the total available evidence that the application contains a false statement or false information as to a material matter, or omits a material matter, relating to claimed costs, all benefits hereunder shall be revoked.

(2) Tax benefits will not be revoked for failure to substantiate the amount of claimed costs after the expiration of [three] six years from the later of the date [on which the applicant collects] of the approval of the Certificate of Eligibility [from the Office] and Reasonable Cost as stated therein or the date upon which the tax benefits commence, except that (1) where an audit has been initiated within the [three] six-year period, but a final determination has not been rendered, or (2) where the applicant has not made payment in full for the work comprising the project within two years after the applicant has collected the Certificate of Eligibility, then such benefits may be revoked subsequent to such [three] six year period.

(3) [Tax benefits may be revoked in whole or in part at any time during the tax benefit period if there has been fraud or misrepresentation or for any violation of the Act or this chapter.] All books, records and documents, which in accordance with generally accepted auditing standards, may be used to substantiate entries in the applicant's books and records relating to claimed costs, shall be kept at all times available for inspection by the Office and shall be retained for a period of at least six years from the later of the date of the approval of the Certificate of Eligibility and Reasonable Cost as stated therein or the date upon which the tax benefits commence except that (1) where an audit has been initiated and a final determination has not been rendered, such records shall be retained until such determination has been made and (2) where an applicant has entered into an installment arrangement with respect to payment for work comprising all or a part of the project, such records shall be retained until the later of (i) three years from the date on which the applicant collects the Certificate of Eligibility and Reasonable Cost, and (ii) one year following payment in full for the work comprising the project.

(4) If an institutional lender has become a successor in

interest to the original owner of such building or structure, and, after diligent efforts to obtain original contracts, checks and other records normally reviewed by the Office to verify claimed costs, is unable to obtain part or all of such records, the Office shall permit the substitution, in whole or in part, of documentation certified by the institutional lender showing the amounts advanced by the institutional lender pursuant to the mortgage loan to finance such alterations or improvements along with such other documentation as the Office may require.

(5) The revocation of tax exemption and/or abatement for failure to substantiate claimed costs hereunder shall be conducted in accordance with the procedures established pursuant to chapter thirty-seven of this title. Notwithstanding the foregoing, if, after HPD delivers an Initial Notice in accordance with chapter thirty-seven of this title, the Taxpayer fails to submit documentation to substantiate claimed costs during the Comment Period as defined in such Initial Notice, HPD shall deliver a Determination Notice to the Taxpayer in accordance with such chapter.

(f) [Additional grounds for revocation. The Commissioner of the Department of Finance or the Commissioner of the Department of Housing Preservation and Development shall withdraw tax exemption and tax abatement granted to a building pursuant to the Act upon the happening of any of the following events:

(1) The building is operated for commercial or hotel or transient hotel use as indicated by, but not limited to, a lease or agreement for occupancy for periods of less than one year. Revocation shall be effective from the first tax period the prohibited use began.

(2) The real estate taxes and other charges having tax lien status with respect to the building (and land) total \$1,000 or more and remain unpaid for one year after the same are due and payable to the City and the applicant or his or her predecessor in title has not entered into an installment agreement with the City which provides for the payment of delinquent taxes, assessments or other legal charges pursuant to §11-401 et seq. of the Administrative Code or has entered into an installment agreement but all payments required by said installment agreement have not been paid when due.

(3) The building ceases to be subject to the rent regulatory provisions of law set forth in §5-03(f)(1), unless the building is exempt from such provisions pursuant to §5-03(f)(2).

(4) During the periods prescribed by §5-07(b), the owner of any building receiving tax exemption or tax abatement, or any employee or agent of such owner, fails to appear and produce books, papers, records or other data required by §5-07(a) after being duly summoned to appear.

(5) Benefits granted hereunder shall not be withdrawn if within thirty (30) days after notice of a breach or omission pursuant to §5-07(g), the purported breach or omission has been cured or the owner has established to the satisfaction of the Office or the Department of Finance that it did not occur.] Reserved.

(g) [Notice of revocation or reduction. Prior to revocation or reduction of tax exemption and tax abatement hereunder, notice of the breach or omission shall be given either by the Office or by the Department of Finance to the applicant by regular mail to the address to which the Department of Finance sends tax bills or to such other address for the applicant on record with the Department of Finance, and to the mortgagee if registered to receive tax bill from the Department of Finance. Benefits shall not be withdrawn if within thirty (30) days after notice of breach or omission the owner establishes that such breach or omission did not occur.] Reserved.

(h) [Non-discrimination. No owner of any dwelling which is receiving the benefits of the Act, nor any agent, employee, manager, or officer of such owner shall directly or indirectly deny dwelling accommodations in such property, or any of the privileges or services incident to occupancy in violation of §11-243(k) of the Administrative Code.] Reserved.

(i) Declaratory rulings. A declaratory ruling with respect to an analysis of a specific or hypothetical site, project, fact pattern or document or an interpretation of the applicability of a specific provision of §489 of the Real Property Tax Law or §11-243 of the Administrative Code or these rules to an actual or hypothetical site, project, fact pattern or document or any other issue related to eligibility may be given in the discretion of the Office upon payment of a non-refundable fee in the amount of seven hundred fifty dollars (\$750) payable at the time such declaratory ruling is requested in writing. In no event shall a declaratory ruling bind the Office as to the overall eligibility of a project for J-51 benefits. At the discretion of the Commissioner, this fee may be waived for projects supervised or funded by HPD or any other New York City or New York State agency or instrumentality.

(j) [The Department of Finance shall use the following procedure to effect revocation and reinstatement of tax benefits for non-payment of real estate taxes:

(1) In January of each calendar year, the Department of Finance shall notify the owner of such outstanding real estate taxes (as defined in paragraph 2 of §5-07(f)) pursuant to §5-07(g) of these Rules. Following the date of this notification, the owner shall have sixty (60) days to pay such outstanding taxes. This shall constitute the first cure period.

(2) If the owner has paid such outstanding taxes during the first cure period (or entered into a valid installment agreement with the City), the tax exemption and/or abatement benefits shall continue on the property. If the owner has not paid such outstanding taxes before the

expiration of the first cure period, the Department of Finance shall revoke all tax exemption and/or abatement benefits for the tax year commencing July 1 after the date of the beginning of the first cure period.

(3) Following the expiration of the first cure period, the Department of Finance shall again notify the owner of such outstanding real estate taxes (as defined in paragraph 2 of §5-07(f)) pursuant to §5-07(g) of these Rules. Following the date of this notification, the owner shall have ninety (90) days to pay such outstanding taxes. This shall constitute the second cure period.

(4) If the owner has paid such outstanding taxes during the second cure period (or entered into a valid installment agreement with the City), the Department of Finance shall, upon notification by the taxpayer, reinstate tax exemption and/or abatement benefits to the property for the tax year commencing July 1 after the date of the beginning of the first cure period. If the owner has not paid such outstanding taxes before the expiration of the second cure period, the property shall irrevocably lose all tax exemption and/or abatement benefits for such tax year, and the Department of Finance shall also revoke all tax exemption and/or abatement benefits for all tax years commencing on or after the second July 1 that follows the date of the beginning of the first cure period.

(5) Following the expiration of the second cure period, the Department of Finance shall again notify the owner of such outstanding real estate taxes (as defined in paragraph 2 of §5-07(f)) pursuant to §5-07(g) of these Rules. Following the date of this notification, the owner shall have one-hundred and eighty (180) days to pay such outstanding taxes. This shall constitute the third cure period.

(6) If the owner has paid such outstanding taxes during the third cure period (or entered into a valid installment agreement with the City), the Department of Finance shall reinstate the tax exemption and/or abatement benefits to the property for all tax years commencing on or after July 1 after the date of the beginning of the first cure period. If the owner has not paid such outstanding taxes before the expiration of the third cure period, the property owner shall irrevocably lose all J-51 tax exemption and/or abatement benefits awarded by HPD for such tax years.

(7) The Commissioner may exempt projects assisted with Substantial Governmental Assistance or projects supervised or monitored by HPD from the procedures in this subdivision by giving notice in writing to the Department of Finance, Attn: Director of Exemptions, provided, further, that projects exempted from these procedures shall continue to have tax exemption and/or abatement benefits revoked for the period of their tax delinquency for failure to pay real estate taxes pursuant to the provisions of §5-07(f)(2).

(8) All claims for reinstatement of J-51 tax exemption and/or abatement benefits resulting from revocations made prior to the effective date of these Rules must be made in writing to the Department of Finance, Property Exemption Unit, within one year of the effective date of these Rules.] Reserved.

(k) As provided in Section 39-03, [T]he revocation of benefits for noncompliance with the Act or this chapter shall not exempt any unit from continued compliance with the requirements of the Act or this chapter.

§4. Subparagraph (i) of paragraph (1) and paragraph (5) of subdivision (d) of Section 6-05 of Chapter 6 of Title 28 of the Rules of the City of New York are amended to read as follows:

(i) A sworn statement of the actual total project cost of the newly constructed building. Such actual project cost may be approved by the Department as the total project cost of such building provided all of the items comprising such actual total project cost are certified to by a certified public accountant licensed by the State of New York, and further provided that such actual total project cost does not exceed the specific costs determined by the Department pursuant to its promulgated Annual Schedule, plus any allowable abnormal, unique or special foundation costs which may be incurred. In the event that costs relating to commercial portions of the building are incomplete, an estimate of such costs may be accepted tentatively by the Office, provided a supplemental accountant's certification is provided after such costs have been determined. If additional fees are owed on the basis of such supplemental certification, benefits are subject to revocation pursuant to chapter thirty-seven of this title if the fees are not paid. Where such costs differ from the original cost certification filed with the application for a Preliminary Certificate of Eligibility, such sworn statement shall include

(5) In the event that all the required documents are not timely filed, benefits of the Act may be revoked [pursuant to §6-07(e)(5) herein] in accordance with the procedures established pursuant to chapter thirty-seven of this title. An application shall be deemed complete when all items delineated in §6-05 have been submitted, as well as any other documents which the Office may request.

§5. Section 6-07 of Chapter 6 of Title 28 of the Rules of the City of New York is amended to read as follows:

§6-07 Reserved. [Record Keeping; Revocation of Tax Exemption; Discrimination Prohibited.

(a) *Collection of data; subpoenas; testimony.* At any time subsequent to the filing of an application and during the period of tax exemption, the Department may:

(1) Examine any books, papers, records or other data which may be relevant or material to the tax exemption requested or granted;

(2) Summon any person, including, but not limited to, the owner or an officer, director, member or employee of the owner, or any person having, or having had, possession, custody or control of books, papers or records relating to the

tax exemption requested or granted, or any person or firm that participated in the construction of the building, to appear before the Commissioner or his or her designee at the time or place designated in the summons or to produce such books, papers or records or other data, and to give such testimony under oath as may be relevant or material to the tax exemption requested or granted.

(b) *Availability of books and records; revocation.* All books, records and documents required by §6-05 herein, or which relate to or support the application made pursuant to this chapter as well as an annual schedule of rents for each unit in the building, as required by §6-04(c) herein, shall be kept by the owner and made available for inspection by the Department until the expiration of the tax exemption requested or granted. Failure to make books, records or documents, including an annual schedule of rents for each unit in the building, available upon request may result in the prospective or retroactive revocation of tax exemption benefits.

(c) *Preservation of records.* The Department shall maintain a complete file of all records, documents, notices and correspondence relating to each application. Pursuant to the provisions of the Freedom of Information Law, these records shall be open to public inspection upon prior written request to the Department of Housing Preservation and Development, Freedom of Information Record Access Officer, 100 Gold Street, 9th Floor, New York, N.Y. 10038. Records are available for inspection by members of the general public and a copy of an application or any part thereof, shall be furnished to any person upon payment of the prevailing charge.

(d) *False or misleading applications; revocation.* If the applicant has furnished information which is incorrect or misleading in any substantial respect or which fails to comply with this chapter or requirements imposed by the New York State Division of Housing and Community Renewal and if the breach or omission has not been cured within the time prescribed in §6-07(h), below, the Department may revoke any Preliminary or Final Certificate of Eligibility, retroactively or prospectively.

(e) *Additional grounds for revocation.* The Commissioner of the Department of Finance or the Commissioner of the Department of Housing Preservation and Development may withdraw tax exemption granted to a building pursuant to the Act upon the happening of any of the following events:

(1) The multiple dwelling is operated primarily for commercial, hotel, or single room occupancy use. Revocation shall be effective from the first tax quarter in which the prohibited use began;

(2) The real estate taxes or water or sewer charges with respect to the building (and land) remain unpaid for one year after the same are due and payable to the City unless the applicant or his, her or its predecessor in title has entered into an installment agreement with the City which provides for the payment of delinquent taxes, assessments or other legal charges pursuant to §11-401 et seq. of the Administrative Code and all payments required by said installment agreement have been paid when due. Revocation shall be effective from the first tax quarter in which taxes were unpaid;

(3) The building ceases to be subject to the provisions of law set forth in §6-02(g)(2) unless the building is exempt from such provisions pursuant to §6-02(g)(3). Revocation shall be effective on the date of such cessation;

(4) Any person subject to be summoned by virtue of §6-07(a) fails to appear and produce books, papers, records or other data as required by said section, after being duly summoned to appear. Revocation shall be retroactive to start of construction;

(5) The applicant fails to satisfy any time requirement set forth herein. Revocation shall be retroactive to start of construction.

(6) The applicant fails to establish to the satisfaction of the Department that affordable units created to qualify a building for the benefits of the Act which have not been transferred to a qualified not-for-profit organization are being maintained as affordable and in a habitable condition pursuant to the requirements of §6-08 herein.

(7) The multiple dwelling qualified for the benefits of the Act on the basis of Negotiable Certificates, and the Department finds that the units which were the basis for the issuance of the Negotiable Certificates which have not been transferred to a qualified not-for-profit organization are not being maintained as affordable and in a habitable condition pursuant to the requirements of §6-08 herein.

(8) The Department finds that a rental building located in the geographic exclusion area which qualified for the benefits of the Act pursuant to §6-08(b) herein has been converted to cooperative or condominium ownership prior to the expiration of the partial tax exemption.

(f) *Discrimination prohibited; revocation.* No owner of a multiple dwelling which is receiving the benefits of the Act, nor any agent, employee, manager or officer of such owner shall directly or indirectly deny to any person any of the dwelling accommodations in such property or any of the privileges or services incident to occupancy thereto in violation of the anti-discrimination provisions of §8-107 of the Administrative Code. The practice of any discrimination as described herein shall result in the revocation of benefits under the Act, retroactive to the date of such practice. Nothing contained in this subdivision (f) shall restrict such consideration in the development of housing accommodations for the lawful purpose of providing for the special needs of a particular group.

(g) *Initial occupancy of designated units not by persons of low*

and moderate income or not affordable; revocation. No owner of a multiple dwelling located within the geographic exclusion area, which is receiving the benefits of the Act only because the requisite number of affordable units has been created, nor any employee, manager, or officer of such owner shall, at initial occupancy, or upon vacancy, directly or indirectly, rent such affordable unit to any person ineligible for such occupancy or, at any time during the tax benefit period, rent fewer than the number of units required by the Department pursuant to §6-08 herein at a cost affordable to persons of low and moderate income. Any such practice shall result in the revocation of benefits under the Act, retroactive to commencement of construction.

(h) *Notice and procedure upon revocation.* The Department shall serve, by ordinary mail, a Notice of Revocation or Reduction on the applicant and any subsequent owner or mortgagee, which has previously registered with the Department for the receipt of such notice, that said applicant, owner or mortgagee has furnished incorrect or misleading information of a substantial nature, or has omitted information of a material nature, or is in violation of one or more provisions of the Act or this chapter. The notice will provide a brief description of the violation alleged. The applicant, owner or mortgagee shall have ninety (90) days to cure the violation or, alternatively, may request an informal hearing within thirty (30) days from the date of the notice to rebut the allegations therein. Upon the applicant's, owner's or mortgagee's failure to cure or rebut within the time prescribed, the Department shall advise the Department of Finance that a Certificate of Eligibility has been revoked or that the amount of exemption is to be reduced. The Department of Finance shall retroactively or prospectively withdraw or reduce tax exemption granted to an eligible multiple dwelling. In the case of a retroactive revocation, the Department of Finance shall reinstate the amount of taxes which have been exempted and charge interest at the rate prescribed by the Administrative Code to be calculated from the day on which such taxes would have been payable but for the exemption.]

§6. Subparagraph (i) of paragraph (2) of subdivision (e) of Section 6-08 of Chapter 6 of Title 28 of the Rules of the City of New York is amended to read as follows:

(i) In the event ownership of the affordable units is retained by a for-profit owner, the owner of the building receiving the benefits of the Act as a result of satisfaction of the requirements of this section shall have the ongoing responsibility for insuring the continuing maintenance and operation of the affordable units in a habitable condition. Should an owner fail to maintain such units as affordable or in a habitable condition, [pursuant to §6-07(e)(6), (7) and (8) of this chapter,] benefits of the Act received by the multiple dwelling located in the geographic exclusion area shall be revoked retroactive to the start of construction. [Upon receipt of a Notice of Revocation pursuant to §6-07(h) of this chapter, the owner shall have a ninety day period to cure such violation.] Such revocation shall be conducted in accordance with the procedures established pursuant to chapter thirty-seven of this title.

§7. Paragraph (4) of subdivision (b) of Section 6-09 of Title 28 of the Rules of the City of New York is amended to read as follows:

(4) [In addition to the grounds for revocation provided pursuant to §6-07 of this chapter, the Commissioner of the Department of Finance or the Commissioner of the Department of Housing Preservation and Development may withdraw tax exemption granted to a building pursuant to the Act, retroactively or prospectively, upon its failure to comply with any of the provisions of this §6-09.] Reserved.

§8. Section 7-04 of Chapter 7 of Title 28 of the Rules of the City of New York is amended to read as follows:

§ 7-04 [Revocation of Tax Exemption.

(a) *False or misleading application.* If the applicant has furnished information which is incorrect or misleading in any substantial respect or which fails to comply with these regulations and if the breach or omission has not been cured within ninety (90) days, or such lesser time as may be designated by the Office, after notice has been given to the applicant and any subsequent owner or mortgagee of the private dwelling registered with the Office, the Office shall revoke a Preliminary or Final Certificate of Eligibility.

(b) *Failure to complete within required time.* If the applicant fails to complete construction or reconstruction within the time provided in paragraph (2) of § 7-03(b), the Office shall revoke a Preliminary Certificate of Eligibility.

(c) *Non-conforming use.* If the Office determines that a private dwelling is not being used for residential purposes at any time after two years of tax exemption received pursuant to these regulations, the Office shall revoke a Preliminary or Final Certificate of Eligibility.

(d) *Procedure upon revocation.* The Office shall advise the Department of Finance that a Preliminary or Final Certificate of Eligibility has been revoked. The Department of Finance shall prospectively withdraw tax exemption granted to an eligible project unless revocation occurred pursuant to § 7-04(a) in which case the Department of Finance shall reinstate the amount of taxes which have been exempted, together with interest, at the rate of fifteen (15%) percent per annum to be calculated from the day on which such taxes would have been payable but for the exemption.

(e) *Criminal penalties.* In addition to revocation of tax exemption, applicants who submit applications which contain false statements or false information may be subject to criminal penalties as provided in Article 175 of the Penal Law] Reserved.

§9. Paragraph (3) of subdivision (d) of Section 31-04 of Chapter 31 of the Rules of the City of New York is amended to read as follows:

(3) Notwithstanding the issuance of a Certificate of Eligibility, the tax exemption may be revoked or revised pursuant to [§ 31-06 of these rules] chapter thirty-seven of this title.

§10. Section 31-06 of Chapter 31 of Title 28 of the Rules of the City of New York is amended to read as follows:

§ 31-06 [Record Keeping; Revocation of Tax Exemption] Fees and Declaratory Rulings.

(a) [Subpoenas, Oaths, Books and Records. For the purpose of ascertaining the correctness of any application, the Commissioner may: (1) examine any books, papers, records or other data which may be relevant or material to such inquiry; (2) summon any person, including the owner or an officer or any employee of the owner, or any person having possession, custody or care of books, papers or records relating to the correctness of the application, to appear before the Commissioner or his or her designee at the time or place named in the summons or to produce such books, paper, records or other data and to give such testimony under oath, as may be relevant or material to such inquiry; and (3) take such testimony under oath as may be relevant to such inquiry.] Reserved.

(b) [Retention of Books and Records. All books, records and documents listed in § 31-04, together with all other documents which may be used to substantiate entries in the applicant's books and records shall be kept by the applicant at all times available for inspection by the Office and shall be retained for the duration of the tax exemption.] Reserved.

(c) [Preservation and Inspection of Records. Records of each application shall be maintained by the Office. Records of approved applications are available for inspection and copying upon prior written request to the Office. Copies of records are available upon payment in advance of an amount to be determined by the Office.] Reserved.

(d) [Suspension or Revocation of Tax Exemption.

(1) The Commissioner may suspend future tax exemptions if she or he finds reasonable evidence indicating that the application for tax exemption, including any substantiating documentation submitted or considered in connection with the application, contains a false statement or false information as to a material matter or omits a material matter. In the event the Commissioner determines, on the basis of the total available evidence, that the application contains false statements or false information as to a material matter or omits a material matter, all past and future benefits hereunder may be revoked.

(2) The Commissioner may revoke the tax exemption retroactively in whole or in part during the tax exemption period if there has been fraud or misrepresentation or for a failure to provide notice under § 31-06(f) hereof.

(3) The Commissioner shall revoke or revise, as applicable, tax exemptions prospectively in the event the Real Property or any portion thereof is no longer Eligible Property. An Eligible Property shall not be deemed "no longer an Eligible Property" for the purposes of this paragraph solely because the term of the Loan has expired.] Reserved.

(e) [Additional Grounds for Suspension or Revocation.

(1) The Commissioner may suspend tax exemptions prospectively in the event that the owner of the Real Property is in default under the terms of the Loan and/or the Regulatory Agreement. The suspension of tax exemption shall commence upon the date of the issuance of a notice of default from the City. In the event the default is not cured, the Commissioner shall revoke all future tax exemptions.

(2) If the Allocation Document for the Real Property submitted with the application for Certificate of Eligibility was not a United States Treasury Form 8609 of which Part I of said form has been completed by the Housing Credit Agency, the Commissioner may revoke past and future tax exemption if the Applicant has not submitted such form 8609 within thirty-six months of the Initial Filing Date of the application. The Commissioner may revoke past and future tax exemptions if the Applicant has not submitted to the Office a Permanent Certificate of Occupancy for the Eligible Property within thirty-six months after the Initial Filing Date.] Reserved.

(f) [Owner's Notification. Throughout the period of the exemption, if there is any material change in the information upon which the Office has relied in granting the Certificate of Eligibility, the owner of the Real Property benefiting from tax exemption shall notify the Office within one month of such changes. Such notification shall be by certified mail and in a form acceptable to the Office. Such material changes shall include, but not be limited to, changes in the use of any portion of the Eligible Property as Housing Accommodations and changes in any aspect of the ownership status or management of Applicant.] Reserved.

(g) [Notice of Suspension, Revocation or Reduction. Prior to suspension, revocation or reduction of tax exemption hereunder, notice of the breach or omission shall be given by the Office to the applicant by certified mail to the address of the owner or agent duly registered on the City Collector's Owner Registration File. Benefits shall not be suspended, revoked or reduced if, within thirty days after the date of the mailing of such notice, the owner establishes that such breach or omission did not occur.] Reserved.

(h) Fees and Declaratory Rulings. [For Applications received after the effective date of these Rules, the] The Office shall charge a filing fee of one hundred (\$100) dollars per Application. In addition, there shall be a charge of eighty (\$80) dollars per Class A dwelling unit and sixty (\$60) dollars per Class B dwelling unit, as applicable, due at the time of issuance of a Certificate of Eligibility. Such fee shall be non-

refundable under any circumstances, including but not limited to the subsequent revocation or revision of a Certificate. A declaratory ruling with respect to an analysis of a specific fact pattern, document or organizational structure or an interpretation of the applicability of a specific provision of the 420-c statute or Rules to an actual or hypothetical site, project, fact pattern, document or organizational structure or any other issue related to eligibility may be given by the Office upon payment of a non-refundable fee of two hundred fifty (\$250) dollars payable at the time such declaratory ruling is requested in writing. In no event shall a prior ruling bind the Office as to the overall eligibility of a project for 420-c benefits.

§11. Section 32-06 of Chapter 32 of Title 28 of the Rules of the City of New York is amended to read as follows:

§ 32-06 [Certifying Continuing Use, Record Keeping; Revocation of Tax Exemption and Abatement; Discrimination Prohibited.

(a) Certifying continuing use.

(1) For the duration of the benefit period, the recipient shall file annually with the Department, on or before the taxable status date, a certificate of continuing use. Such certificate shall be on a form prescribed by the Department. The Department shall have the recipient authority to require such information as it deems necessary to determine whether the Recipient has established continuing eligibility for benefits.

(2) The Department shall have the authority to terminate benefits pursuant to the Act upon failure of the recipient to file such certificate by the taxable status date. The burden of proof shall be on the recipient to establish continuing eligibility for benefits and the Department may require that statements made in such certificate shall be made under oath.

(3) The recipient shall, on the certificate of continuing use, state whether any charges alleging violation by the recipient or any person owning substantial interest (as herein defined as ownership and control of an interest of ten per cent (10%) or more in property or any person owning a property) in the property, or any officer, director, or general partner of the recipient or person owning a substantial interest in the property, or any person for whom the recipient or person owning a substantial interest in the property is an officer, director or general partner, of § 235 of the Real Property Law or any section of Article 150 of the Penal Law or any similar arson law of another jurisdiction, are pending.

(b) Collection of data; subpoenas; testimony. At any time subsequent to the filing of an application and during the benefit period, the Department may:

(1) Examine any books, papers, records, or other data which may be relevant or material to the tax exemption requested or granted;

(2) Administer oaths to and take the testimony of any person, including, but not limited to the owner of property which is the subject of an application for a certificate of eligibility or a certificate of eligibility pursuant to the Act and issue subpoenas requiring the attendance of persons and the production of such bills, books, papers, or other documents as it shall deem necessary.

(c) Availability of books and records, revocation. All books, records and documents required by § 32-03(a) herein, or which relate to or support the application made pursuant to the Act, shall be kept by the owner and made available for inspection by the Department until the expiration of the tax benefit requested or granted. Failure to make books, records, or documents, including an annual schedule of rents for each unit in the building available upon request for the benefit period may result in the termination or revocation of tax benefits.

(d) Preservation of records. The Department shall maintain a complete file of all records, documents, notice and correspondence relating to each application. Pursuant to the provisions of the Freedom of Information Law, these records shall be open to public inspection upon prior written request to the Department of Housing Preservation and Development, Records Access Officer, 100 Gold Street, New York, NY 10038.

(e) False or misleading documents; revocation.

(1) The Department may deny, reduce, terminate or revoke any exemption from or abatement of tax payments pursuant to the Act whenever:

(i) a recipient fails to comply with the requirements of the Act or the rules; or

(ii) an application, certificate, report or other document submitted by an applicant or recipient pursuant to the Act or these rules contains a false or misleading statement as to a material fact or omits to state any material fact necessary in order to make the statements therein not false or misleading. The Department may declare any applicant or recipient referred to in § 32-06(e)(1)(i) or § 32-06(e)(1)(ii) of these rules to be ineligible for future benefits pursuant to the Act for the same or other property.

(2) Notwithstanding any other law to the contrary, a recipient shall be personally liable for any taxes owed pursuant to the Act whenever such recipient fails to comply with the Act or these rules, or makes such false or misleading statement or omission, and the Department determines that such act was due to the recipient's willful neglect, or that under the circumstances such act constituted a fraud on the Department or a buyer or prospective buyer of the property. The remedy herein for an action in personam shall be in addition to any other remedy or procedure for the enforcement of collection of delinquent taxes provided by any

general, special or local law. Any lease provision which obligates a tenant to pay taxes which become due because of willful neglect or fraud by the recipient, or otherwise relieves or indemnifies the recipient from any personal liability arising hereunder, shall be void as against public policy except where the imposition of such taxes or liability is occasioned by actions of the tenant in violation of the lease.

(f) Additional grounds for termination or revocation. The Commissioner of Finance or the Commissioner of Housing Preservation and Development may terminate or revoke tax exemption and tax abatement granted to a building pursuant to the Act upon the happening of any of the following events:

(1) Any eligible multiple dwelling in which aggregate floor area is converted from the use authorized pursuant to the Act:

(i) where such conversion results in less than seventy-five per cent (75%) of the aggregate floor area of such property being used or held out for use for dwelling purposes, or

(ii) where such conversion results in more than twenty-five per cent (25%) of such aggregate floor area being used or held out for use for commercial, community facility or accessory use space, or

(iii) where such conversion in a building of 100,000 square feet or more of aggregate floor area that has a certificate of eligibility for partial exemption or partial abatement pursuant to § 32-04(b)(3) of these rules results in less than fifty per cent (50%) of such aggregate floor area being used or held out for use for dwelling purposes, shall cease to be eligible for benefits as of the last date upon which the eligible multiple dwelling met the requirements of the Act and the recipient proves by clear and convincing evidence that at least seventy-five per cent (75%) of the aggregate floor area of the property was used or held out for use for dwelling purposes, or twenty-five per cent (25%) or less of the aggregate floor area of such property was used or held out for use for commercial, community facility or accessory use space, or at least fifty per cent (50%) of the aggregate floor area of such property in a building of 100,000 square feet or more which is receiving partial exemption or abatement benefits was used or held out for use for dwelling purposes, respectively. Such recipient shall pay, with interest, any taxes for which benefits were claimed after such date, including the pro-rata share of tax for which any benefits were claimed during the tax year in which the property was converted to a use not eligible for benefits pursuant to the Act. Notwithstanding the foregoing, an eligible multiple dwelling shall not be subject to termination or revocation of benefits pursuant to this paragraph (1) by reason of the conversion of the use of space therein if such conversion results from the actions of a third party unaffiliated with the recipient, the lease or occupancy agreement with such third party contains a provision prohibiting such conversion, and the recipient is actively prosecuting enforcement of such provision.

(2) If, during the benefit period, any real property tax or water or sewer charge due and payable with respect to property receiving an exemption or abatement pursuant to the Act shall remain unpaid for at least one year following the date upon which such tax or charge became due and payable, all exceptions and abatements granted pursuant to the Act with respect to such property shall be revoked, unless within thirty days from the mailing of a notice of revocation by the Department of Finance satisfactory proof is presented to the Department of Finance that any and all delinquent taxes and charges owing with respect to such property as of the date of such notice have been paid in full or are currently being paid in timely installments pursuant to a written agreement with the Department of Finance or other appropriate agency. Any revocation pursuant to this paragraph shall be effective with respect to real property tax which became due and payable following the date of such revocation.

(3) The eligible multiple dwelling ceases to be subject to the provisions of law set forth in § 32-05 of these rules unless the eligible multiple dwelling is exempt from such provisions. Termination shall be effective on the date of such cessation;

(4) Any person subject to be summoned by virtue of § 32-06(b) of these rules fails to appear and produce books, papers, records, or other data as required by said section, after being duly summoned to appear. Revocation shall be retroactive to start of construction;

(5) The applicant fails to file the certificate of continuing use as described in § 32-06(a) of these rules by the taxable status date of a given year. Termination of benefits shall take effect July 1 of the tax year relating to such taxable status date.

(6) Any partial exemption from or partial abatement of real property taxes granted pursuant to the Act for a non-residential building of 100,000 square feet or more of aggregate floor area shall be revoked if completion of conversion of at least seventy-five per cent (75%) of the aggregate floor area of such non-residential building has not taken place within five years of commencement of conversion. Revocation shall be retroactive to the commencement of the benefit period.

(7) If any person described in the statement required by § 32-03(a)(8) or § 32-06(a)(3) of these rules is finally adjudicated by a court of competent jurisdiction to be guilty of any charge listed in such statement, the recipient shall cease to be eligible for benefits pursuant to the Act and shall pay, with interest, any taxes for which benefits were claimed pursuant to the Act.

(g) Discrimination prohibited; revocation. No owner of a multiple dwelling that is receiving the benefits of the Act, nor any agent, employee, manager or officer of such owner shall directly or indirectly deny to any person any of the dwelling accommodations in such property or any of the privileges or services incident to occupancy thereto in violation of the anti-discrimination provision of § 8-107 of the Administrative Code. The practice of any discrimination as described herein shall result in the revocation of benefits under the Act, retroactive to the date of such practice. Nothing contained in this subdivision (g) shall restrict such consideration in the development of housing accommodations for the lawful purpose of providing for the special needs of a particular group.

(h) Notice and procedure upon reduction, suspension, termination or revocation. Prior to any reduction, suspension, termination or revocation of benefits under the Act, the Department shall serve, by ordinary mail, a Notice of Reduction, Suspension, Termination, or Revocation on the Eligible Multiple Dwelling, Attn: Managing Agent (or on such other person as the recipient may request in writing), stating that said recipient is in violation of one or more provisions of the Act or these rules. The notice will provide a brief description of the violation alleged. The recipient shall have

ninety (90) days to cure the violation or, alternatively, may request an informal hearing within (30) days from the date of the notice to rebut the allegations therein. Upon the recipient's failure to cure or rebut within the time prescribed, the Department shall advise the Department of Finance that the recipient's certificate of eligibility has been suspended, terminated, or revoked or that the recipient's exemption or abatement has been reduced. The Department of Finance shall take such action as is necessary to execute the penalty imposed by the Department. All taxes plus interest required to be paid retroactively pursuant to the Act or these rules shall constitute a tax lien as of the date that it is determined that such taxes would have been due but for the benefits claimed pursuant to the Act at three per cent (3%) above the applicable rate of interest imposed by such city generally for non-payment of real property tax with respect to such property for the period in question] Reserved.

Statement of Basis and Purpose. HPD is responsible for making eligibility determinations for exemptions from or abatements of real property taxation pursuant to Real Property Tax Law §§ 420-c, 421-a, 421-b, 421-g and 489, provisions of the City of New York Administrative Code enacted pursuant thereto, and rules of the City of New York promulgated pursuant thereto. The rule amendments standardize HPD's procedures for any partial or total revocation, reduction, termination or cancellation of such tax benefits, and ensure that HPD meets the due process rights of beneficiaries of such tax exemptions and/or abatements in implementing such procedures. These rule amendments are

not intended to make any substantive changes in the eligibility requirements for these tax benefit programs nor in the continuing obligations such programs impose on taxpayers upon the revocation or termination of their tax benefits.

Commissioner Rafael E. Cestero
March 16, 2010



CITY PLANNING

■ NOTICE

**PROPOSED ANNUAL PERFORMANCE REPORT (APR)
2009 CONSOLIDATED PLAN PROGRAM YEAR
COMMENT PERIOD - March 12 - March 26, 2010**

The Proposed 2009 Consolidated Plan Annual Performance Report (APR) Public Comment Period will be from March

12th to March 26th. This document describes the City's performance concerning the: statutory requirements of the Cranston-Gonzalez Housing Act's Comprehensive Housing Affordability Strategy, and the City's use of the four U.S. Department of Housing and Urban Development (HUD) Community Planning and Development formula entitlement programs: Community Development Block Grant (CDBG); HOME Investment Partnerships (HOME); Emergency Shelter Grant (ESG); and Housing Opportunities for Persons with AIDS (HOPWA). The APR reports on the accomplishments and commitment of these funds during the 2009 program year, January 1, 2009 to December 31, 2009. In addition, a One-Year update of the City's Affirmatively Furthering Fair Housing (AFFH) Statement is included.

As of March 12, 2010, copies of the Proposed APR can be obtained at the Department of City Planning Bookstore, 22 Reade Street, Manhattan, (Monday 12:00 P.M. to 4:00 P.M., Tuesday - Friday 10:00 A.M. to 1:00 P.M. In addition, the report will be posted in Adobe .PDF format for free downloading on City Planning's Website at: www.nyc.gov/planning. Furthermore, copies of the Proposed APR will be available for review at the main public library in each of the five boroughs. Please call (212) 720-3531 for information on the closest library.

The public comment period ends close of business March 26, 2010. Written comments should be sent to: Charles V. Sorrentino, New York City Consolidated Plan Coordinator, Department of City Planning, 22 Reade Street, 4N, New York, N.Y. 10007.

m8-19

CHANGES IN PERSONNEL

COMMUNITY COLLEGE (MANHATTAN)
FOR PERIOD ENDING 02/05/10

NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE
SANABRIA	CAMILO	04294	\$86.4533	DECREASE	YES	01/17/10
SANABRIA	OLGA	I 04294	\$108.0667	APPOINTED	YES	01/17/10
SANCHEZ	JOHN	M 04294	\$108.0667	INCREASE	YES	01/17/10
SANDLER	NATALIE	R 04293	\$101.8383	INCREASE	YES	01/17/10
SANFORD	BRUCE	R 04294	\$53.8000	DECREASE	YES	01/17/10
SANGARI	HARPAL	04293	\$114.7200	DECREASE	YES	01/17/10
SANTIAGO	DENISE	04293	\$89.2267	DECREASE	YES	01/17/10
SARAVANAMUTHU	KARUNEND	V 04294	\$116.9167	INCREASE	YES	01/17/10
SAULS	DONNIE	04294	\$32.4200	INCREASE	YES	01/17/10
SAXON	ERIK	04294	\$121.0500	INCREASE	YES	01/17/10
SCHILDKRAUT	BILLIE	E 04294	\$94.1500	INCREASE	YES	01/17/10
SCHOENBLUM	JERROLD	W 04605	\$71.3600	INCREASE	YES	01/17/10
SCHOENWOLF	GERALD	04293	\$92.7967	INCREASE	YES	01/17/10
SCHON	MICKEY	04294	\$121.0500	INCREASE	YES	01/17/10
SCHONZEIT	MARCIA	04294	\$75.6467	INCREASE	YES	01/17/10
SCHRAGER	EDWARD	04294	\$26.9000	INCREASE	YES	01/17/10
SCHUTZMAN	ESTELLE	04293	\$101.8383	INCREASE	YES	01/17/10
SCHWARTZ	LAURENCE	C 04294	\$94.1500	DECREASE	YES	01/17/10
SCOFIELD	PAUL	04294	\$75.6467	DECREASE	YES	01/17/10
SCOTT	BARRINGT	04294	\$85.4933	DECREASE	YES	01/17/10
SEALY	FREDERIC	04294	\$43.2267	INCREASE	YES	01/17/10
SEATON	MARLON	A 04294	\$75.6467	INCREASE	YES	01/17/10
SEIDE	PIERRE	A 04294	\$85.4933	INCREASE	YES	01/17/10
SEITZ	MICHAEL	04293	\$89.2267	INCREASE	YES	01/17/10
SELIG	RALPH	04291	\$124.8800	INCREASE	YES	01/17/10
SELIG	VERA	04294	\$53.8000	DECREASE	YES	01/17/10
SELTZER	BRUCE	04294	\$81.8417	INCREASE	YES	01/17/10
SEN	KUNAL	04293	\$122.5500	INCREASE	YES	01/17/10
SEQUENZIA	SOFIA	04294	\$75.6467	APPOINTED	YES	01/17/10
SERINI	ROCCO	J 04294	\$94.1500	INCREASE	YES	01/17/10
SHAHEEN	STEPHEN	04294	\$75.6467	INCREASE	YES	01/17/10
SHARPE	BRUCE	04294	\$122.1333	INCREASE	YES	01/17/10
SHAW	LESLIE	A 04294	\$134.5000	INCREASE	YES	01/17/10
SHEINMEL	ELAINE	S 04294	\$134.5000	INCREASE	YES	01/17/10
SHER	LAWRENCE	04291	\$110.9733	INCREASE	YES	01/17/10
SHIN	SUNG	B 04293	\$110.2950	INCREASE	YES	01/17/10
SHKRAB	ALEKSAND	04293	\$89.2267	INCREASE	YES	01/17/10
SHPIRO	POLINA	04294	\$75.6467	INCREASE	YES	01/17/10
SHTERN	ADELE	04292	\$64.7733	INCREASE	YES	01/17/10
SIEGEL	MICHAEL	S 04294	\$121.0500	INCREASE	YES	01/17/10
SILVA	H. NEWTO	S 04293	\$110.2950	INCREASE	YES	01/17/10
SILVERBERG	MARVIN	04293	\$127.4667	INCREASE	YES	01/17/10
SIMONS	BRIAN	M 04294	\$75.6467	INCREASE	YES	01/17/10
SINGH	GAVENDRA	04294	\$43.2267	DECREASE	YES	01/17/10
SIVERLS	ALFONSO	E 04294	\$94.1500	INCREASE	YES	01/17/10
SIXSMITH	DIANE	M 04291	\$178.4000	INCREASE	YES	01/17/10
SLOTE	ELLEN	J 04294	\$75.6467	APPOINTED	YES	01/17/10
SLOTOROFF	SALLY	04294	\$26.9000	INCREASE	YES	01/17/10
SMALL	VALERIE	04608	\$81.8417	INCREASE	YES	01/17/10
SMITH	ESTHER	04294	\$81.8417	INCREASE	YES	01/17/10
SMITH	IAN	04294	\$32.4200	DECREASE	YES	01/17/10
SMOKE	GARY	04293	\$92.7967	INCREASE	YES	01/17/10
SMOKE	GARY	04294	\$39.7700	DECREASE	YES	01/17/10
SNIDER	ZACHARY	P 04293	\$122.5500	INCREASE	YES	01/17/10
SOLEYN	NORVAL	04294	\$35.0750	INCREASE	YES	01/17/10
SOLOMON	GOLDA	04292	\$113.3533	INCREASE	YES	01/17/10
SORCE	ANTHONY	J 04605	\$71.3600	INCREASE	YES	01/17/10
SORENSEN	ROBERT	04294	\$94.1500	INCREASE	YES	01/17/10
SPACKMAN	ELIZABET	S 04294	\$108.0667	INCREASE	YES	01/17/10
SPECTOR	LAWRENCE	B 04293	\$130.9350	INCREASE	YES	01/17/10
SPELBER	GARY	04294	\$94.1500	INCREASE	YES	01/17/10
SPOSITO	DIANNE	04294	\$81.8417	INCREASE	YES	01/17/10
STAMOS	CHRIS	04293	\$145.4833	INCREASE	YES	01/17/10
STEIN	SHERYL	04294	\$75.6467	INCREASE	YES	01/17/10
STEINHAUS	MAXINE	04294	\$94.1500	INCREASE	YES	01/17/10
STEPHENS PRINCE	JEFFREY	W 04294	\$101.1300	INCREASE	YES	01/17/10
STEPHENSON	SHARON	04294	\$94.1500	INCREASE	YES	01/17/10
STERNBERG	DARCY	04294	\$81.8417	INCREASE	YES	01/17/10
STEVENSON	GEORGE	04294	\$43.2267	INCREASE	YES	01/17/10
STIEFEL	SNEZANA	04294	\$101.1300	INCREASE	YES	01/17/10
STORCH	MAXINE	04294	\$105.2250	INCREASE	YES	01/17/10
STORY	ALEXANDR	V 04294	\$75.6467	INCREASE	YES	01/17/10
STRACHAN	CAROLYN	04294	\$94.1500	INCREASE	YES	01/17/10
STRACHE	LOUISE	E 04625	\$40.0000	APPOINTED	YES	01/12/10
STREET	RACHELLE	R 04294	\$43.2667	APPOINTED	YES	01/17/10
STREETER	STEVEN	R 04294	\$108.0667	INCREASE	YES	01/17/10
SUTAK	KEVIN	M 04294	\$94.1500	INCREASE	YES	01/17/10
TANG	XIAO YAN	04294	\$108.0667	INCREASE	YES	01/17/10
TANNU	SHIREEN	04294	\$134.5000	INCREASE	YES	01/17/10
TAUSCH	JEREMY	04294	\$116.9167	INCREASE	YES	01/17/10
TAVAKOL	RAHMAT	04293	\$145.4833	INCREASE	YES	01/17/10
TAYLOR	ROBERT	M 04294	\$21.6133	INCREASE	YES	01/17/10
TEISSEDERE	BRIGITTE	04293	\$85.7850	INCREASE	YES	01/17/10
TEIXEIRA	KLEMENT	04606	\$54.9800	INCREASE	YES	01/17/10

TELCHER	SUSAN	04294	\$75.6467	INCREASE	YES	01/17/10
TELPHA	CAROL	04294	\$108.0667	INCREASE	YES	01/17/10
TENNENT	MARTHA	04293	\$36.7650	INCREASE	YES	01/17/10
TETTEH	ISAAC	04294	\$93.5333	INCREASE	YES	01/17/10
TEUTSCHEL	ANNE	C 04294	\$75.6467	INCREASE	YES	01/17/10
THELUSMA	FRANTZ	04294	\$75.6467	INCREASE	YES	01/17/10
THIERS-THIAM	VALERIE	04606	\$52.8600	APPOINTED	YES	01/17/10
THOMAS	LAHISHA	R 04294	\$78.6567	INCREASE	YES	01/17/10
THORNE	JOAN	04292	\$145.7400	INCREASE	YES	01/17/10
THORNHILL	KAREN	04294	\$112.3667	DECREASE	YES	01/17/10
TIRRELL	JORDAN	O 04294	\$75.6467	DECREASE	YES	01/17/10
TOMLINSON	ADELL	M 04293	\$72.7417	DECREASE	YES	01/17/10
TOPLAN	SHIRLEY	04294	\$94.1500	INCREASE	YES	01/17/10
TORRES	DAISY	04294	\$36.6400	INCREASE	YES	01/17/10
TORRES	RACHEL	04293	\$36.7650	DECREASE	YES	01/17/10
TOURNAS	IOANNIS	04293	\$36.7650	INCREASE	YES	01/17/10
TOUSLEY	STEVEN	04294	\$109.9200	INCREASE	YES	01/17/10
TRAORE	IBRAHIMA	04294	\$105.2250	DECREASE	YES	01/17/10
TRINKUNAITE	RITA	04294	\$43.2267	DECREASE	YES	01/17/10
TRUJILLO	JOHN	04294	\$75.6467	INCREASE	YES	01/17/10
TSOUTI-SCHILLIN	NENA	04294	\$105.2250	INCREASE	YES	01/17/10
TULLY	ANDREW	T 04294	\$32.4200	INCREASE	YES	01/17/10
TULLY	TRACY	A 04294	\$32.4200	APPOINTED	YES	01/17/10
UDDIN	SHAHIN	04294	\$43.2267	DECREASE	YES	01/17/10
UEDA	JASON	T 04294	\$75.6467	DECREASE	YES	01/17/10
UEHLEIN	JOHN	04294	\$97.2600	INCREASE	YES	01/17/10
UNGER	RONI	J 04292	\$113.3533	INCREASE	YES	01/17/10
URBAN	SUSAN	A 04294	\$32.4200	DECREASE	YES	01/17/10
VAK	MAKSIM	I 04293	\$89.2267	INCREASE	YES	01/17/10
VALDERRUTEN	DICKON	04294	\$78.6567	INCREASE	YES	01/17/10
VALERIO	ERMELIN	04875	\$41175.0000	APPOINTED	NO	01/20/10
VALKAINE	KRISZTIN	04294	\$108.0667	DECREASE	YES	01/17/10
VAUGHAN	REBECCA	A 04294	\$94.1500	INCREASE	YES	01/17/10
VAUGHN	EDWARD	J 04293	\$127.4667	INCREASE	YES	01/17/10
VEGA	JULIE	M 04294	\$134.5000	INCREASE	YES	01/17/10
VENESKEY	ELIZABET	A 04625	\$40.0000	APPOINTED	YES	01/13/10
VINER	MARIANNA	04294	\$108.0667	INCREASE	YES	01/17/10
VOZICK	MICHAEL	04294	\$121.0500	INCREASE	YES	01/17/10
WADE	RIANNAN	M 04294	\$75.6467	INCREASE	YES	01/17/10
WALKER	EULETTE	P 04294	\$56.1833	DECREASE	YES	01/17/10
WALKER	VERN	E 04294	\$32.4200	INCREASE	YES	01/17/10
WALLACE	WILLIAM	04294	\$134.5000	INCREASE	YES	01/17/10
WALTERS	GEORGE	K 04294	\$75.6467	INCREASE	YES	01/17/10
WANDER	PHILIP	S 04294	\$97.2600	INCREASE	YES	01/17/10
WASHINGTON	JOYCE	A 04608	\$50.9867	INCREASE	YES	01/17/10
WASHINGTON	WENDY	A 04294	\$112.3667	INCREASE	YES	01/17/10
WATTS	VALERIE	R 04294	\$75.6467	DECREASE	YES	01/17/10
WEG	SIDNEY	04294	\$105.2250	INCREASE	YES	01/17/10
WEINSTEIN	AARON	04294	\$33.7100	INCREASE	YES	01/17/10
WEISS	DEBRA	04294	\$75.6467	APPOINTED	YES	01/17/10
WEITZ	MARC	04294	\$32.4200	INCREASE	YES	01/17/10
WELLINGTON	GWENDOLY	04294	\$107.6000	INCREASE	YES	01/17/10
WELZ	GARY	L 04294	\$53.8000	INCREASE	YES	01/17/10
WHETSTONE	KRISTA	04294	\$32.4200	DECREASE	YES	01/17/10
WHITE	NASEEF	04294	\$85.4933	DECREASE	YES	01/17/10
WHITENER	MILDRED	04608	\$53.8000	INCREASE	YES	01/17/10
WILLIAMS	CHERYL	04294	\$35.0750	INCREASE	YES	01/17/10
WILLIAMS	NATHANIE	04294	\$134.5000	INCREASE	YES	01/17/10
WILLIMETZ	ANDREW	M 04294	\$94.1500	INCREASE	YES	01/17/10
WINETSKY	MICHAEL	04294	\$78.6567	INCREASE	YES	01/17/10
WINSTED	KEITH	R 04294	\$86.4533	INCREASE	YES	01/17/10
WINTER	JEAN	F 04293	\$101.8383	INCREASE	YES	01/17/10
WISHENGRAD	CINDY	04294	\$75.6467	INCREASE	YES	01/17/10
WOLFE HENRY	EVELYN	A 04293	\$122.5500	INCREASE	YES	01/17/10
WRIGHT	JOSEPH	04294	\$134.5000	INCREASE	YES	01/17/10
WYNTER	JEROME	04294	\$75.6467	INCREASE	YES	01/17/10
XIN	KE	04096	\$46328.0000	INCREASE	YES	01/28/10
XIN	KE	04294	\$43.2267	INCREASE	YES	01/17/10
YADAV	NOMITA	04294	\$75.6467	INCREASE	YES	01/17/10
YANCEY	ANN	J 04096	\$5324			

ZIMMERMAN	BARRY	04293	\$92,7967	INCREASE	YES	01/17/10
ZOGLIN	PAUL	04293	\$145,4833	INCREASE	YES	01/17/10
ZUCARO	MICHAEL	04294	\$94,1500	INCREASE	YES	01/17/10
ZUFOLO	CYBELE M	04294	\$112,3667	DECREASE	YES	01/17/10

COMMUNITY COLLEGE (HOSTOS)
FOR PERIOD ENDING 02/05/10

NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE
ALLENDE	LESLIE	10102	\$10,5000	APPOINTED	YES	01/20/10
BALBUENA	MIGUEL	04294	\$75,6500	APPOINTED	YES	01/17/10
BECKETT	DIANN F	10102	\$18,7000	APPOINTED	YES	02/01/10
BOSWORTH	STEFAN A	04099	\$68024,0000	RESIGNED	YES	01/25/10
CORREA MARTINEZ	FRANKLYN	10102	\$9,8500	APPOINTED	YES	01/30/10
HARRIS	MICHAEL H	04294	\$108,0700	APPOINTED	YES	01/17/10
HERNANDEZ VALDE	NORBERTO	04294	\$32,4200	APPOINTED	YES	01/17/10
HIMES	HEATHER L	04008	\$44552,0000	APPOINTED	YES	01/28/10
JACKMAN	RODERICK A	04294	\$32,4200	APPOINTED	YES	01/17/10
LEWIS	CATHERIN H	04008	\$61903,0000	APPOINTED	YES	01/28/10
MC DONALD-HORAN	ANNE	04294	\$48,6300	APPOINTED	YES	01/17/10
MONEGRO	FELIX M	91212	\$33117,0000	APPOINTED	YES	01/22/10
MORALES	ZAIDALYN	04294	\$64,8400	APPOINTED	YES	01/17/10
NEUHOFF	KATHERIN A	04090	\$39399,0000	APPOINTED	YES	01/28/10
NUBIAN	NILAJA M B	04294	\$32,4200	APPOINTED	YES	01/17/10
PAULINO	GLORIBEL	10102	\$13,0000	APPOINTED	YES	02/01/10
RAMOS FERMIN	HATVEY M	04294	\$36,4700	APPOINTED	YES	01/31/10
RODRIGUEZ FLORE	MARIBEL	10101	\$7,2500	APPOINTED	YES	02/01/10
ROSARIO	IRIS J	10102	\$13,0000	APPOINTED	YES	02/01/10
TAVERAS	DIONICIO A	04090	\$45138,0000	APPOINTED	YES	01/28/10
WINKLER	KAREN	04008	\$64956,0000	APPOINTED	YES	01/28/10

COMMUNITY COLLEGE (LAGUARDIA)
FOR PERIOD ENDING 02/05/10

NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE
AKTAR	RAHELA	10102	\$9,7200	APPOINTED	YES	01/04/10
ALI	HISBAY H	04294	\$64,8400	APPOINTED	YES	01/04/10
CEDENO	MAYRA A	04625	\$33,5500	APPOINTED	YES	01/05/10
CHALMERS	STEVEN A	10102	\$9,7200	APPOINTED	YES	01/04/10
CORITSIDIS	DEMETRIO	04625	\$42,5200	APPOINTED	YES	01/12/10
CZUJ	MARCIN	10102	\$10,0000	APPOINTED	YES	01/19/10
DAVIS	DESTINY A	10102	\$10,4000	APPOINTED	YES	01/13/10
GERALD	IRA	04687	\$44,1200	APPOINTED	YES	01/24/10
GRGUREVICH	BOSILIJK	04821	\$46862,0000	APPOINTED	YES	01/19/10
KOBANGHE LANGAZ	THERESE H	10102	\$10,0000	APPOINTED	YES	01/11/10
KUNZ	LINDA	04292	\$85,7800	DECEASED	YES	12/22/09
MATARI	ISHAQ A	10102	\$10,0000	APPOINTED	YES	01/11/10
MATHURIN	STARON	10102	\$12,0000	APPOINTED	YES	01/12/10
MEVORAH	SANDY	10102	\$9,7200	APPOINTED	YES	01/04/10
MOSCOL	ROMMY A	10102	\$9,7200	APPOINTED	YES	01/04/10
OWENS	JUSTIN M	10102	\$9,7200	APPOINTED	YES	01/04/10
PAPPAS	ELLIE	10102	\$13,0000	APPOINTED	YES	10/13/09
RAMIREZ	MONICA I	04058	\$43439,0000	RESIGNED	YES	09/01/08
RAZZAQUE	KHAN R	10102	\$10,0000	APPOINTED	YES	01/01/10

SSAVINON	PENELOPE	10102	\$9,7200	APPOINTED	YES	01/04/10
STILL	CHERYL	04099	\$68024,0000	INCREASE	YES	01/19/10
TABAKOV	STANISLA	10102	\$18,1600	APPOINTED	YES	01/04/10
TIDWELL	TERIK T	04099	\$51195,0000	APPOINTED	YES	01/19/10
TIGREROS	MAR I	10102	\$10,0000	APPOINTED	YES	01/01/10

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LATE NOTICES

ENVIRONMENTAL PROTECTION

WASTEWATER TREATMENT

■ PUBLIC HEARINGS

NOTICE IS HERE GIVEN that a Public Hearing will be held at the Department of Environmental Protection Offices at 59-17 Junction Boulevard, 17th Floor Conference Room, Flushing, New York, on March 26, 2010 commencing at 10:00 AM on the following:

IN THE MATTER of a proposed contract between the Department of Environmental Protection and ThermoEnergy Corporation, 124 West Capital Street, Suite 880, Little Rock, Arkansas 72201 for PO-98B: ThermoEnergy Ammonia Removal Process System at 26th Ward. The Contract term shall be 42 months from the date of the written notice to proceed. The Contract amount shall be \$27,132,679.00 — Location: Borough of Brooklyn: PIN 82609WPC1179.

A copy of the Contract may be inspected at the Department of Environmental Protection, 59-17 Junction Boulevard, Flushing, New York, 11373, on the 17th Floor Bid Room, on business days from March 16, 2010 to March 26, 2010 between the hours of 9:30 A.M. – 12:00 P.M. and from 1:00 P.M. - 4:00 P.M.

Note: Individuals requesting Sign Language Interpreters should contact Ms. Debra Butlien, Office of the ACCO, 59-17 Junction Boulevard, 17th Floor, Flushing, New York 11373, (718) 595-3423, no later than FIVE(5) BUSINESS DAYS PRIOR TO THE PUBLIC HEARING.

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PARKS AND RECREATION

REVENUE AND CONCESSIONS

■ SOLICITATIONS

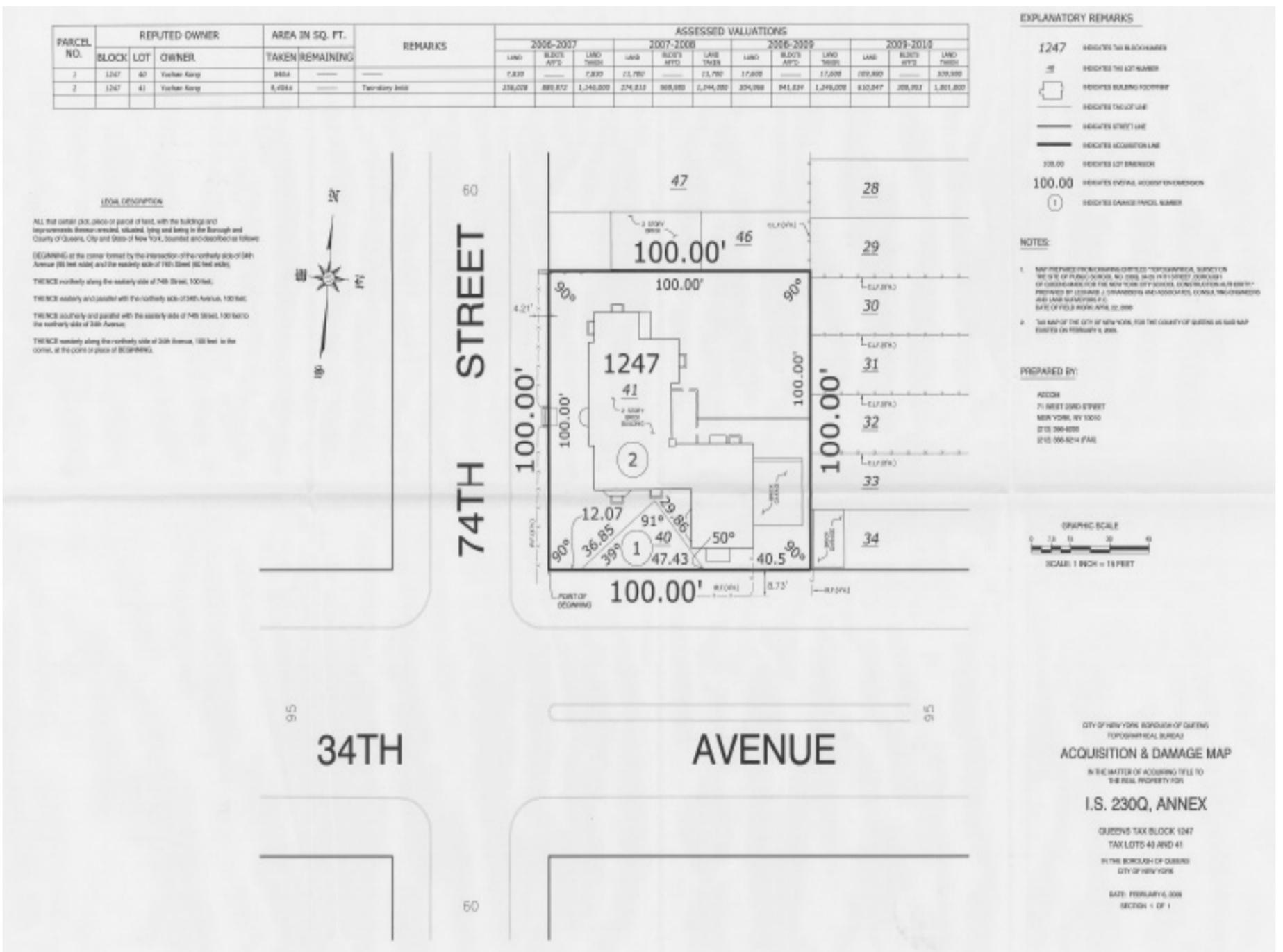
Services (Other Than Human Services)

OPERATION OF FOOD SERVICE AT THE NEW AMSTERDAM PAVILION –
Competitive Sealed Bids – Specification cannot be made sufficiently definite –
PIN# M5-PM-SB – DUE 05-03-10 AT 5:00 P.M. – At Peter Minuit Plaza, Battery Park, Manhattan.

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 Battery Conservancy, 1 New York Plaza, Concourse, New York, NY 10004. Pat Kirchner (212) 344-3491 pkirchner@thebattery.org

m16-29

COURT NOTICE MAP FOR NEW YORK CITY SCHOOL CONSTRUCTION AUTHORITY I.S. 230Q. ANNEX



READER'S GUIDE

The City Record (CR) is, published each business day and includes notices of proposed New York City procurement actions, contract awards, and other procurement-related information. Solicitation notices for most procurements valued at or above \$100,000 for information technology and for construction and construction related services, above \$50,000 for other services, and above \$25,000 for other goods are published for at least one day. Other types of procurements, such as sole source, require notice in the City Record for five consecutive days. Unless otherwise specified, the agencies and offices listed are open for business Mondays thru Fridays from 9:00 A.M. to 5:00 P.M. except legal holidays.

NOTICE TO ALL NEW YORK CITY CONTRACTORS

The New York State Constitution ensures that all laborers, workers or mechanics employed by a contractor or subcontractor doing public work are to be paid the same wage rate that prevails in the trade where the public work is being done. Additionally, New York State Labor Law §§ 220 and 230 provide that a contractor or subcontractor doing public work in construction or building service must pay its employees no less than the prevailing wage. Section 6-109 (the Living Wage Law) of the New York City Administrative Code also provides for a "living wage", as well as prevailing wage, to be paid to workers employed by City contractors in certain occupations. The Comptroller of the City of New York is mandated to enforce prevailing wage. Contact the NYC Comptrollers Office at www.comptroller.nyc.gov, click on Labor Law Schedules to view rates.

New York City's "Burma Law" (Local Law No. 33 of 1997) No Longer to be Enforced. In light of the United States Supreme Court's decision in **Crosby v. National Foreign Trade Council**, 530 U.S. 363 (2000), the City has determined that New York City's Local Law No. 33 of 1997 (codified in Administrative Code Section 6-115 and Charter Section 1524), which restricts City business with banks and companies doing business in Burma, is unconstitutional. This is to advise, therefore, that the language relating to Burma contained in existing New York City contracts may not be enforced.

CONSTRUCTION/CONSTRUCTION SERVICES OR CONSTRUCTION RELATED SERVICES

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.

VENDOR ENROLLMENT APPLICATION

New York City procures approximately \$7 billion worth of goods, services, construction and construction-related services every year. The NYC Procurement Policy Board Rules require that agencies primarily solicit from established mailing lists called bidder/proposer lists. To register for these lists-free of charge-, prospective suppliers should fill out and submit the NYC-FMS Vendor Enrollment application.

- Online at <http://nyc.gov/selltonyc>

- To request a hardcopy application, call the Vendor Enrollment Center at (212) 857-1680.

Attention Existing Suppliers:

Even if you already do business with NYC agencies, be sure to fill out an application. We are switching over to citywide, centralized Bidders Lists instead of the agency-specific lists previously used to issue notices about upcoming contract opportunities. To continue receiving notices of New York City contract opportunities, you must fill out and submit a NYC-FMS Vendor Enrollment application.

If you are uncertain whether you have already submitted an application, call us at (212) 857-1680.

SELLING TO GOVERNMENT TRAINING WORKSHOP

New and experienced vendors are encouraged to register for a free training course on how to do business with New York City. "Selling to Government" workshops are conducted by the Department of Small Business Services, 110 William Street, New York, NY 10038. Morning and afternoon sessions are convened on the first Tuesday of each month. For more information, and to register, call (212) 618-8845.

PRE-QUALIFIED LIST

New York City procurement policy permits agencies to develop and solicit from pre-qualified lists of vendors, under prescribed circumstance. When it is decided by an agency to develop a pre-qualified list, criteria for pre-qualification must be clearly explained in the solicitation and notice of the opportunity to pre-qualify for that solicitation must be published in at least five issues of the CR.

Information and qualification questionnaires for inclusion on such list may be obtained directly from the Agency Chief Contracting Officer at each agency, (see Vendor Information Manual). A completed qualification Questionnaire may be submitted to the Chief Contracting Officer at any time, unless otherwise indicated and action (approval or denial) shall be taken by the agency within 90 days from the date of submission. Any denial or revocation of pre-qualified status can be appealed to the Office of Administrative Trials and Hearings, (OATH), Section 3-11 of the Procurement Policy Board Rules describes the criteria for the general use of pre-qualified lists.

NON-MAYORAL ENTITIES

The following agencies are not subject to Procurement Policy Board rules and do not follow all of the above procedures: City University, Department of Education, Metropolitan Transportation Authority, Health & Hospitals Corporation, Housing Authority. Suppliers interested in applying for inclusion on bidders list should contact these entities directly (see Vendor Information Manual) at the addresses given.

PUBLIC ACCESS CENTER

The Public Access Center is available to suppliers and the public as a central source for supplier-related information through on-line computer access. The Center is located at 253 Broadway, 9th floor, in lower Manhattan, and is open Monday through Friday from 10:00 A.M to 3:00 P.M. For information, contact the Mayor's Office of Contract Services at (212) 788-0010.

ATTENTION: NEW YORK CITY MINORITY AND WOMEN OWNED BUSINESS ENTERPRISES

Join the growing number of Minority and Women Owned Business Enterprises (M/WBEs) that are competing for New York City's business. In order to become certified for the program, your company must substantiate that it: (1) is at least fifty-one percent (51%) owned, operated and controlled by a minority or woman and (2) is either located in New York City or has a significant tie to New York City's business community. To obtain a copy of the certification application and to learn more about the program, contact the New York City Department of Small Business Services, 110 William Street, 2nd Floor, New York, New York 10038 (212) 513-6311.

PROMPT PAYMENT

It is the policy of the City of New York to pay its bills promptly. The Procurement Policy Board Rules generally require that the City pay its bills within 30 days after the receipt of a proper invoice. The City now pays interest on all late invoices. The grace period that formerly existed was eliminated on July 1, 2000. However, there are certain types of payments that are not eligible for interest. These are listed in Section 4-06 of the Procurement Policy Board Rules. The Comptroller and OMB determine the interest rate on late payments twice a year, in January and in July.

PROCUREMENT POLICY BOARD RULES

The Rules may also be accessed on the City Website, <http://nyc.gov/selltonyc>

COMMON ABBREVIATIONS USED IN THE CR

The CR contains many abbreviations. Listed below are simple explanations of some of the most common ones appearing in the CR:

AB	Acceptable Brands List
AC	Accelerated Procurement
AMT	Amount of Contract
BL	Bidders List
CSB	Competitive Sealed Bidding (including multi-step)
CB/PQ	CB from Pre-qualified Vendor List
CP	Competitive Sealed Proposal (including multi-step)
CP/PQ	CP from Pre-qualified Vendor List
CR	The City Record newspaper
DA	Date bid/proposal documents available
DUE	Bid/Proposal due date; bid opening date
EM	Emergency Procurement
IG	Intergovernmental Purchasing
LBE	Locally Based Business Enterprise
M/WBE	Minority/Women's Business Enterprise
NA	Negotiated Acquisition
NOTICE	Date Intent to Negotiate Notice was published in CR
OLB	Award to Other Than Lowest Responsible & Responsive Bidder/Proposer
PIN	Procurement Identification Number
PPB	Procurement Policy Board
PQ	Pre-qualified Vendors List
RS	Source required by state/federal law or grant
SCE	Service Contract Short-Term Extension
DP	Demonstration Project
SS	Sole Source Procurement
ST/FED	Subject to State &/or Federal requirements

KEY TO METHODS OF SOURCE SELECTION

The Procurement Policy Board (PPB) of the City of New York has by rule defined the appropriate methods of source selection for City procurement and reasons justifying their use. The CR procurement notices of many agencies include an abbreviated reference to the source selection method utilized. The following is a list of those methods and the abbreviations used:

CSB	Competitive Sealed Bidding (including multi-step) <i>Special Case Solicitations/Summary of Circumstances:</i>
CP	Competitive Sealed Proposal (including multi-step)
CP/1	Specifications not sufficiently definite
CP/2	Judgement required in best interest of City
CP/3	Testing required to evaluate
CB/PQ/4	.....
CP/PQ/4	CB or CP from Pre-qualified Vendor List/ Advance qualification screening needed
DP	Demonstration Project
SS	Sole Source Procurement/only one source
RS	Procurement from a Required Source/ST/FED
NA	Negotiated Acquisition <i>For ongoing construction project only:</i>
NA/8	Compelling programmatic needs

NA/9	.....New contractor needed for changed/additional work
NA/10	.....Change in scope, essential to solicit one or limited number of contractors
NA/11	.....Immediate successor contractor required due to termination/default <i>For Legal services only:</i>
NA/12	.....Specialized legal devices needed; CP not advantageous
WA	.....Solicitation Based on Waiver/Summary of Circumstances (Client Services/BSB or CP only)
WA1	.....Prevent loss of sudden outside funding
WA2	.....Existing contractor unavailable/immediate need
WA3	.....Unsuccessful efforts to contract/need continues
IG	.....Intergovernmental Purchasing (award only)
IG/F	.....Federal
IG/S	.....State
IG/O	.....Other
EM	.....Emergency Procurement (award only) An unforeseen danger to:
EM/A	.....Life
EM/B	.....Safety
EM/C	.....Property
EM/D	.....A necessary service
AC	.....Accelerated Procurement /markets with significant short-term price fluctuations
SCE	.....Service Contract Extension /insufficient time; necessary service; fair price <i>Award to Other Than Lowest Responsible & Responsive Bidder or Proposer/Reason</i> (award only)
OLB/a	.....anti-apartheid preference
OLB/b	.....local vendor preference
OLB/c	.....recycled preference
OLB/d	.....other: (specify)

HOW TO READ CR PROCUREMENT NOTICES

Procurement Notices in the CR are arranged by alphabetically listed Agencies, and within Agency, by Division if any. The notices for each Agency (or Division) are further divided into three subsections: Solicitations, Awards; and Lists & Miscellaneous notices. Each of these subsections separately lists notices pertaining to Goods, Services, or Construction.

Notices of Public Hearings on Contract Awards appear at the end of the Procurement Section. At the end of each Agency (or Division) listing is a paragraph giving the specific address to contact to secure, examine and/or to submit bid or proposal documents, forms, plans, specifications, and other information, as well as where bids will be publicly opened and read. This address should be used for the purpose specified UNLESS a different one is given in the individual notice. In that event, the directions in the individual notice should be followed. The following is a SAMPLE notice and an explanation of the notice format used by the CR.

SAMPLE NOTICE:

POLICE

DEPARTMENT OF YOUTH SERVICES

■ SOLICITATIONS

Services (Other Than Human Services)

BUS SERVICES FOR CITY YOUTH PROGRAM – Competitive Sealed Bids
– PIN# 056020000293 – DUE 04-21-03 AT 11:00 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.
NYPD, Contract Administration Unit, 51 Chambers Street, Room 310, New York, NY 10007. Manuel Cruz (646) 610-5225.

☛ m27-30

ITEM	EXPLANATION
POLICE DEPARTMENT	Name of contracting agency
DEPARTMENT OF YOUTH SERVICES	Name of contracting division
■ SOLICITATIONS	Type of Procurement action
<i>Services (Other Than Human Services)</i>	Category of procurement
BUS SERVICES FOR CITY YOUTH PROGRAM	Short Title
CSB PIN # 056020000293 DUE 04-21-03 AT 11:00 am	Method of source selection Procurement identification number Bid submission due 4-21-03 by 11:00 am; bid opening date/time is the same.
<i>Use the following address unless otherwise specified in notice, to secure, examine-submit bid/proposal documents; etc.</i>	Paragraph at the end of Agency Division listing giving contact information, or submit bid/information or and Agency Contact address
	NYPD, Contract Administration Unit 51 Chambers Street, Room 310 New York, NY 10007. Manuel Cruz (646) 610-5225.
☛	Indicates New Ad
m27-30	Date that notice appears in City Record

NUMBERED NOTES

Numbered Notes are Footnotes. If a Numbered Note is referenced in a notice, the note so referenced must be read as part of the notice. **1.** All bid deposits must be by company certified check or money order made payable to Agency or Company.