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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, April 24, 2012, commencing at 2:00 P.M. (please note afternoon time) in the office of the Borough President 851 Grand Concourse, Room 206, The Bronx, New York 10451 on the following item:

ULURP APPLICATION NO: C 120161 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 493 Brook Avenue and 457/467 East 147th Street (Block 2292, Lots 49 and 50) as an Urban Development Action Area; and
 - b) an Urban Action Area Project for such area; and
- 2) pursuant to Section 197-c of the New York City Charter for the disposition of such property to a developer to be selected by HPD;

To facilitate development of a five-story building and a seven story building with a total of approximately 66 dwelling units and 1,710 square feet of commercial space, to be developed under the Department of Housing Preservation and Development's Low-Income Rental Program.

ANYONE WISHING TO SPEAK MAY REGISTER AT THE HEARING. PLEASE DIRECT ANY QUESTIONS CONCERNING THIS MATTER TO THE BOROUGH PRESIDENT'S OFFICE (718) 590-6124.

a17-23

CITY COUNCIL

■ PUBLIC HEARING

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

The Subcommittee on Zoning and Franchises will hold a public hearing on the following matters in the Council Committee Room, 250 Broadway, 16th Floor, New York City, New York 10007, commencing at 9:30 A.M. on Tuesday, April 24, 2012:

ZONE GREEN TEXT AMENDMENT
CITYWIDE N 120132 ZRY
 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 that would remove zoning impediments to green building features that will help promote energy efficient building envelopes; renewable energy, stormwater detention, reduction of carbon emissions and provide for a healthier New York City. To incorporate these goals, various sections of the Zoning Resolution will be amended.

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 I General Provisions

* * *

11-13 Public Parks

District designations indicated on #zoning maps# do not apply to #public parks#, except as set forth in Section 105-91 (Special District Designation on Public Parks). In the event that a #public park# or portion thereof is sold, transferred, exchanged, or in any other manner relinquished from the control of the Commissioner of Parks and Recreation, no building permit shall be issued, nor shall any #use# be permitted on such former #public park# or portion thereof, until a zoning amendment designating a zoning district therefore has been adopted by the City Planning Commission and has become effective after submission to the City Council in accordance with the provisions of Section ~~75-00~~ 71-10 (PROCEDURE FOR AMENDMENTS).

* * *

Chapter 2 Construction of Language and Definitions

* * *

12-10 Definitions

* * *

Accessory use, or accessory (8/27/98)

* * *

An #accessory use# includes:

* * *

(19) An ambulance outpost operated by or under contract with a government agency or a public benefit corporation and located either on the same #zoning lot# as, or on a #zoning lot# adjacent to, a #zoning lot# occupied by a fire or police station;

(20) Electric vehicle charging in connection with parking facilities;

(21) Solar energy systems.

* * *

Floor area (2/2/11)

"Floor area" is the sum of the gross areas of the several floors of a #building# or #buildings#, measured from the exterior faces of exterior walls or from the center lines of walls separating two #buildings#. In particular, #floor area# includes:

* * *

(n) floor space in exterior balconies if more than 67 percent of the perimeter of such balcony is enclosed and provided that a parapet not higher than 3 feet, 8 inches, or a railing not less than 50 percent open and not higher than 4 feet, 6 inches, shall not

constitute an enclosure. A sun control device that is accessible for purposes other than for maintenance shall be considered a balcony.

(o) any other floor space not specifically excluded.

However, the #floor area# of a #building# shall not include:
* * *

(10) floor space in exterior balconies provided that not more than 67 percent of the perimeter of such balcony is enclosed and provided that a parapet not higher than 3 feet, 8 inches, or a railing not less than 50 percent open and not higher than 4 feet, 6 inches, shall not constitute an enclosure. A sun control device that is accessible for purposes other than for maintenance shall be considered a balcony.
* * *

(12) exterior wall thickness, up to 8 inches:

(i) Where such wall thickness is added to the exterior face of a #building# wall existing on (date of adoption), provided the added wall thickness has a thermal resistance (R-value) of at least 1.5 per inch; or

(ii) Where such wall thickness is part of an exterior wall constructed after (date of adoption), equal to the number of inches by which the wall's total thickness exceeds 8 inches, provided the above-grade exterior walls of the #building# envelope are more energy efficient than required by the New York City Energy Conservation Code (NYCECC) as determined below:

(1) The area-weighted average U-factor of all opaque above-grade wall assemblies shall be no greater than 80 percent of the area-weighted average U-factor determined by using the prescribed requirements of the NYCECC, and

(2) The area-weighted average U-factor of all above-grade exterior wall assemblies, including vertical fenestrations, shall be no more than 90 percent of the area-weighted average U-factor determined by using the prescribed requirements of the NYCECC. For the purposes of calculating the area-weighted average U-factor, the amount of fenestration shall equal the amount of fenestration provided in such exterior walls, or an amount equal to the maximum fenestration area referenced in the NYCECC for the calculation of the baseline energy code requirement, whichever is less.

For the purposes of calculating compliance with this paragraph (ii), the term "above-grade" shall only include those portions of walls located above the grade adjoining such wall. Compliance with this paragraph (ii) shall be demonstrated to the Department of Buildings at the time of issuance of the building permit for such exterior walls. The total area of wall thickness excluded from the calculation of #floor area# shall be reflected on the next issued temporary or final Certificate of Occupancy for the building, as well as all subsequent Certificates of Occupancy.

(13) floor space in a rooftop greenhouse permitted pursuant to Section 75-01 (Certification for Rooftop Greenhouses).

(14) floor space on a sun control device, where such space is inaccessible other than for maintenance.

23-12 Permitted Obstructions in Open Space

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In the districts indicated, the following obstructions shall be permitted in any #open space# required on a #zoning lot#:

- (a) Air conditioning condensation units, #accessory#, for #single-# or #two-family residences#, provided that such units, if located between a #street wall#, or prolongation thereof, and a #street line#, are not more than 18 inches from a #street wall#, fully screened from the #street# by vegetation;
(b) Awnings and other sun control devices. However, when located at a level higher than a first #story#, excluding a #basement#, all such devices:
(1) shall be limited to a maximum projection from a #building# wall of 2 feet, 6 inches; and
(2) shall have solid surfaces that, in aggregate, cover an area no more than 30 percent of the area of the #building# wall (as viewed in elevation) from which they project;
(ec) Balconies, unenclosed, subject to the provisions of Section 23-13;
(ed) Breezeways;
(ee) Driveways, private streets, open #accessory# off-street parking spaces, unenclosed #accessory# bicycle parking spaces or open #accessory# off-street loading berths, provided that the total area occupied by all these items does not exceed the percentages set forth in Section 25-64 (Restrictions on Use of Open Space for Parking);
(ef) Eaves, gutters or downspouts, projecting into such #open space# not more than 16 inches or 20 percent of the width of such #open space#, whichever is the lesser distance;
(g) Exterior wall thickness, where such wall thickness is added to the exterior face of a #building# wall existing on (date of adoption), provided the added wall thickness has a thermal resistance (R-value) of at least 1.5 per inch, and is limited to 1 inch of thickness for every foot of existing #open space# width, up to a maximum thickness of 8 inches.
(eh) Parking spaces, off-street, enclosed, #accessory#, not to exceed one space per #dwelling unit#, when #accessory# to a #single-family#, #two-family# or three-#family residence#, provided that the total area occupied by a #building# used for such purposes does not exceed 20 percent of the total required #open space# on the #zoning lot. However, two such spaces for a #single-family residence# may be permitted in #lower density growth management areas# and in R1-2A Districts;
(i) Solar energy systems:
(1) on the roof of an #accessory building#, limited to 18 inches in height as measured perpendicular to the roof surface; or
(2) on walls existing on (date of adoption), projecting no more than 10 inches and occupying no more than 20 percent of the surface area of the #building# wall (as viewed in elevation) from which it projects;
(fj) Swimming pools, #accessory#, above-grade structures limited to a height not exceeding eight feet above the level of the #rear yard# or #rear yard equivalent#;
(gk) Terraces, unenclosed, fire escapes, or planting boxes or air conditioning units, provided that no such items project more than six feet into or over such #open space#.

23-44 Permitted Obstructions in Required Yards or Rear Yard Equivalents

In all #Residence Districts#, the following obstructions shall be permitted within a required #yard# or #rear yard equivalent#:

- (a) In any #yard# or #rear yard equivalent#:
(1) Air conditioning condensation units, #accessory#, for #single-# or #two-family residences#, provided that such units, if located between a #street wall#, or prolongation thereof, and a #street line#, are not more than 18 inches from a #street wall#, fully screened from the #street# by vegetation;
(2) Arbors or trellises;
(3) Awnings or canopies, and other sun control devices, provided that when located at a level higher than a first #story#, excluding a #basement#, all such awnings and other sun control devices:
(i) shall be limited to a maximum projection from a #building#

wall of 2 feet, 6 inches; and

(ii) shall have solid surfaces that, in aggregate, cover an area no more than 30 percent of the area of the #building# wall (as viewed in elevation) from which they project;

- (4) Balconies, unenclosed, of a #building# containing #residences# subject to the applicable provisions of Section 23-13. Such balconies are not permitted in required #side yards#;
(5) Canopies
(6) Chimneys, projecting not more than three feet into, and not exceeding two percent of the area of, the required #yard# or #rear yard equivalent#;
(7) Eaves, gutters or downspouts projecting into such #yard# or #rear yard equivalent# not more than 16 inches or 20 percent of the width of such #yard# or #rear yard equivalent#, whichever is the lesser distance;
(8) Exterior wall thickness, where such wall thickness is added to the exterior face of a #building# wall existing on (date of adoption), provided the added wall thickness has a thermal resistance (R-value) of at least 1.5 per inch, and is limited to 1 inch of thickness for every foot of existing #yard# width, up to a maximum thickness of 8 inches. When an open area is provided along a common #lot line#, then such exterior wall thickness is limited to 1 inch for every foot of existing open area on the #zoning lot#.
Where #buildings# that have added exterior wall thickness pursuant to this Section are #enlarged#, such #enlarged# portion may similarly encroach upon required #yards# in order to align with the exterior walls of the existing #building#, provided such #enlargement# contains less #floor area# than the existing #building#, and there is no encroachment of #floor area# into a required #yard#.
(9) Fences, not exceeding four feet in height above adjoining grade in any #front yard#, except that for #corner lots#, a fence may be up to six feet in height within that portion of one #front yard# that is between a #side lot line# and the prolongation of the side wall of the #residence# facing such #side lot line#;
(10) Fire escapes, projecting into a #front yard#, only in such cases where the fire escape is required for the #conversion# of a #building# in existence before December 15, 1961;
(11) Flagpoles;
(12) Overhanging portions of a #building# in R4 and R5 Districts, except R4A, R4-1, R4B, R5A, R5B or R5D Districts, which are above the first #story# including the #basement# and which project not more than three feet into the required 18 foot #front yard#. In no case shall the lowest level of the projected portion be less than seven feet above the level of the #front yard# at the face of the #building#. Supports for the projected portion of any #building# are permitted obstructions within the required #front yard#, provided that the total area occupied by such supports does not exceed 15 percent of the area underneath the projected portion. No support may extend beyond the three-foot projection;
(13) Parking spaces for automobiles or bicycles, off-street, open, #accessory#, within a #side# or #rear yard#;
(14) Parking spaces, off-street, open, within a #front yard#, that are #accessory# to a #building# containing #residences#, provided that:
(4i) in R1, R2, R3A, R3X, R3-1, R4A, R4-1 and R5A Districts, except in #lower density growth management areas#, such spaces meet all the requirements of paragraph (a) of Section 25-621 (Location of parking spaces in certain districts);
(4ii) in R3-2 Districts, R4 Districts other than R4A, R4-1 and R4B Districts, and R5 Districts other than R5A, R5B and R5D Districts, such spaces meet all the requirements of paragraph (b) of Section 25-621;
(4iii) in #lower density growth

management areas#, such spaces are nonrequired and are located in a driveway that accesses parking spaces that are located behind the #street wall# of the #building# or prolongation thereof.

However, no parking spaces of any kind shall be permitted in any #front yard# in an R4B, R5B or R5D District. Furthermore, no parking spaces of any kind shall be permitted in any #front yard# on a #zoning lot# containing an #attached# or #semi-detached building# in an R1, R2, R3A, R3X, R4A or R5A District, or in any #front yard# on a #zoning lot# containing an #attached building# in an R3-1 or R4-1 District.

- (15) Ramps for persons with physical disabilities;
(16) Solar energy systems on walls existing on (date of adoption), projecting no more than 10 inches and occupying no more than 20 percent of the surface area of the #building# wall (as viewed in elevation) from which it projects;
(17) Steps, provided that such steps access only the lowest #story# or #cellar# of a #building# fronting on a #street#, which may include a #story# located directly above a #basement#;
(18) Swimming pools, #accessory#, above-grade structures limited to a height not exceeding eight feet above the level of the #rear yard# or #rear yard equivalent#. #Accessory# swimming pools are not permitted obstructions in any #front yard#;
(19) Terraces or porches, open;
(20) Walls, not exceeding eight feet in height above adjoining grade and not roofed or part of a #building#, and not exceeding four feet in height in any #front yard#, except that for #corner lots#, a wall may be up to six feet in height within that portion of one #front yard# that is between a #side lot line# and the prolongation of the side wall of the #residence# facing such #side lot line#.
(b) In any #rear yard# or #rear yard equivalent#:
~~Air conditioning condensation units, #accessory#, for #single-# or #two-family residences#, provided that such units are located not less than eight feet from any #lot line#;~~
(1) Balconies, unenclosed, subject to the provisions of Section 23-13;
(2) Breezeways;
(3) Fire escapes;
(4) Greenhouses, non-commercial, #accessory#, limited to one #story# or 14 feet in height above adjoining grade, whichever is less, and limited to an area not exceeding 25 percent of a required #rear yard#;
(5) Parking spaces, off-street, #accessory#, for automobiles or bicycles, provided that:
(1) if #accessory# to a #single-# or #two-family residence#, the height of a #building# containing such parking spaces shall not exceed one #story# ten feet in height above the adjoining grade and such #building# shall be #detached# from such #residence#, and #Furthermore#, if located in an R1 District, such #building# may not be nearer than five feet to a #rear lot line# or #side lot line#. In R2A Districts, detached garages shall be included in #lot coverage#. In addition, solar energy systems, limited to 18 inches in height, as measured perpendicular to the roof surface shall be permitted upon the roof of such #accessory building# within the #rear yard#;
(2ii) if #accessory# to any other kind of #building# containing #residences#, the height of a #building#, or portion thereof, containing such parking spaces within the #rear yard#, shall not exceed ten feet above adjoining grade, including the apex of a pitched roof in R3, R4 or R5 Districts, or fourteen feet above #curb level# or #base plane#, as applicable, in R6, R7, R8, R9 or R10 Districts. In addition, decks, parapet walls, roof thickness, skylights, vegetated roofs, and weirs, as

set forth in Section 23-62 (Permitted Obstructions), and solar energy systems, limited to 18 inches in height, as measured perpendicular to the roof surface, shall be permitted upon the roof of such #accessory building# within the #rear yard#;

(iii) enclosed #accessory# parking spaces for bicycles shall be #accessory# to a #residence# other than a #single-# or #two-family residence#, attached to a #building#, and the area dedicated to such spaces shall not exceed the area of bicycle parking spaces permitted to be excluded from #floor area# pursuant to Section 25-85 (Floor Area Exemption).

- (6) Recreational or drying yard equipment;
(7) Sheds, tool rooms or other similar #accessory buildings or other structures# for domestic or agricultural storage, with a height not exceeding 10 feet above the level of the #rear yard# or #rear yard equivalent#;
(8) Water-conserving devices required in connection with air conditioning or refrigeration systems in #buildings# existing prior to May 20, 1966, if located not less than eight feet from any #lot line#.

However, no portion of a #rear yard equivalent# which is also a required #front yard# or required #side yard# may contain any obstructions not permitted in such #front yard# or #side yard#.

23-461 Side yards for single- or two-family residences

R3-1 R3-2 R4 R4-1 R4B R5

(c) Additional regulations

(3) Permitted obstructions in open areas between #buildings#
Only air conditioning condensation units, chimneys, downspouts, eaves, exterior wall thickness, gutters, downspouts, open #accessory# off-street parking spaces, steps, and ramps for access by people with disabilities, and steps as set forth in paragraph (a) of Section 23-44 shall be permitted obstructions in open areas required pursuant to paragraphs (c)(1) and (c)(2) of this Section, and provided such obstructions, not including #accessory# off-street parking spaces, may not reduce the minimum width of the open area by more than three feet. Open #accessory# off-street parking spaces shall be permitted in such open areas.

23-462 Side yards for all other buildings containing residences

R4B R5B R5D

(b) In the districts indicated, no #side yards# are required; however, where a #building# containing #residences# on an adjacent #zoning lot# has a #side yard#, an open area with a minimum width of eight feet and parallel to the #side lot line# is required along the common #side lot line# between such #buildings#. Obstructions permitted pursuant to paragraph (c)(3) of Section 23-461 (Side yards for single- or two-family residences), shall be permitted in such open areas.

R6 R7 R8 R9 R10

(c) In the districts indicated, no #side yards# are required. However, if any open area extending along a #side lot line# is provided at any level, it shall measure at least eight feet wide for the entire length of the #side lot line#. Obstructions permitted pursuant to paragraph (a) of Section 23-44 (Permitted Obstructions in Required Yards or Rear Yard Equivalents), shall be permitted in such open areas.

23-62 Permitted Obstructions

In all #Residence Districts#, except as provided in Section 23-621 (Permitted obstructions in certain districts), the obstructions listed in paragraphs (a) through (h) in this Section shall be permitted to penetrate a maximum height limit or #sky exposure plane# set forth in Sections 23-63 (Maximum Height of Walls and Required Setbacks), 23-64 (Alternate Front Setbacks) or 23-69 (Special Height Limitations):

(a) Awnings and other sun control devices, provided that when located at a level higher than a first #story#, excluding a #basement#, all such awnings

and other sun control devices:

- (1) shall be limited to a maximum projection from a #building# wall of 2 feet, 6 inches, except when located on the first #story# above a setback;
(2) shall have solid surfaces that, in aggregate, cover an area no more than 30 percent of the area of the #building# wall (as viewed in elevation) from which they project; and
(3) may rise above the permitted #building# height, up to the height of a parapet wall or guardrail permitted in accordance with Section 23-62 (Permitted Obstructions).

When located on the first #story# above a setback, awnings and other sun control devices shall be limited to a projection of 50 percent of the depth of the required setback, and shall be limited, in total, to 50 percent of the width of the #building# wall from which they project.

- (ab) Balconies, unenclosed subject to the provisions of Section 23-13;
(bc) #Building# columns, having an aggregate width equal to not more than 20 percent of the #aggregate width of street walls# of a #building#, to a depth not exceeding 12 inches, in an #initial setback distance#, optional front open area, or any other required setback distance or open area set forth in Sections 23-63, 23-64, or 23-65 (Tower Regulations);
(ed) Chimneys or flues, with a total width not exceeding 10 percent of the #aggregate width of street walls# of a #building# at any level;
(e) Decks, and other surfaces for recreational activities, not more than 3 feet, 6 inches in height, as measured from the maximum height limit, or the finished level of the roof as it existed on (date of adoption), whichever is higher;
(ef) Dormers having an #aggregate width of street walls# equal to not more than 50 percent of the width of the #street wall# of a #detached# or #semi-detached single-# or #two-family residence#;
(eg) Elevators or stair bulkhead, roof water tanks (including enclosures), each having an #aggregate width of street walls# equal to not more than 30 feet. However, the product, in square feet, of the #aggregate width of street walls# of such obstructions facing each #street# frontage, times their average height, in feet, shall not exceed a figure equal to four times the width, in feet, of the #street wall# of the #building# facing such frontage. For the purposes of this paragraph, (d), #abutting buildings# on a single #zoning lot# may be considered to be a single #building#. Portions of elevator shafts and associated vestibules that provide access to a roof pursuant to paragraph (e) of this Section shall not be included in the limitations on width or surface area of this paragraph, (d);

Elevator or stair bulkheads (including shafts; and vestibules not larger than 60 square feet in area providing access to a roof), roof water tanks and #accessory# mechanical equipment (including enclosures), other than solar or wind energy systems, provided that:

- (1) such obstructions shall be located not less than 10 feet from the #street wall# of a #building#, except that such obstructions need not be set back more than 25 feet from a #narrow street line# or more than 20 feet from a #wide street line#. However, such restrictions on location shall not apply to elevator or stair bulkheads (including shafts or vestibules), provided the #aggregate width of street walls# of such bulkheads within 10 feet of a #street wall#, facing each #street# frontage, times their average height, in feet, does not exceed an area equal to 4 feet times the width, in feet, of the #street wall# of the #building# facing such frontage.
(2) all mechanical equipment shall be screened on all sides.
(3) such obstructions and screening are contained within a volume that complies with one of the following:
(i) the product, in square feet, of the #aggregate width of street walls# of such obstructions facing each #street# frontage, times their average height, shall not exceed an area equal to 8 feet times the width, in feet, of the #street wall# of the #building# facing such frontage; or
(ii) the #lot coverage# of all such obstructions does not exceed 20 percent of the #lot coverage# of the #building#, and where the maximum permitted height of a #building# is less than 120 feet, are limited to a maximum height of 25 feet, and where the maximum permitted height of a #building# is 120 feet or greater, are limited to a maximum height of 40 feet.

For the purposes of this paragraph, (g), #abutting buildings# on a single #zoning lot# may be considered to be a single #building#.

(f) Elevator shafts, portions of which provide an elevator stop with access to a roof, and associated

vestibules providing access to such roof, provided that such vestibules include no more than 60 square feet of #floor area#;

- (h) Exterior wall thickness, up to 8 inches, where such wall thickness is added to the exterior face of a #building# wall existing on (date of adoption), provided the added wall thickness has a thermal resistance (R-value) of at least 1.5 per inch. Where #buildings# that have added exterior wall thickness pursuant to this Section are #enlarged#, such #enlarged# portion may similarly penetrate a maximum height limit in order to align with the exterior walls of the existing #building#, provided such #enlargement# contains less #floor area# than the existing #building#, and there is no penetration of #floor area# above a maximum height limit.
(gi) Flagpoles or aerials;
(hj) Parapet walls, not more than four feet high in height, as measured from the maximum height limit, or the finished level of the roof as it existed on (date of adoption), whichever is higher. A guardrail with a surface at least 70 percent open or with an opacity no more than 30 percent (as viewed in elevation), shall be permitted above a parapet wall or within 2 feet of a parapet wall, provided such guardrail is not more than 4 feet above the accessible level of a roof. Such restriction on guardrail height shall not apply when located beyond 2 feet from a parapet wall;
(k) Roof thickness, up to 8 inches, to accommodate the addition of insulation, for #buildings# or portions of #buildings# constructed prior to (date of adoption). For a #building# that has added roof thickness pursuant to this paragraph, an #enlargement# may align with the finished roof surface of such #building#, provided the #enlarged# portion does not exceed the maximum height limit height by more than 8 inches;
(l) Skylights, clerestories or other day lighting devices, not more than 4 feet in height, as measured from the maximum height limit, or the finished level of the roof as it existed on (date of adoption), whichever is higher. Such devices shall be limited to a #lot coverage# not greater than 10 percent of the #lot coverage# of the roof and be located at least 8 feet from the #street wall# edge. However, such devices shall not be permitted obstructions above a roof with a slope greater than 20 degrees;
(m) Solar energy systems:
(1) on the roof of a #building#, up to 4 feet in height, as measured from the maximum height limit, or the finished level of the roof, whichever is higher;
(2) on the roof of a #building#, greater than 4 feet in height, as measured from the maximum height limit, or the finished level of the roof, whichever is higher, provided that all such portions above 4 feet are set back at least 6 feet from a #street wall#, limited to a #lot coverage# not greater than 25 percent of the #lot coverage# of the roof and do not exceed:
(i) in R1 through R5 Districts, a height of 6 feet;
(ii) in R6 through R10 Districts, a height of 15 feet; and
(iii) when located on a bulkhead or other obstruction pursuant to paragraph (g) of this Section, a height of 6 feet;
(3) on walls existing on (date of adoption), projecting no more than 10 inches and occupying no more than 20 percent of the surface area of the #building# wall (as viewed in elevation) from which it projects.
However, any installation on a roof with a slope greater than 20 degrees shall be limited to 18 inches in height, as measured perpendicular to the roof surface.
(n) Vegetated roofs, not more than 3 feet, 6 inches in height excluding vegetation, as measured from the maximum height limit, or the finished level of the roof as it existed on (date of adoption), whichever is higher. On roofs with slopes greater than 20 degrees, vegetated roofs shall be limited to a height of 12 inches measured perpendicular to such roof surface;
(o) Weirs, check dams and other equipment for stormwater management, not more than 3 feet, 6 inches in height, as measured from the maximum height limit, or the finished level of the roof as it existed on (date of adoption), whichever is higher;
(p) Wind energy systems on portions of #buildings# with a height of 100 feet or greater, provided:
(1) the highest point of the wind turbine assembly does not exceed 55 feet;
(2) no portion of the wind turbine assembly is closer than 10 feet to any #lot line#; and
(3) the diameter of the swept area of the rotor does not exceed 15 feet;

- (q) Window washing equipment mounted on a roof;
- (r) Wire, chain link or other transparent fences.

23-621
Permitted obstructions in certain districts
 R2A R3 R4 R4A R4-1 R5A

(a) In the districts indicated, permitted obstructions are limited to chimneys, exterior wall thickness, flag poles or aerials, parapet walls, roof thickness, skylights, solar energy systems and vegetated roofs pursuant to those listed in paragraphs (c), (f) and (h) of Section 23-62 (Permitted Obstructions).

R2X

(b) In the district indicated, permitted obstructions are limited to chimneys, exterior wall thickness, flag poles or aerials, parapet walls, roof thickness, skylights, solar energy systems and vegetated roofs pursuant to those listed in paragraphs (c), (f) and (h) of Section 23-62 (Permitted Obstructions).
 Dormers may be considered permitted obstructions if:

R6A R6B R7A R7B R7D R7X R8A R8B R8X R9A R9D R9X R10A R10X

(c) In the districts indicated, and for #Quality Housing buildings# in other R6, R7, R8, R9 and R10 Districts, the permitted obstructions set forth in Section 23-62 shall apply to any #building# or other structure#, except that in addition, a dormer may be allowed as a permitted obstruction within a required front setback distance above a maximum base height, the following rules shall apply:-

- (1) Such ~~d~~Dormers may shall be allowed as a permitted obstruction, exceed a maximum base height specified for such district provided that on any #street# frontage, the aggregate width of all dormers at the maximum base height does not exceed 60 percent of the width of the #street wall# of the highest #story# entirely below the maximum base height. For each foot ~~of~~ height above the maximum base height, the aggregate width of all dormers shall be decreased by one percent of the #street wall# width of the highest #story# entirely below the maximum base height.
- (2) Solar energy systems on a roof shall be limited to 4 feet or less in height, as measured from the maximum height limit, or the finished level of the roof, whichever is higher. However, on a roof with a slope greater than 20 degrees, such systems shall be limited to 18 inches in height as measured perpendicular to the roof surface.
- (3) Wind energy systems shall not be allowed as permitted obstructions.
- (4) Window washing equipment shall not be allowed as permitted obstructions.

R5D

(d) In R5D Districts, permitted obstructions shall be as set forth in Section 23-62, except that elevator or stair bulkheads, roof water tanks, cooling towers or other mechanical equipment (including enclosures) may exceed a maximum height limit provided that the product, in square feet, of the #aggregate width of street walls# of such obstructions facing each #street# frontage, times their average height, in feet, shall not exceed a figure equal to eight times the width, in feet, of the #street wall# of the #building# facing such frontage. For the purposes of this paragraph, (d), #butting buildings# on a single #zoning lot# may be considered to be a single #building#.

23-66
Required Side and Rear Setbacks

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10
 In all districts, as indicated, side and rear setbacks shall be provided as specified in this Section. Unenclosed balconies, subject to the provisions of Section 23-13 (Balconies), are permitted to project into or over any open areas required by the provisions of this Section. In addition, awnings and other sun control devices, decks, exterior wall thickness, parapet walls, roof thickness, solar energy systems up to 4 feet high, vegetated roofs and weirs are permitted as set forth in Section 23-62 (Permitted Obstructions).

23-711
Standard minimum distance between buildings

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

- (e) portions of #buildings# above 125 feet that exceed, in aggregate, a #lot coverage# of 40 percent, shall be spaced at least 80 feet apart; ~~and~~
- (f) in R1, R2, R3, R4A and R4-1 Districts within #lower density growth management areas#, the provisions of this paragraph, (f), shall apply to any #zoning lot# with two or more #buildings# where at least 75 percent of the #floor area# of one #building# is located beyond 50 feet of a #street line# and the #private road# provisions do not apply. For the purposes of this paragraph, any #building# containing #residences# with no #building# containing #residences# located between it and the #street line# so that lines drawn perpendicular to the #street line# do not intersect any other

#building# containing #residences# shall be considered a "front building," and any #building# containing #residences# with at least 75 percent of its #floor area# located beyond the #rear wall line#, or prolongation thereof, of a "front building" shall be considered a "rear building." The minimum distances set forth in the table in this Section shall apply, except that a minimum distance of 45 feet shall be provided between any such front and rear #buildings#; and

- (g) For #buildings# existing on (date of adoption), the minimum distances set forth in the table in this Section, and any non-complying distance greater than 8 feet, may be reduced by up to 8 inches of exterior wall thickness, provided the added wall thickness has a thermal resistance (R-value) of at least 1.5 per inch. A non-complying distance of 8 feet or less shall be limited to a total reduction of 1 inch of wall thickness for each foot of such existing distance between buildings.

23-80
COURT REGULATIONS, MINIMUM DISTANCE BETWEEN WINDOWS AND WALLS OR LOT LINES AND OPEN AREA REQUIREMENTS

23-861
General provisions

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In R3, R4 and R5 Districts, the minimum dimension between a #legally required window# and a #side lot line# shall be 15 feet. Such 15 foot dimension shall be measured in a horizontal plane perpendicular to the #side lot line# or vertical projection thereof. Furthermore, such area with a 15 foot dimension shall be open to the sky from ground level up for the entire length of the #side lot line#. Only air conditioning condensation units, chimneys, downspouts, eaves, exterior wall thickness, gutters, downspouts, open #accessory# off-street parking spaces, steps, and ramps for access by the handicapped, and steps shall be permitted obstructions in such open area, subject to the conditions set forth in paragraph (a) of Section 23-44 (Permitted Obstructions in Required Yards or Rear Yard Equivalents), and provided such obstructions may will not reduce the minimum width of the open area by more than three feet.

23-862
Minimum distance between legally required windows and lot lines on small corner lots in R9 or R10 Districts

R9 R10

In the districts indicated, on a #corner lot# less than 10,000 square feet in #lot area#, a #legally required window# may open on a #yard# bounded on one side by a #front lot line# and having a minimum width of 20 feet, provided that the provisions of Section 23-44 (Permitted Obstructions in Required Yards or Rear Yard Equivalents) shall not apply to such #yard#. However, awnings and other sun control devices, exterior wall thickness and solar energy systems on walls, as set forth in Section 23-44 (Permitted Obstructions in Required Yards or Rear Yard Equivalents), shall be permitted within such minimum distance.

23-87
Permitted Obstructions in Courts

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, the following obstructions shall be permitted within the minimum area and dimensions needed to satisfy the requirements for a #court#:

- (a) Arbors or trellises;
- (b) Awnings and other sun control devices. However, when located at a level higher than a first #story#, excluding a #basement#, all such devices:
 - (1) shall be limited to a maximum projection from a #building# wall of 2 feet, 6 inches; and
 - (2) shall have solid surfaces that in aggregate, cover an area no more than 30 percent of the area of the #building# wall (as viewed in elevation) from which they project;
- (c) Eaves, gutters, downspouts, window sills, or similar projections extending into such #court# not more than four inches;
- (d) Exterior wall thickness, where such wall thickness is added to the exterior face of a #building# wall existing on (date of adoption), provided the added wall thickness has a thermal resistance (R-value) of at least 1.5 per inch, and is limited to 1 inch of thickness for every foot of existing #court# width, up to a maximum thickness of 8 inches.

Where #buildings# that have added exterior wall thickness pursuant to this Section are #enlarged#, such #enlarged# portion may similarly encroach upon required #courts# in order to align with the exterior walls of the existing #building#, provided such #enlargement# contains less #floor area# than the existing #building#, and there is no encroachment of #floor area# into a required #court#.
 - (e) Fences;
 - (f) Fire escapes in #outer courts#;

Fire escapes in #outer court recesses# not more than five feet in depth;

Fire escapes in #inner courts# where such fire escapes are required as a result of alterations in #buildings# existing before December 15, 1961;

Fire escapes in #outer court recesses# more than five feet in depth where such fire escapes are required as a result of alterations in #buildings# existing before December 15, 1961;

- (g) Flag poles;
- (h) Open terraces, porches, or steps;
- (i) Recreational or drying yard equipment.;
- (j) Solar energy systems on walls existing on (date of adoption), projecting no more than 10 inches and occupying no more than 20 percent of the surface area of the #building# wall (as viewed in elevation) from which it projects;

In addition, for #courts# at a level higher than the first #story#, decks, skylights, parapet walls, roof thickness, solar energy systems up to 4 feet high, vegetated roofs and weirs as set forth in Section 23-62 (Permitted Obstructions) shall be permitted.

23-891
In R1 through R5 Districts

R1 R2 R3 R4 R5

In the districts indicated, except R4B and R5B Districts, the provisions of this Section shall apply to all #zoning lots# with two or more #buildings# or #building segments# containing #residences#. All such #buildings# or #building segments# shall provide open areas as follows: in accordance with this Section. Only those obstructions set forth in Section 23-44 (Permitted Obstructions in Required Yards or Rear Yard Equivalents) shall be allowed, except that parking spaces, whether enclosed or unenclosed, and driveways, shall not be permitted within such open areas.

- (a) An open area shall be provided adjacent to the rear wall of each such #building# or #building segment#. For the purposes of this Section, the "rear wall" shall be the wall opposite the wall of each #building# or #building segment# that faces a #street# or #private road#. The width of such open area shall be equal to the width of each #building# or #building segment#, and the depth of such open area shall be at least 30 feet when measured perpendicular to each rear wall. No such open areas shall serve more than one #building# or #building segment#. Only those obstructions set forth in Section 23-44 shall be allowed, except that parking spaces, whether enclosed or unenclosed, and driveways shall not be permitted within such open areas.

24-33
Permitted Obstructions in Required Yards or Rear Yard Equivalents

In all #Residence Districts#, the following obstructions shall be permitted when located within a required #yard# or #rear yard equivalent#:

- (a) In any #yard# or #rear yard equivalent#:
 - (1) Arbors or trellises;
 - (2) Awnings or canopies, and other sun control devices, provided that when located at a level higher than a first #story#, excluding a #basement#, all such awnings and other sun control devices:
 - (i) shall be limited to a maximum projection of 2 feet, 6 inches into such required #yard#; and
 - (ii) shall have solid surfaces that in aggregate, cover an area no more than 30 percent of the area of the #building# wall (as viewed in elevation) from which they project;
 - (3) Canopies
 - (4) Chimneys, projecting not more than three feet into, and not exceeding two percent of the area of, the required #yard# or #rear yard equivalent#;
 - (5) Eaves, gutters or downspouts, projecting into such #yard# or #rear yard equivalent# not more than 16 inches or 20 percent of the width of such #yard# or #rear yard equivalent#, whichever is the lesser distance;
 - (6) Exterior wall thickness, where such wall thickness is added to the exterior face of a #building# wall existing on (date of adoption), provided the added wall thickness has a thermal resistance (R-value) of at least 1.5 per inch, and is limited to 1 inch of thickness for every foot of existing #yard# width, up to a maximum thickness of 8 inches. When an open area is provided along a common #lot line#, then such exterior wall thickness is limited to 1 inch for every foot of existing open area on the #zoning lot#.

Where #buildings# that have added exterior wall thickness pursuant to this

Section are #enlarged#, such #enlarged# portion may similarly encroach upon required #yards# in order to align with the exterior walls of the existing #building#, provided such #enlargement# contains less #floor area# than the existing #building#, and there is no encroachment of #floor area# into a required #yard#.

- (7) Fences;
- (8) Flagpoles;
- (9) Parking spaces for automobiles or bicycles, off-street, open, #accessory#;
- (10) Solar energy systems, on walls existing on (date of adoption), projecting no more than 10 inches and occupying no more than 20 percent of the surface area of the #building# wall (as viewed in elevation) from which it projects;
- (11) Steps, and ramps for people with disabilities;
- (12) Terraces or porches, open;
- (13) Walls, not exceeding eight feet in height and not roofed or part of a #building#;

(b) In any #rear yard# or #rear yard equivalent#:

- (1) Balconies, unenclosed, subject to the provisions of Section 24-165;
- (2) Breezeways;
- (3) Any #building# or portion of a #building# used for #community facility uses#, including #accessory# parking spaces for bicycles within such #building#, provided that the height of such #building# shall not exceed one #story#, nor in any event 23 feet above #curb level#, and further provided that the area within such #building# dedicated to #accessory# parking spaces for bicycles shall not exceed the area permitted to be excluded from #floor area#, pursuant to Section 25-85 (Floor Area Exemption). In addition, decks, parapet walls, roof thickness, skylights, vegetated roofs and weirs pursuant to Section 24-51 (Permitted Obstructions), shall be permitted above such an #accessory building#, or portion thereof. However, the following shall not be permitted obstructions:
 - (4i) in all #Residence #Districts#, any portion of a #building# containing rooms used for living or sleeping purposes, other than a room in a hospital used for the care or treatment of patients;
 - (4ii) in R1, R2, R3A, R3X, R3-1, R4A, R4B or R4-1 Districts, any portion of a #building# used for any #community facility use#;
 - (4iii) in all #Residence #Districts#, not listed in paragraph (b)(2) of this Section, beyond one hundred feet of a #wide street#, any portion of a #building# used for a #community facility use# other than a #school#, house of worship, college or university, or hospital and related facilities;
- (4) Fire escapes;
- (5) Greenhouses, #accessory#, non-commercial, limited to one #story# or 14 feet in height above natural grade level, whichever is less, and limited to an area not exceeding 25 percent of a required #rear yard# or #rear yard equivalent# on a #zoning lot#;
- (6) Parking spaces, off-street, #accessory# to a #community facility use#, provided that the height of an #accessory building#, or portion of a #building# used for such purposes, shall not exceed 14 feet above #curb level#. However, such #accessory building# or portion of a #building# shall not be a permitted obstruction in R1, R2, R3A, R3X, R3-1, R4A, R4B or R4-1 Districts;
- (7) Recreation or drying yard equipment;
- (8) Sheds, tool rooms or other similar #accessory buildings or other structures# for domestic or agricultural storage, with a height not exceeding 10 feet above the level of the #rear yard# or #rear yard equivalent#;
- (9) Solar energy systems on the roof of a #building# permitted as an obstruction to such #yard#, up to 4 feet in height as measured perpendicular to the roof surface when located above a permitted #community facility use# or attached parking structure; however, limited to 18 inches in height as measured perpendicular to the roof surface when located above a shed or detached parking

structure, or on any roof with a slope greater than 20 degrees;

- (10) Water-conserving devices required in connection with air conditioning or refrigeration systems in #buildings# existing prior to May 20, 1966, if located not less than eight feet from any #lot line#.

However, no portion of a #rear yard equivalent# which is also a required #front yard# or required #side yard# may contain any obstructions not permitted in such #front yard# or #side yard#.

* * *

24-35 Minimum Required Side Yards

* * *

R6 R7 R8 R9 R10

- (b) In the districts indicated, no #side yards# are required. However, if any open area extending along a #side lot line# is provided at any level, it shall be at least eight feet wide. Permitted obstructions pursuant to paragraph (a) of Section 24-33 (Permitted Obstructions in Required Yards or Rear Yard Equivalents), shall be permitted in such open areas.

* * *

24-51 Permitted Obstructions

In all #Residence Districts#, the following obstructions shall be permitted and may thus penetrate a maximum height limit or #sky exposure plane# set forth in Sections 24-52 (Maximum Height of Walls and Required Setbacks), 24-53 (Alternate Front Setbacks) or 24-591 (Limited Height Districts):

- (a) Awnings and other sun control devices, provided that when located at a level higher than a first #story#, excluding a #basement#, all such awnings and other sun control devices:
 - (1) shall be limited to a maximum projection from a #building# wall of 2 feet, 6 inches, except when located on the first #story# above a setback;
 - (2) shall have solid surfaces that, in aggregate, cover an area no more than 30 percent of the area of the #building# wall (as viewed in elevation) from which they project; and
 - (3) may rise above the permitted #building# height, up to the height of a parapet wall or guardrail permitted in accordance with Section 23-62 (Permitted Obstructions).
- When located on the first #story# above a setback, awnings and other sun control devices shall be limited to a projection of 50 percent of the depth of the required setback, and shall be limited, in total, to 50 percent of the width of the #building# wall from which they project.
- (ab) Balconies, unenclosed, subject to the provisions of Section 24-165;
 - (bc) #Building# columns, having an aggregate width equal to not more than 20 percent of the #aggregate width of street walls# of a #building#, to a depth not exceeding 12 inches, in an #initial setback distance#, optional front open area, or any other required setback distance or open area set forth in Sections 24-52, 24-53 or 24-54 (Tower Regulations);
 - (cd) Chimneys or flues, with a total width not exceeding 10 percent of the #aggregate width of street walls# of a #building# at any level;
 - (e) Decks, and other surfaces for recreational activities, not more than 3 feet, 6 inches in height, as measured from the maximum height limit, or the finished level of the roof as it existed on (date of adoption), whichever is higher;
 - (df) Elevators or stair bulkhead, roof water tanks or cooling towers (including enclosures), each having an #aggregate width of street walls# equal to not more than 30 feet. However, the product, in square feet, of the #aggregate width of street walls# of such obstructions facing each #street# frontage, times their average height, in feet, shall not exceed a figure equal to four times the width, in feet, of the #street wall# of the #building# facing such frontage. For the purposes of this paragraph, (c), #abutting buildings# on a single #zoning lot# may be considered to be a single #building#;

Elevator or stair bulkheads (including shafts; and vestibules not larger than 60 square feet in area providing access to a roof), roof water tanks and #accessory# mechanical equipment (including enclosures), other than solar or wind energy systems, provided that:

- (1) such obstructions shall be located not less than 10 feet from the #street wall# of a #building#, except that such obstructions need not be set back more than 25 feet from a #narrow street line# or more than 20 feet from a #wide street line#. However, such restrictions on location shall not apply to elevator or stair bulkheads (including shafts or vestibules), provided the #aggregate width of street

walls# of such bulkheads within 10 feet of a #street wall#, facing each #street# frontage, times their average height, in feet, does not exceed an area equal to 4 feet times the width, in feet, of the #street wall# of the #building# facing such frontage.

- (2) all mechanical equipment shall be screened on all sides.
- (3) such obstructions and screening are contained within a volume that complies with one of the following:
 - (i) the product, in square feet, of the #aggregate width of street walls# of such obstructions facing each #street# frontage, times their average height, shall not exceed an area equal to 8 feet times the width, in feet, of the #street wall# of the #building# facing such frontage; or
 - (ii) the #lot coverage# of all such obstructions does not exceed 20 percent of the #lot coverage# of the #building#, and where the maximum permitted height of a #building# is less than 120 feet, are limited to a maximum height of 25 feet, and where the maximum permitted height of a #building# is 120 feet or greater, are limited to a maximum height of 40 feet.

For the purposes of this paragraph, (f), #abutting buildings# on a single #zoning lot# may be considered to be a single #building#.

- (g) Exterior wall thickness, up to 8 inches, where such wall thickness is added to the exterior face of a #building# wall existing on (date of adoption), provided the added wall thickness has a thermal resistance (R-value) of at least 1.5 per inch. Where #buildings# that have added exterior wall thickness pursuant to this Section are #enlarged#, such #enlarged# portion may similarly penetrate a maximum height limit in order to align with the exterior walls of the existing #building#, provided such #enlargement# contains less #floor area# than the existing #building#, and there is no penetration of #floor area# above a maximum height limit.
- (eh) Flagpoles or aerials;
- (fi) House of worship towers, ornamental, having no #floor area# in portion of tower penetrating such height limit or #sky exposure plane#;
- (gii) Parapet walls, not more than four feet high in height, as measured from the maximum height limit, or the finished level of the roof as it existed on (date of adoption), whichever is higher. A guardrail with a surface at least 70 percent open or with an opacity no more than 30 percent (as viewed in elevation), shall be permitted above a parapet wall or within 2 feet of a parapet wall, provided such guardrail is not more than 4 feet above the accessible level of a roof. Such restriction on guardrail height shall not apply when located beyond 2 feet from a parapet wall;
- (k) Roof thickness, up to 8 inches, to accommodate the addition of insulation, for #buildings# or portions of #buildings# constructed prior to (date of adoption). For a #building# that has added roof thickness pursuant to this paragraph, an #enlargement# may align with the finished roof surface of such #building#, provided the #enlarged# portion does not exceed the maximum height limit height by more than 8 inches;
- (l) Rooftop greenhouses, permitted pursuant to Section 75-01 (Certification for Rooftop Greenhouses);
- (m) Skylights, clerestories or other day lighting devices, not more than 4 feet in height, as measured from the maximum height limit, or the finished level of the roof as it existed on (date of adoption), whichever is higher. Such devices shall be limited to a #lot coverage# not greater than 10 percent of the #lot coverage# of the roof and be located at least 8 feet from the #street wall# edge. However, such devices shall not be permitted obstructions above a roof with a slope greater than 20 degrees;
- (n) Solar energy systems:
 - (1) on the roof of a #building#, up to 4 feet in height, as measured from the maximum height limit, or the finished level of the roof, whichever is higher;
 - (2) on the roof of a #building#, greater than 4 feet in height, as measured from the maximum height limit, or the finished level of the roof, whichever is higher, provided that all such portions above 4 feet are set back at least 6 feet from a #street wall#, limited to a #lot coverage# not greater than 25 percent of the #lot coverage# of the roof and do not exceed:
 - (i) in R1 through R5 Districts, a height of 6 feet;

- (ii) in R6 through R10 Districts, a height of 15 feet; and
- (iii) when located on a bulkhead or other obstruction pursuant to paragraph (f) of this Section, a height of 6 feet;

(3) on walls existing on (date of adoption), projecting no more than 10 inches and occupying no more than 20 percent of the surface area of the #building# wall (as viewed in elevation) from which it projects.

However, any installation on a roof with a slope greater than 20 degrees shall be limited to 18 inches in height, as measured perpendicular to the roof surface.

(k) Spires or belfries;

(p) Vegetated roofs, not more than 3 feet, 6 inches in height excluding vegetation, as measured from the maximum height limit, or the finished level of the roof as it existed on (date of adoption), whichever is higher. On roofs with slopes greater than 20 degrees, vegetated roofs shall be limited to a height of 12 inches measured perpendicular to such roof surface;

(q) Weirs, check dams and other equipment for stormwater management, not more than 3 feet, 6 inches in height, as measured from the maximum height limit, or the finished level of the roof as it existed on (date of adoption), whichever is higher;

(r) Wind energy systems on portions of #buildings# with a height of 100 feet or greater, provided:

- (1) the highest point of the wind turbine assembly does not exceed 55 feet;
- (2) no portion of the wind turbine assembly is closer than 10 feet to any #lot line#; and
- (3) the diameter of the swept area of the rotor does not exceed 15 feet;

(s) Window washing equipment mounted on a roof;

(t) Wire, chain link or other transparent fences.

**24-55
Required Side and Rear Setbacks**

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, side and rear setbacks shall be provided as specified in this Section. Unenclosed balconies, subject to the provisions of Section 24-165 (Balconies); and awnings and other sun control devices, decks, exterior wall thickness, parapet walls, roof thickness, solar energy systems up to 4 feet high, vegetated roofs and weirs as set forth in Section 24-51 (Permitted Obstructions), are permitted to project into or over any open areas required by the provisions of this Section.

**24-65
Minimum Distance between Required Windows and Walls or Lot Lines**

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, the minimum distance between required windows and walls or #lot lines# shall be as set forth in this Section, except that this Section shall not apply to required windows in #buildings# of three #stories# or less. For #buildings# existing on (date of adoption), the minimum distances set forth in this Section, and any non-complying distance greater than 8 feet, may be reduced by up to 8 inches of exterior wall thickness from each #building# wall, provided the added wall thickness has a thermal resistance (R-value) of at least 1.5 per inch. A non-complying distance of 8 feet or less shall be limited to a total reduction of 1 inch of wall thickness for each foot of such existing distance between buildings.

**24-68
Permitted Obstruction in Courts**

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, the following shall not be considered obstructions when located within a #court#:

(a) Arbors or trellises;

(b) Awnings and other sun control devices. However, when located at a level higher than a first #story#, excluding a #basement#, all such devices:

- (1) shall be limited to a maximum projection from a #building# wall of 2 feet, 6 inches; and
- (2) shall have solid surfaces that in aggregate, cover an area no more than 30 percent of the area of the #building# wall (as viewed in elevation) from which they project;

(c) Eaves, gutters, downspouts, window sills or similar projections, extending into such #court# not more than four inches;

(d) Exterior wall thickness, where such wall thickness is added to the exterior face of a #building# wall existing on (date of adoption), provided the added

wall thickness has a thermal resistance (R-value) of at least 1.5 per inch, and is limited to 1 inch of thickness for every foot of existing #court# width, up to a maximum thickness of 8 inches.

Where #buildings# that have added exterior wall thickness pursuant to this Section are #enlarged#, such #enlarged# portion may similarly encroach upon required #courts# in order to align with the exterior walls of the existing #building#, provided such #enlargement# contains less #floor area# than the existing #building#, and there is no encroachment of #floor area# into a required #court#.

(e) Fences;

(f) Fire escapes in #inner courts#, where such fire escapes are required as a result of alterations in #buildings# existing before December 15, 1961;

Fire escapes in #outer courts#;

Fire escapes in #outer court recesses#, not more than five feet in depth;

Fire escapes in #outer court recesses#, more than five feet in depth, where such fire escapes are required as a result of alterations in #buildings# existing before December 15, 1961;

(g) Flagpoles;

(h) Recreational or yard drying equipment;

(i) Solar energy systems on walls existing on (date of adoption), projecting no more than 10 inches and occupying no more than 20 percent of the surface area of the #building# wall (as viewed in elevation) from which it projects;

(j) Terraces, open, porches or steps.

In addition, for #courts# at a level higher than the first #story#, decks, skylights, parapet walls, roof thickness, solar energy systems up to 4 feet high, vegetated roofs and weirs as set forth in Section 24-51 (Permitted Obstructions) shall be permitted.

**25-62
Size and Location of Spaces**

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

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

Driveways used to access required parking spaces must be unobstructed for a width of at least 8 feet and a height of 8 feet above grade and if connecting to a #street#, such driveway may only be accessed by a curb cut.

In any case where a reduction of the required area per parking space is permitted on the basis of the developer's certification that such spaces will be fully attended, it shall be set forth in the certificate of occupancy that paid attendants employed by the owners or operators of such spaces shall be available to handle the parking and moving of automobiles at all times when such spaces are in use.

**26-42
Planting Strips**

In accordance with applicability requirements of underlying district regulations, the owner of the #development#, #enlargement# or #converted building# shall provide and maintain a planting strip. #Street# trees required pursuant to Section 26-41 shall be planted within such planting strip. In addition to such #street# trees, such strip shall be fully planted with grass or groundcover, except as provided in Section 26-42.1. Such planting strip shall be located adjacent to, and extend along, the entire length of the curb of the #street#. However, in the event that both adjoining properties have planting strips adjacent to the #front lot line#, such planting strip may be located along the #front lot line#. The width of such planting strip shall be the greatest width feasible given the required minimum paved width of the sidewalk on #street# segments upon which the #building# fronts, except that no planting strip less than six inches in width shall be required. ~~Driveways are permitted to traverse such planting strip, and utilities are permitted to be located within such planting strip.~~

**26-42.1
Modifications of planting strip requirements**

Driveways are permitted to traverse planting strips. Planting strips may be interrupted by utilities and paved areas required for bus stops.

On #zoning lots# containing #schools#, permeable pavers or permeable pavement may be substituted for grass or ground cover, provided that, beneath such permeable pavers or pavement, there is structural soil or aggregate containing at least 25 percent pore space, or other kind of engineered system that absorbs stormwater, as acceptable to the Department of Transportation. Any area improved with permeable pavers or pavement pursuant to this paragraph shall be no less than 3 feet in width except where necessary

for compliance with the Americans with Disabilities Act.

**32-15
Use Group 6**

D. Public Service Establishments*****

Telephone exchanges or other communications equipment structures. In all districts the height above #curb level# of such structures not existing on December 15, 1961, shall not exceed that attributable to #commercial buildings# of equivalent #lot coverage#, having an average floor to floor height of 14 feet above the lobby floor which may be as much as 25 feet in height. For the purpose of making this height computation, the gross area of all floors of the #building# including accessory mechanical equipment space except the #cellar# shall be included as #floor area#.

Solar energy systems

Such height computation for the structure shall not preclude the ability to utilize unused #floor area# anywhere on the #zoning lot# or by special permit, subject to the normal provisions of the Resolution.

**32-16
Use Group 7**

D. Auto Service Establishments

Automobile glass and mirror shops [PRC-B1]

Automobile seat cover or convertible top establishments, selling or installation [PRC-B1]

Electric vehicle charging stations and automotive battery swapping facilities [PRC-B1]

Tire sales establishments, including installation services [PRC-B1]

E. #Accessory Uses#

* In a C6-1A District, #uses# in Use Group 7 are not permitted

**33-23
Permitted Obstructions in Required Yards or Rear Yard Equivalents**

In all #Commercial Districts#, the following obstructions shall be permitted when located within a required #yard# or #rear yard equivalent#:

(a) In any #yard# or #rear yard equivalent#:

(1) Arbors or trellises;

(2) Awnings or canopies, and other sun control devices, provided that when located at a level higher than a first #story#, excluding a #basement#, all such awnings and other sun control devices:

(i) shall be limited to a maximum projection from a #building# wall of 2 feet, 6 inches; and

(ii) shall have solid surfaces that in aggregate, cover an area no more than 30 percent of the area of the #building# wall (as viewed in elevation) from which they project;

(3) Canopies

(4) Chimneys, projecting not more than three feet into, and not exceeding two percent of the area of, the required #yard# or #rear yard equivalent#;

(5) Eaves, gutters or downspouts, projecting into such #yard# or #rear yard equivalent# not more than 16 inches or 20 percent of the width of such #yard# or #rear yard equivalent#, whichever is the lesser distance;

(6) Exterior wall thickness, where such wall thickness is added to the exterior face of a #building# wall existing on (date of adoption), provided the added wall thickness has a thermal resistance (R-value) of at least 1.5 per inch, and is limited to 1 inch of thickness for every foot of existing #yard# width, up to a maximum thickness of 8 inches. When an open area is provided along a common #lot line#, then such exterior wall thickness is limited to 1 inch for every foot of existing open area on the #zoning lot#.

Where #buildings# that have added exterior wall thickness pursuant to this Section are #enlarged#, such #enlarged# portion may similarly encroach upon required #yards# in order to align with the exterior walls of the existing #building#, provided such #enlargement# contains less #floor area# than the existing #building#, and there is no encroachment of #floor area# into a required #yard#.

- (7) Fences;
 - (8) Flagpoles;
 - (9) Parking spaces for automobiles or bicycles, off-street, open, #accessory#;
 - (10) Solar energy systems on walls existing on (date of adoption), projecting no more than 10 inches and occupying no more than 20 percent of the surface area of the #building# wall (as viewed in elevation) from which it projects;
 - (11) Steps, and ramps for people with disabilities;
 - (12) Terraces or porches, open;
 - (13) Walls, not exceeding eight feet in height and not roofed or part of a #building#;
- (b) In any #rear yard# or #rear yard equivalent#:
- (1) Balconies, unenclosed, subject to the provisions of Section 24-165;
 - (2) Breezeways;
 - (3) Any #building# or portion of a #building# used for any permitted #use# other than #residences#, except that any portion of a #building# containing rooms used for living or sleeping purposes (other than a room in a hospital used for the care or treatment of patients) shall not be a permitted obstruction, and provided that the height of such #building# shall not exceed one #story#, excluding #basement#, nor in any event 23 feet above #curb level#. In addition, decks, parapet walls, roof thickness, skylights, vegetated roofs and weirs pursuant to Section 33-42 (Permitted Obstructions), shall be permitted above such a #building#, or portion thereof.
 - (4) Fire escapes;
 - (5) Parking spaces for automobiles or bicycles, off-street, #accessory#, provided that the height of an #accessory building# used for such purposes and located in a required #rear yard# or #rear yard equivalent# shall not exceed 23 feet above #curb level#. In addition, decks, parapet walls, roof thickness, skylights, vegetated roofs and weirs, as set forth in Section 33-42, shall be permitted above such an #accessory building#, or portion thereof;
 - (6) Solar energy systems:
 - (i) on the roof of a #building# permitted as an obstruction to such #yard#, up to 4 feet in height as measured perpendicular to the roof surface when located above a permitted #commercial or community facility use# or attached parking structure;
 - (ii) on the roof of a #building# permitted as an obstruction to such #yard#, shall be limited to 18 inches in height as measured perpendicular to the roof surface when located above a shed or detached parking structure, or on any roof with a slope greater than 20 degrees;
 - (iii) on walls existing on (date of adoption), projecting no more than 10 inches and occupying no more than 20 percent of the surface area of the #building# wall (as viewed in elevation) from which it projects.
 - (7) Water-conserving devices required in connection with air conditioning or refrigeration systems in #buildings# existing prior to May 20, 1966, if located not less than 8 feet from any #lot line#.

However, no portion of a #rear yard equivalent# that is also a required #front yard# or required #side yard# may contain any obstructions not permitted in such #front yard# or #side yard#.

**33-25
Minimum Required Side Yards**

C1 C2 C3 C4 C5 C6 C7 C8

In all districts, as indicated, no #side yards# are required. However, if an open area extending along a #side lot line# is provided at any level, it shall be either:

- (a) at least eight feet wide at every point; or
- (b) at least five feet wide at every point, with an average width of eight feet, such average being the mean of the width of the open area at its narrowest point and its width at its widest point, provided that:
 - (1) such widest point shall be on a #street line#;

- (2) no portion of a #building# shall project beyond a straight line connecting such two points; and
- (3) in the case of a #zoning lot# bounded by a #side lot line# extending from #street# to #street#, such average shall be computed and such open area shall be provided as though each half of such #side lot line# bounded a separate #zoning lot#.

Permitted obstructions pursuant to paragraph (a) of Section 33-23(Permitted Obstructions in Required Yards or Rear Yard Equivalents), shall be permitted in such open areas.

**33-42
Permitted Obstructions**

In all #Commercial Districts#, the following obstructions shall be permitted and may thus penetrate a maximum height limit or #sky exposure planes#, as set forth in Sections 33-43 (Maximum Height of Walls and Required Setbacks), 33-44 (Alternate Front Setbacks) or 33-491 (Limited Height Districts):

- (a) Awnings and other sun control devices, provided that when located at a level higher than a first #story#, excluding a #basement#, all such awnings and other sun control devices:
 - (1) shall be limited to a maximum projection from a #building# wall of 2 feet, 6 inches, except when located on the first #story# above a setback;
 - (2) shall have solid surfaces that, in aggregate, cover an area no more than 30 percent of the area of the #building# wall (as viewed in elevation) from which they project; and
 - (3) may rise above the permitted #building# height, up to the height of a parapet wall or guardrail permitted in accordance with Section 33-42 (Permitted Obstructions).

When located on the first #story# above a setback, awnings and other sun control devices shall be limited to a projection of 50 percent of the depth of the required setback, and shall be limited, in total, to 50 percent of the width of the #building# wall from which they project.

- (b) Balconies, unenclosed, subject to the provisions of Section 24-165;
- (bc) #Building# columns, having an aggregate width equal to not more than 20 percent of the #aggregate width of street walls# of a #building#, to a depth not exceeding 12 inches, in an #initial setback distance#, optional front open area, or any other required setback distance or open area set forth in Sections 33-43, 33-44 or 33-45 (Tower Regulations);
- (ed) Chimneys or flues, with a total width not exceeding 10 percent of the #aggregate width of street walls# of a #building# at any given level;
- (e) Decks, and other surfaces for recreational activities, not more than 3 feet, 6 inches in height, as measured from the maximum height limit, or the finished level of the roof as it existed on (date of adoption), whichever is higher;
- (ef) ~~Elevators or stair bulkhead, roof water tanks or cooling towers (including enclosures), each having an #aggregate width of street walls# equal to not more than 30 feet. However, the product, in square feet, of the #aggregate width of street walls# of such obstructions facing each #street# frontage, times their average height, in feet, shall not exceed a figure equal to four times the width, in feet, of the #street wall# of the #building# facing such frontage. For the purposes of this paragraph, (c), #abutting buildings# on a single #zoning lot# may be considered to be a single #building#;~~

Elevator or stair bulkheads (including shafts; and vestibules not larger than 60 square feet in area providing access to a roof), roof water tanks and #accessory# mechanical equipment (including enclosures), other than solar or wind energy systems, provided that:

- (1) such obstructions shall be located not less than 10 feet from the #street wall# of a #building#, except that such obstructions need not be set back more than 25 feet from a #narrow street line# or more than 20 feet from a #wide street line#. However, such restrictions on location shall not apply to elevator or stair bulkheads (including shafts or vestibules), provided the #aggregate width of street walls# of such bulkheads within 10 feet of a #street wall#, facing each #street# frontage, times their average height, in feet, does not exceed an area equal to 4 feet times the width, in feet, of the #street wall# of the #building# facing such frontage.
- (2) all mechanical equipment shall be screened on all sides.
- (3) such obstructions and screening are contained within a volume that complies with one of the following:
 - (i) the product, in square feet, of

the #aggregate width of street walls# of such obstructions facing each #street# frontage, times their average height, shall not exceed an area equal to 8 feet times the width, in feet, of the #street wall# of the #building# facing such frontage; or

- (ii) the #lot coverage# of all such obstructions does not exceed 20 percent of the #lot coverage# of the #building#, and where the maximum permitted height of a #building# is less than 120 feet, are limited to a maximum height of 25 feet, and where the maximum permitted height of a #building# is 120 feet or greater, are limited to a maximum height of 40 feet.

For the purposes of this paragraph, (f), #abutting buildings# on a single #zoning lot# may be considered to be a single #building#.

- (g) Exterior wall thickness, up to 8 inches, where such wall thickness is added to the exterior face of a #building# wall existing on (date of adoption), provided the added wall thickness has a thermal resistance (R-value) of at least 1.5 per inch. Where #buildings# that have added exterior wall thickness pursuant to this Section are #enlarged#, such #enlarged# portion may similarly penetrate a maximum height limit in order to align with the exterior walls of the existing #building#, provided such #enlargement# contains less #floor area# than the existing #building#, and there is no penetration of #floor area# above a maximum height limit.
- (eh) Flagpoles or aerials;
- (fi) House of worship towers, ornamental, having no #floor area# in portion of tower penetrating such height limit or #sky exposure plane#;
- (gi) Parapet walls, not more than four feet high in height, as measured from the maximum height limit, or the finished level of the roof as it existed on (date of adoption), whichever is higher. A guardrail with a surface at least 70 percent open or with an opacity no more than 30 percent (as viewed in elevation), shall be permitted above a parapet wall or within 2 feet of a parapet wall, provided such guardrail is not more than 4 feet above the accessible level of a roof. Such restriction on guardrail height shall not apply when located beyond 2 feet from a parapet wall;
- (k) Roof thickness, up to 8 inches, to accommodate the addition of insulation, for #buildings# or portions of #buildings# constructed prior to (date of adoption). For a #building# that has added roof thickness pursuant to this paragraph, an #enlargement# may align with the finished roof surface of such #building#, provided the #enlarged# portion does not exceed the maximum height limit height by more than 8 inches;
- (l) Rooftop greenhouses, permitted pursuant to Section 75-01 (Certification for Rooftop Greenhouses);
- (m) Skylights, clerestories or other day lighting devices, not more than 4 feet in height, as measured from the maximum height limit, or the finished level of the roof as it existed on (date of adoption), whichever is higher. Such devices shall be limited to a #lot coverage# not greater than 10 percent of the #lot coverage# of the roof and be located at least 8 feet from the #street wall# edge. However, such devices shall not be permitted obstructions above a roof with a slope greater than 20 degrees;
- (n) Solar energy systems:
 - (1) on the roof of a #building#, up to 4 feet in height, as measured from the maximum height limit, or the finished level of the roof, whichever is higher;
 - (2) on the roof of a #building#, greater than 4 feet in height, as measured from the maximum height limit, or the finished level of the roof, whichever is higher, provided that all such portions above 4 feet are set back at least 6 feet from a #street wall#, limited to a #lot coverage# not greater than 25 percent of the #lot coverage# of the roof and do not exceed:
 - (i) in #Commercial Districts# mapped within #Residence Districts#, and in C3 and C4-1 Districts, a height of 6 feet;
 - (ii) in all other #Commercial Districts#, a height of 15 feet; and
 - (iii) when located on a bulkhead or other obstruction pursuant to paragraph (f) of this Section, a height of 6 feet.
 - (3) on walls existing on (date of adoption), projecting no more than 10 inches and occupying no more than 20 percent of the surface area of the #building# wall (as viewed in elevation) from which it projects.

However, any installation on a roof with a slope greater than 20 degrees shall be limited to 18 inches in height, as measured perpendicular to the roof surface.

- (h) Spires or belfries;
(p) Vegetated roofs, not more than 3 feet, 6 inches in height excluding vegetation, as measured from the maximum height limit, or the finished level of the roof as it existed on (date of adoption), whichever is higher. On roofs with slopes greater than 20 degrees, vegetated roofs shall be limited to a height of 12 inches measured perpendicular to such roof surface;
(q) Weirs, check dams and other equipment for stormwater management, not more than 3 feet, 6 inches in height, as measured from the maximum height limit, or the finished level of the roof as it existed on (date of adoption), whichever is higher;
(r) Wind energy systems on portions of #buildings# with a height of 100 feet or greater, provided:
(1) the highest point of the wind turbine assembly does not exceed 55 feet;
(2) no portion of the wind turbine assembly is closer than 10 feet from any #lot line#; and
(3) in districts where new #residences# or new #joint living work quarters for artists# are allowed as-of-right or by special permit or authorization, or within 100 feet of such districts, the diameter of the swept area of the rotor does not exceed 15 feet;
(s) Window washing equipment mounted on a roof;
(t) Wire, chain link or other transparent fences.

34-232 Modification of side yard requirements

C1 C2 C3 C4 C5 C6

In the districts indicated, except as otherwise provided in Section 34-233 (Special provisions applying along district boundaries), no #side yard# shall be required for any #residential building#. However, if any open area extending along a #side lot line# is provided, such open area shall have a width of not less than eight feet. Permitted obstructions pursuant to paragraph (a) of Section 23-44 (Permitted Obstructions in Required Yards or Rear Yard Equivalents), shall be permitted in such open areas.

35-24 Special Street Wall Location and Height and Setback Regulations in Certain Districts

C1-6A C1-7A C1-8A C1-8X C1-9A C2-6A C2-7A C2-7X C2-8A C4-2A C4-3A C4-4A C4-4D C4-5A C4-5D C4-5X C4-6A C4-7A C5-1A C5-2A C6-2A C6-3A C6-3D C6-3X C6-4A C6-4X

- (a) Permitted obstructions
C1-6A C1-7A C1-8A C1-8X C1-9A C2-6A C2-7A C2-7X C2-8A C4-2A C4-3A C4-4A C4-4D C4-5A C4-5D C4-5X C4-6A C4-7A C5-1A C5-2A C6-2A C6-3A C6-3D C6-3X C6-4A C6-4X
In the districts indicated, and in other C1 or C2 Districts when mapped within R6A, R6B, R7A, R7B, R7D, R7X, R8A, R8B, R8X, R9A, R9D, R9X, R10A or R10X Districts, and for #Quality Housing buildings# in other #Commercial Districts#, the provisions of Section 33-42 shall apply to any #building or other structure#. In addition, a dormer may be allowed as a permitted obstruction pursuant to paragraph (c)(1) of Section 23-621 (Permitted obstructions in certain districts), and an elevator shaft and associated vestibule may be allowed as a permitted obstruction, pursuant to paragraph (f) of Section 23-62.

35-52 Modification of Side Yard Requirements

C1 C2 C3 C4 C5 C6

In the districts indicated, except as otherwise provided in Section 35-54 (Special Provisions Applying Adjacent to R1 through R6B Districts), no #side yard# shall be required although, if any open area extending along a #side lot line# is provided at any level, it shall have a width of not less than eight feet. Permitted obstructions pursuant to paragraph (a) of Section 33-23 (Permitted Obstructions in Required Yards or Rear Yard Equivalents), shall be permitted in such open areas.

However, in C3A Districts, #side yards# shall be provided in accordance with the regulations for R3A Districts as set forth in Section 23-461 (Side yards for single- or two-family residences).

35-53 Modification of Rear Yard Requirements

C1 C2 C3 C4 C5 C6

In the districts indicated, for a #residential# portion of a #mixed building#, the required #residential rear yard# shall be provided at the floor level of the lowest #story# used for

#dwelling units# or #rooming units#, where any window of such #dwelling units# or #rooming units# faces onto such #rear yard#. If the level of such #yard# is at or higher than the first #story#, decks, parapet walls, roof thickness, solar energy systems up to 4 feet high, vegetated roofs and weirs shall be permitted pursuant to Section 23-62 (Permitted Obstructions).

36-521 Size of spaces

C1 C2 C3 C4 C5 C6 C7 C8

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

Driveways used to access required parking spaces must be unobstructed for a width of at least 8 feet and a height of 8 feet above grade and if connecting to a #street#, such driveway may only be accessed by a curb cut.

In any case where a reduction of the required area per parking space is permitted on the basis of the developer's certification that such spaces will be fully attended, it shall be set forth in the certificate of occupancy that paid attendants employed by the owners or operators of such spaces shall be available to handle the parking and moving of automobiles at all times when such spaces are in use.

37-53 Design Standards for Pedestrian Circulation Spaces

- (a) Arcade
(3) Permitted obstructions
Except for #building# columns, and exterior wall thickness pursuant to Section 33-23 (Permitted Obstructions in Required Yards or Rear Yard Equivalents), an arcade shall be free from obstructions of any kind.
(b) #Building# entrance recess area
A #building# entrance recess area is a space that adjoins and is open to a sidewalk or sidewalk widening for its entire length and provides unobstructed access to the #building's# lobby entrance or to the entrance to a ground floor #use#.
(2) Permitted obstructions
Any portion of a #building# entrance recess area under an overhanging portion of the #building# shall have a minimum clear height of 15 feet. It shall be free of obstructions except for exterior wall thickness as set forth in Section 33-23, and #building# columns, between any two of which there shall be a clear space of at least 15 feet measured parallel to the #street line#. Between a #building# column and a wall of the #building#, there shall be a clear path at least five feet in width.
(c) Corner arcade
(2) Permitted obstructions
Except for #building# columns, and exterior wall thickness pursuant to Section 33-23, a corner arcade shall be free from obstructions of any kind.
(d) Corner circulation space
(2) Permitted obstructions
A corner circulation space shall be completely open to the sky from its lowest level, except for temporary elements of weather protection, such as awnings or canopies, provided that the total area of such elements does not exceed 20 percent of the area of the corner circulation space and that such elements and any attachments thereto are at least eight feet above #curb level#. A corner circulation space shall be clear of all other obstructions including, without limitation, door swings, #building# columns, #street# trees, planters, vehicle storage, parking or trash storage. However, exterior wall thickness may be added as pursuant to Section 33-23. No gratings, except for drainage, shall be permitted.
(f) Sidewalk widening
(3) Permitted obstructions
A sidewalk widening shall be unobstructed from its lowest level to the sky except for those obstructions permitted under paragraph (f)(2) of this Section, for exterior wall thickness pursuant to Section 33-23, and for temporary

elements of weather protection, such as awnings or canopies, provided that the total area of such elements, measured on the plan, does not exceed 20 percent of the sidewalk widening area, and that such elements and any attachments thereto are at least eight feet above #curb level#.

- (h) Through #block# connection
(2) Design standards for a through #block# connection
(i) A through #block# connection shall provide a straight, continuous, unobstructed path at least 15 feet wide. If covered, the clear, unobstructed height of a through #block# connection shall not be less than 15 feet. Exterior wall thickness as set forth in Section 33-23 shall be a permitted obstruction to such path.

37-721 Sidewalk frontage

- (b) In the remaining 50 percent of such area, only those obstructions listed in Section 37-726 (Permitted obstructions) shall be allowed, provided such obstructions are not higher than two feet above the level of the public sidewalk fronting the #public plaza#, except for light stanchions, public space signage, railings for steps, exterior wall thickness pursuant to Section 33-23 (Permitted Obstructions in Required Yards or Rear Yard Equivalents), trash receptacles, trees and fixed or moveable seating and tables. Furthermore, planting walls or trellises, water features and artwork may exceed a height of two feet when located within three feet of a wall bounding the #public plaza#.

For #corner public plazas#, the requirements of this Section shall apply separately to each #street# frontage, and the area within 15 feet of the intersection of any two or more #streets# on which the #public plaza# fronts shall be at the same elevation as the adjoining public sidewalk and shall be free of obstructions.

37-726 Permitted obstructions

- (a) #Public plazas# shall be open to the sky and unobstructed except for the following features, equipment and appurtenances normally found in #public parks# and playgrounds: water features, including fountains, reflecting pools, and waterfalls; sculptures and other works of art; seating, including benches, seats and moveable chairs; trees, planters, planting beds, lawns and other landscape features; arbors or trellises; litter receptacles; bicycle racks; tables and other outdoor furniture; lights and lighting stanchions; public telephones; public restrooms; permitted temporary exhibitions; permitted awnings, canopies or marquees; permitted freestanding signs; play equipment; exterior wall thickness added pursuant to Section 33-23 (Permitted Obstructions in Required Yards or Rear Yard Equivalents); permitted kiosks and open-air cafes; stages; subway station entrances, which may include escalators; and drinking fountains.
However, an area occupied in aggregate by such permitted obstruction shall not exceed the maximum percentage cited in paragraph (b) of this Section. In addition, certain of the obstructions listed in this paragraph, (a), shall not be permitted within the sidewalk frontage of a #public plaza#, as described in Section 37-721 (Sidewalk frontage).
(b) Permitted obstructions may occupy a maximum percentage of the area of a #public plaza#, as follows:
For #public plazas# less than 10,000 square feet in area: 40 percent
For #public plazas# less than 10,000 square feet in area with a permitted open air cafe: 50 percent
For #public plazas# 10,000 square feet or more in area: 50 percent
For #public plazas# 10,000 square feet or more in area with a permitted open-air cafe: 60 percent.

The area of permitted obstructions shall be measured by outside dimensions. Obstructions that are non-permanent or moveable, such as moveable chairs, open air cafes, or temporary exhibitions shall be confined within gross areas designated on the site plan, and not measured as individual pieces of furniture.

Trees planted flush-to-grade in accordance with the provisions of Section 37-742 (Planting and trees) and tree canopies do not count as obstructions for the purpose of calculating total area occupied by permitted obstructions. Planting beds and their retaining walls for trees count as obstructions, except that lawn, turf or grass areas intended for public access and seating shall not count as obstructions, provided such lawns do not differ in elevation from the adjoining #public plaza#

elevation by more than 6 inches. Exterior wall thickness added pursuant to Section 33-23 (Permitted Obstructions in Required Yards or Rear Yard Equivalents) in any #publicly accessible open area# or #public plaza# built prior to the (date of adoption) shall not count as obstructions for the purpose of calculating total area occupied by permitted obstructions.

(c) Canopies, awnings, ~~and~~ marquees and sun control devices

(1) Entrances to #buildings# located within a #public plaza# may have a maximum of one canopy, awning or marquee, provided that such canopy, awning or marquee:

- (1)(i) has a maximum area of 250 square feet;
- (2)(ii) does not project into the #public plaza# more than 15 feet when measured perpendicular to the #building# facade;
- (3)(iii) is located a minimum of 15 feet above the level of the #public plaza# adjacent to the #building# entrance; and
- (4)(iv) does not contain vertical supports.

Such canopies, awnings, and marquees shall be designed to provide maximum visibility into the #public plaza# from adjoining #streets# and the adjacent #building#. However, canopies, awnings, and marquees associated with entrances to #buildings# containing #residences# located within a #public plaza# may project more than 15 feet into the #public plaza# and contain vertical supports if they are located entirely within 10 feet of the edge of the #public plaza#.

(2) Sun control devices may be located within a #public plaza#, provided that all such devices:

- (i) shall be located above the level of the first #story# ceiling;
- (ii) shall be limited to a maximum projection of 2 feet, 6 inches;
- (iii) shall have solid surfaces that in aggregate, cover an area no more than 20 percent of the area of the #building# wall (as viewed in elevation) from which they project; and
- (iv) may rise above the permitted #building# height, up to the height of a parapet wall or guardrail permitted within Section 33-42 (Permitted Obstructions);

43-23 Permitted Obstructions in Required Yards or Rear Yard Equivalents

In all #Manufacturing Districts#, the following obstructions shall be permitted within a required #yard# or #rear yard equivalent#:

(a) In any #yard# or #rear yard equivalent#:

- (1) Arbors or trellises;
- (2) Awnings ~~or canopies~~, and other sun control devices, provided that when located at a level higher than a first #story#, excluding a #basement#, all such awnings and other sun control devices:
 - (i) shall be limited to a maximum projection from a #building# wall of 2 feet, 6 inches; and
 - (ii) shall have solid surfaces that in aggregate, cover an area no more than 30 percent of the area of the #building# wall (as viewed in elevation) from which they project;
- (3) Canopies
- (4) Chimneys, projecting not more than three feet into, and not exceeding two percent of the area of, the required #yard# or #rear yard equivalent#;
- (5) Eaves, gutters or downspouts, projecting into such #yard# or #rear yard equivalent# not more than 16 inches or 20 percent of the width of such #yard# or #rear yard equivalent#, whichever is the lesser distance;
- (6) Exterior wall thickness, where such wall thickness is added to the exterior face of a #building# wall existing on (date of

adoption), provided the added wall thickness has a thermal resistance (R-value) of at least 1.5 per inch, and is limited to 1 inch of thickness for every foot of existing #yard# width, up to a maximum thickness of 8 inches. When an open area is provided along a common #lot line#, then such exterior wall thickness is limited to 1 inch for every foot of existing open area on the #zoning lot#.

Where #buildings# that have added exterior wall thickness pursuant to this Section are #enlarged#, such #enlarged# portion may similarly encroach upon required #yards# in order to align with the exterior walls of the existing #building#, provided such #enlargement# contains less #floor area# than the existing #building#, and there is no encroachment of #floor area# into a required #yard#.

- (7) Fences;
- (8) Flagpoles;
- (9) Parking spaces for automobiles or bicycles, off-street, open, #accessory#;
- (10) Solar energy systems on walls existing on (date of adoption), projecting no more than 10 inches and occupying no more than 20 percent of the surface area of the #building# wall (as viewed in elevation) from which it projects;
- (11) Steps, and ramps for persons with physical disabilities;
- (12) Terraces or porches, open;
- (13) Walls, not exceeding eight feet in height and not roofed or part of a #building#;

(b) In any #rear yard# or #rear yard equivalent#:

- (1) Any #building# or portion of a #building# used for any permitted #use#, except that any portion of a #building# containing rooms used for living or sleeping purposes (other than a room in a hospital used for the care and treatment of patients, or #joint living-work quarters for artists#) shall not be a permitted obstruction, and provided that the height of such #building# shall not exceed one #story#, excluding #basement#, nor in any event 23 feet above #curb level#. In addition, decks, parapet walls, roof thickness, skylights, vegetated roofs and weirs shall be permitted upon such #building#, or portion thereof, as listed within Section 43-42 (Permitted Obstructions);
- (2) Breezeways;
- (3) Fire escapes;
- (4) Parking spaces for automobiles or bicycles, off-street, #accessory#, provided that the height of an #accessory building# used for such purposes and located in a required #rear yard# or #rear yard equivalent# shall not exceed 23 feet above #curb level#;
- (5) Solar energy systems on the roof of a #building# permitted as an obstruction to such #yard#:
 - (i) up to 4 feet in height as measured perpendicular to the roof surface when located above a permitted #commercial or community facility use# or attached parking structure; however
 - (ii) shall be limited to 18 inches in height as measured perpendicular to the roof surface when located above a shed or detached parking structure, or on any roof with a slope greater than 20 degrees;
- (6) Water-conserving devices, required in connection with air conditioning or refrigeration systems in #buildings# existing prior to May 20, 1966, if located not less than eight feet from any #lot line#.

However, no portion of a #rear yard equivalent# which is also a required #front yard# or required #side yard# may contain any obstructions not permitted in such #front yard# or #side yard#.

43-42 Permitted Obstructions

In all #Manufacturing Districts#, the following obstructions shall be permitted to penetrate a maximum height limit or a #sky exposure plane# set forth in Sections 43-43 (Maximum Height of Front Wall and Required Front Setbacks), 43-44 (Alternate Front Setbacks) or 43-49 (Limited Height Districts).

- (a) Awnings and other sun control devices, provided that when located at a level higher than a first #story#, excluding a #basement#, all such awnings and other sun control devices:
 - (1) shall be limited to a maximum projection from a #building# wall of 2 feet, 6 inches, except when located on the first #story# above a setback;
 - (2) shall have solid surfaces that, in aggregate, cover an area no more than 30 percent of the area of the #building# wall (as viewed in elevation) from which they project; and
 - (3) may rise above the permitted #building# height, up to the height of a parapet wall or guardrail permitted in accordance with Section 43-42 (Permitted Obstructions).

When located on the first #story# above a setback, awnings and other sun control devices shall be limited to a projection of 50 percent of the depth of the required setback, and shall be limited, in total, to 50 percent of the width of the #building# wall from which they project.
 - (ab) #Building# columns, having an aggregate width equal to not more than 20 percent of the #aggregate width of street walls# of a #building#, to a depth not exceeding 12 inches, in an #initial setback distance#, optional front open area, or any other required setback distance or open area set forth in Sections 43-43, 43-44 or 43-45 (Tower Regulations);
 - (bc) Chimneys or flues, with a total width not exceeding 10 percent of the #aggregate width of street walls# of a #building# at any given level;
 - (d) Decks, and other surfaces for recreational activities, not more than 3 feet, 6 inches in height, as measured from the maximum height limit, or the finished level of the roof as it existed on (date of adoption), whichever is higher;
 - (ee) Elevators or stair bulkhead, roof water tanks or cooling towers (including enclosures), each having an #aggregate width of street walls# equal to not more than 30 feet. However, the product, in square feet, of the #aggregate width of street walls# of such obstructions facing each #street# frontage, times their average height, in feet, shall not exceed a figure equal to four times the width, in feet, of the #street wall# of the #building# facing such frontage. For the purposes of this paragraph, (b), #abutting buildings# on a single #zoning lot# may be considered to be a single #building#;
- Elevator or stair bulkheads (including shafts; and vestibules not larger than 60 square feet in area providing access to a roof), roof water tanks and #accessory# mechanical equipment (including enclosures), other than solar or wind energy systems, provided that:
- (1) such obstructions shall be located not less than 10 feet from the #street wall# of a #building#, except that such obstructions need not be set back more than 25 feet from a #narrow street line# or more than 20 feet from a #wide street line#. However, such restrictions on location shall not apply to elevator or stair bulkheads (including shafts or vestibules), provided the #aggregate width of street walls# of such bulkheads within 10 feet of a #street wall#, facing each #street# frontage, times their average height, in feet, does not exceed an area equal to 4 feet times the width, in feet, of the #street wall# of the #building# facing such frontage.
 - (2) all mechanical equipment shall be screened on all sides.
 - (3) such obstructions and screening are contained within a volume that complies with one of the following:
 - (i) the product, in square feet, of the #aggregate width of street walls# of such obstructions facing each #street# frontage, times their average height, shall not exceed an area equal to 8 feet times the width, in feet, of the #street wall# of the #building# facing such frontage; or
 - (ii) the #lot coverage# of all such obstructions does not exceed 20 percent of the #lot coverage# of the #building#, and where the maximum permitted height of a #building# is less than 120 feet, are limited to a maximum height of 25 feet, and where the maximum permitted height of a #building# is 120 feet or greater, are limited to a maximum height of 40 feet.
- For the purposes of this paragraph, (e), #abutting buildings# on a single #zoning lot# may be considered to be a single #building#.
- (f) Exterior wall thickness, up to 8 inches, where such

wall thickness is added to the exterior face of a #building# wall existing on (date of adoption), provided the added wall thickness has a thermal resistance (R-value) of at least 1.5 per inch. Where #buildings# that have added exterior wall thickness pursuant to this Section are #enlarged#, such #enlarged# portion may similarly penetrate a maximum height limit in order to align with the exterior walls of the existing #building#, provided such #enlargement# contains less #floor area# than the existing #building#, and there is no penetration of #floor area# above a maximum height limit.

- (dg) Flagpoles or aerials;
(eh) House of worship towers, ornamental, having no #floor area# in portion of tower penetrating such height limit or #sky exposure plane#;
(fi) Parapet walls, not more than four feet high in height, as measured from the maximum height limit, or the finished level of the roof as it existed on (date of adoption), whichever is higher. A guardrail with a surface at least 70 percent open or with an opacity no more than 30 percent (as viewed in elevation), shall be permitted above a parapet wall or within 2 feet of a parapet wall, provided such guardrail is not more than 4 feet above the accessible level of a roof. Such restriction on guardrail height shall not apply when located beyond 2 feet from a parapet wall;
(j) Roof thickness, up to 8 inches, to accommodate the addition of insulation, for #buildings# or portions of #buildings# constructed prior to (date of adoption). For a #building# that has added roof thickness pursuant to this paragraph, an #enlargement# may align with the finished roof surface of such #building#, provided the #enlarged# portion does not exceed the maximum height limit height by more than 8 inches;
(k) Rooftop greenhouses, permitted pursuant to Section 75-01 (Certification for Rooftop Greenhouses);
(l) Skylights, clerestories or other day lighting devices, not more than 4 feet in height, as measured from the maximum height limit, or the finished level of the roof as it existed on (date of adoption), whichever is higher. Such devices shall be limited to a #lot coverage# not greater than 10 percent of the #lot coverage# of the roof and be located at least 8 feet from the #street wall# edge. However, such devices shall not be permitted obstructions above a roof with a slope greater than 20 degrees;
(m) Solar energy systems:
(1) on the roof of a #building#, up to 4 feet in height, as measured from the maximum height limit, or the finished level of the roof, whichever is higher;
(2) on the roof of a #building#, greater than 4 feet in height, as measured from the maximum height limit, or the finished level of the roof, whichever is higher, provided that all such portions above 4 feet are set back at least 6 feet from a #street wall#, limited to a #lot coverage# not greater than 25 percent of the #lot coverage# of the roof and do not exceed:
(i) a height of 15 feet;
(ii) when located on a bulkhead or other obstruction pursuant to paragraph (e) of this Section, a height of 6 feet;
(3) on walls existing on (date of adoption), projecting no more than 10 inches and occupying no more than 20 percent of the surface area of the #building# wall (as viewed in elevation) from which it projects.

However, any installation on a roof with a slope greater than 20 degrees shall be limited to 18 inches in height, as measured perpendicular to the roof surface.

- (en) Spires or belfries;
(o) Vegetated roofs, not more than 3 feet, 6 inches in height excluding vegetation, as measured from the maximum height limit, or the finished level of the roof as it existed on (date of adoption), whichever is higher. On roofs with slopes greater than 20 degrees, vegetated roofs shall be limited to a height of 12 inches measured perpendicular to such roof surface;
(p) Weirs, check dams and other equipment for stormwater management, not more than 3 feet, 6 inches in height, as measured from the maximum height limit, or the finished level of the roof as it existed on (date of adoption), whichever is higher;
(q) Wind energy systems on portions of #buildings# with a height of 100 feet or greater, provided:
(1) the highest point of the wind turbine assembly does not exceed 55 feet;
(2) no portion of the wind turbine assembly is closer than 10 feet from any #lot line#; and
(3) in districts where #residences# new #joint living work quarters for artists# are permitted as-of-right, by special permit or

authorization, or within 100 feet of such districts, the diameter of the swept area of the rotor does not exceed 15 feet;

- (r) Window washing equipment mounted on a roof;
(ks) Wire, chain link or other transparent fences.

44-42 Size and Identification of Spaces

M1 M2 M3

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

Driveways used to access required parking spaces must be unobstructed for a width of at least 8 feet and a height of 8 feet above grade and if connecting to a #street#, such driveway may only be accessed by a curb cut.

In any case where a reduction of the required area per parking space is permitted on the basis of the applicant's certification that such spaces will be fully attended, it shall be set forth in the certificate of occupancy that paid attendants employed by the owners or operators of such spaces shall be available to handle the parking and moving of automobiles at all times when such spaces are in use.

In no event shall the dimensions of any parking stall be less than 18 feet long and 8 feet, 6 inches wide.

54-313 Single- or two-family residences with non-complying front yards or side yards

- (b) In all districts, for an existing #single-# or #two-family residence# with a #noncomplying side yard#, an #enlargement# involving a vertical extension of existing #building# walls facing such #non-complying side yard# is permitted, provided the following conditions are met:

- (1) the portion of the #building# which is being vertically extended complies with the height and setback regulations applicable to an R3-2 District;
(2) the #non-complying side yard# where the #building# wall is being vertically extended is at least three feet in width and the minimum distance between such #building# wall and the nearest #building# wall or vertical prolongation thereof on an adjoining #zoning lot# across the common #side lot line# is eight feet;
(3) the #enlarged building# does not contain more than two #dwelling units#;
(4) that there is no encroachment on the existing #non-complying side yard# except as set forth in this Section; and
(5) the #enlargement# does not otherwise result in the creation of a new #noncompliance# or in an increase in the degree of #non-compliance#.

Notwithstanding the provisions set forth in paragraphs (a)(1) and (b)(1) of this Section, when an existing #building# has added exterior wall thickness pursuant to Section 23-44 (Permitted Obstructions in Required Yards or Rear Yard Equivalents), such vertical extensions may align with the location of the finished exterior #building# wall of the existing #building#.

62-341 Developments on land and platforms

All #developments# on portions of a #zoning lot# landward of the #shoreline# or on #platforms# shall be subject to the height and setback provisions of this Section. However, when the seaward view from all points along the #shoreline# of a #zoning lot# is entirely obstructed by existing elevated roads, bridges or similar structures which are less than 50 feet above mean high water and within 200 feet of the #shoreline#, #developments# shall be exempt from the requirements of this Section. Height and setback regulations for #developments# on #piers# and #floating structures# are set forth in Sections 62-342 and 62-343.

- (a) For the purposes of applying the height and setback regulations of this Section, the following provisions shall apply:

- (4) Permitted obstructions
The obstructions permitted pursuant to

Sections 23-62, 24-51, 33-42 or 43-42 shall apply. In addition, the following regulations regarding permitted obstructions shall be permitted apply:

- (i) Within an #initial setback distance#, a dormer may exceed a maximum base height specified in Table A of this Section or penetrate a required setback area above a maximum base height specified in Table C of this Section, provided that on any #street# frontage the aggregate width of all dormers at the maximum base height does not exceed 60 percent of the width of the #street wall# of the highest #story# entirely below the maximum base height. At any level above the maximum base height, the width of a #street wall# of a dormer shall be decreased by one percent for every foot that such level of dormer exceeds the maximum base height. (See Illustration of Dormer)

- (iii) Wind energy systems

Regulations governing wind energy systems are modified pursuant to this paragraph:

In R6 through R10 Districts, Commercial Districts other than C1 or C2 Districts mapped within R1 through R5 Districts and C4-1, C7, C8-1, and Manufacturing Districts other than M1-1 Districts, wind energy systems located on a roof of a #building# shall not exceed a height equivalent to 50 percent of the height of such portion of the #building# or 55 feet, whichever is less, as measured from the roof to the highest point of the wind turbine assembly.

In C4-1, C7, C8-1 and M1-1 Districts, for #buildings# containing #commercial# or #community facility uses#, wind energy systems shall not exceed a height of 55 feet when located above a roof of the #building# as measured to the highest point of the wind turbine assembly. In all districts, no portion of a wind energy system may be closer than 10 feet to a #waterfront public access area# boundary or a #zoning lot line#.

- (b) Lower density districts

R1 R2 R3 R4 R5 C3 C4-1 C7 C8-1 M1-1

In the districts indicated, and in C1 and C2 Districts mapped within such #Residence Districts#, the underlying district height and setback regulations are applicable or modified as follows:

- (4) Other structures

All structures other than #buildings# shall be limited to a height of 35 feet, except that in C4-1, C7, C8-1 and M1-1 Districts, freestanding wind energy systems shall be permitted to a height of 85 feet, as measured from the base plane to the highest point of the wind turbine assembly.

- (c) Medium and high density non-contextual districts

Table A HEIGHT AND SETBACK FOR ALL BUILDINGS AND OTHER STRUCTURES IN MEDIUM AND HIGH DENSITY NON-CONTEXTUAL DISTRICTS*

- (d) Medium and high density contextual districts

R6A R6B R7A R7B R7D R7X R8A R8B R8X R9A R9X R10A

C1-6A C1-7A C1-8A C1-8X C1-9A C2-6A C2-7A C2-7X C2-8A C4-2A C4-3A C4-4A C4-5A C4-5D C4-5X C4-6A C4-7A C5-1A C5-2A C6-2A C6-3A C6-4A

In the districts indicated, and in C1 and C2 Districts mapped within such #Residence Districts#, the height and setback regulations of Sections 23-60, 24-50 and 35-24 shall not apply. In lieu thereof, the height and setback regulations set forth in this Section following regulations shall apply:

62-342 Developments on piers

- (a) Height and setback regulations on #piers#

The height of a #building or other structure# on a #pier# shall not exceed 30 feet. However, where a setback at least 15 feet deep is provided, the maximum height of a #building or other structure# shall be 40 feet. Such required setback shall be provided at a minimum height of 25 feet and a maximum height of 30 feet, and may be reduced to ten feet in depth along any portion of the #building or other structure# fronting on an open area of the #pier# having a dimension of at least 40 feet measured perpendicular to such fronting portion. In addition, wind energy systems shall be allowed, provided such a system does not exceed a height of 85 feet, as measured from the base plane to the highest point of the wind turbine assembly or, when located above a roof of the #building#, a height of 55 feet, as measured to the highest point of the wind turbine assembly, whichever is higher.

(b) #Building# width and spacing regulations on #piers#

Article VII Administration

Chapter 1 Enforcement, and Administration and Amendments

71-00 ENFORCEMENT AND ADMINISTRATION

71-10 PROCEDURE FOR AMENDMENTS

The City Planning Commission shall adopt resolutions to amend the text of this Resolution or the #zoning maps# incorporated therein, and the City Council shall act upon such amendments, in accordance with the provisions of the New York City Charter.

Chapter 5 Amendments

75-00 PROCEDURE FOR AMENDMENTS

The City Planning Commission shall adopt resolutions to amend the text of this Resolution or the #zoning maps# incorporated therein, and the City Council shall act upon such amendments, in accordance with the provisions of the New York City Charter.

Chapter 5 Certifications

75-00 CERTIFICATIONS

75-01 Certification for Rooftop Greenhouses

A rooftop greenhouse shall be excluded from the definition of #floor area# and may exceed #building# height limits, upon certification by the Chairperson of the City Planning Commission that such rooftop greenhouse:

- (a) is located on the roof of a #building# that does not contain #residences# or other #uses# with sleeping accommodations;
(b) will only be used for cultivation of plants, or primarily for cultivation of plants when #accessory# to a #community facility use#;
(c) is no more than 25 feet in height;
(d) has roofs and walls consisting of at least 70 percent transparent materials, except as permitted pursuant to paragraph (f)(3) of this Section;
(e) where exceeding #building# height limits, is set back from the perimeter wall of the #story# immediately below by at least 6 feet on all sides; and
(f) has been represented in plans showing:
(1) the area and dimensions of the proposed greenhouse, the location of the existing or proposed #building# upon which the greenhouse will be located, and access to and from the #building# to the greenhouse;
(2) that the design of the greenhouse incorporates a rainwater collection and reuse system; and
(3) any portions of the greenhouse dedicated to office or storage space #accessory# to the greenhouse, which shall be limited to 20 percent of the floor space of the greenhouse, and shall be exempt from the transparency requirement in paragraph (d) of this Section.

Plans submitted shall include sections and elevations, as necessary to demonstrate compliance with the provisions of paragraphs (a) through (f) of this Section, as applicable. A copy of the proposed rooftop greenhouse plan shall be delivered to the affected Community Board, which may review such proposal and submit comments to the Chairperson of the City Planning Commission. The certification of a rooftop greenhouse shall not be complete until the earlier of the date that the affected Community Board submits comments regarding such proposal to City Planning or informs City Planning that such Community Board has no comments; or 45 days from the date that such proposal was submitted to the affected Community Board.

No building permits or certificates of occupancy related to the

addition of #residences# or other #uses# with sleeping accommodations within the #building# may be issued by the Department of Buildings, unless and until such rooftop greenhouse has been fully dismantled. A Notice of Restrictions shall be recorded for the #zoning lot# providing notice of the certification pursuant to this Section. The form and contents of the legal instrument shall be satisfactory to the Chairperson of the City Planning Commission, and the filing and recording of such instrument shall be a precondition to the use of such rooftop greenhouse. The recording information for the rooftop greenhouse certification shall be referenced on the first Certificate of Occupancy to be issued after such notice is recorded, as well as all subsequent Certificates of Occupancy, for as long as the rooftop greenhouse remains intact.

81-252 Permitted obstructions

With the exception of unenclosed balconies conforming to the provisions of Section 23-13 (Balconies), the Except as set forth in this Section, structures which under the provisions of Sections 33-42 or 43-42 (Permitted Obstructions) or 34-11 or 35-11 (General Provisions); are permitted to penetrate a maximum height limit or a #sky exposure plane# shall not be permitted as exceptions to the height limitations, setback requirements or rules for the measurement of #encroachments# or #compensating recesses# set forth in Section 81-26 (Height and Setback Regulations), nor shall they be excluded in determining daylight blockage pursuant to the provisions of Section 81-27 (Alternate Height and Setback Regulations).

The following shall be permitted as exceptions to the height regulations, setback requirements or rules for the measurement of #encroachments# or #compensating recesses# set forth in Section 81-26 (Height and Setback Regulations) and shall be excluded in determining daylight blockage pursuant to the provisions of Section 81-27 (Alternate Height and Setback Regulations).

- (a) Unenclosed balconies conforming to the provisions of Section 23-13 (Balconies); and
(b) Exterior wall thickness, up to 8 inches, where such wall thickness is added to the exterior face of a #building# wall existing on (date of adoption), provided the added wall thickness has a thermal resistance (R-value) of at least 1.5 per inch. Where #buildings# that have added exterior wall thickness pursuant to this Section are #enlarged#, such #enlarged# portion may similarly penetrate a maximum height limit in order to align with the exterior walls of the existing #building#, provided such #enlargement# contains less #floor area# than the existing #building#, and there is no penetration of #floor area# above a maximum height limit.

84-135 Limited height of buildings

For the purposes of this Section, the term "#buildings#" shall include #buildings or other structures#. No portion of any #building# may be built to a height greater than 85 feet above #curb level#, except that:

- (e) Sections 23-62 (Permitted Obstructions) and 33-42 (Permitted Obstructions) are hereby made inapplicable. Any portion of a #building# that exceeds an established height limit shall be subject to the following provisions:
(1) The following shall not be considered obstructions and may thus penetrate a maximum height limit:
(i) Chimneys or flues, with a total width not exceeding 10 percent of the #aggregate width of street walls# of a #building# at any level
(ii) Elevator or stair bulkheads, roof water tanks, cooling towers and or other #accessory# mechanical equipment (including enclosure walls), provided that either the product, in square feet, of the #aggregate width of street walls# of such obstructions facing each #street# frontage times their average height, in feet, shall not exceed a figure equal to eight times the width, in feet, of the #street wall# of the #building# facing such frontage at #curb level#, or the #lot coverage# of all such obstructions does not exceed 20 percent of the #lot coverage# of the #building# and the height of all such obstructions does not exceed 40 feet pursuant to Section 33-42 (Permitted Obstructions)
(iii) Decks, and other surfaces for recreational activities, not more than 3 feet, 6 inches in height, as measured from the maximum height limit, or the finished level of the roof as it existed on (date of adoption), whichever is higher;
(iv) External wall thickness, pursuant to Section 33-42 (Permitted Obstructions)
(v) Flagpoles and aerials

- (vi) Heliostats and wind turbines energy systems
(vii) Parapet walls, not more than four feet high in height, as measured from the maximum height limit, or the finished level of the roof as it existed on (date of adoption), whichever is higher. A guardrail with a surface at least 70 percent open or with an opacity no more than 30 percent (as viewed in elevation), shall be permitted above a parapet wall or within 2 feet of a parapet wall, provided such guardrail is not more than 4 feet above the accessible level of a roof. Such restriction on guardrail height shall not apply when located beyond 2 feet from a parapet wall;
(viii) Roof thickness, up to 8 inches, to accommodate the addition of insulation, for #buildings# or portions of #buildings# constructed prior to (date of adoption). For a #building# that has added roof thickness pursuant to this paragraph, an #enlargement# may align with the finished roof surface of such #building#, provided the #enlarged# portion does not exceed the maximum height limit height by more than 8 inches;
(ix) Rooftop greenhouses, permitted pursuant to Section 75-01 (Certification for Rooftop Greenhouses);
(x) Skylights, clerestories or other day lighting devices, not more than 4 feet in height, as measured from the maximum height limit, or the finished level of the roof as it existed on (date of adoption), whichever is higher. Such devices shall be limited to a #lot coverage# not greater than 10 percent of the #lot coverage# of the roof and be located at least 8 feet from the #street wall# edge. However, such devices shall not be permitted obstructions above a roof with a slope greater than 20 degrees;
(xi) Solar energy systems:
(1) on the roof of a #building#, up to 4 feet in height, as measured from the maximum height limit, or the finished level of the roof, whichever is higher;
(2) on the roof of a #building#, greater than 4 feet in height, as measured from the maximum height limit, or the finished level of the roof, whichever is higher, provided that all such portions above 4 feet are set back at least 6 feet from a #street wall#, limited to a #lot coverage# not greater than 25 percent of the #lot coverage# of the roof and do not exceed a height of 15 feet, or when located on a bulkhead or other obstruction pursuant to paragraph (f) of Section 33-42, do not exceed a height of 6 feet.
(3) on walls existing on (date of adoption), projecting no more than 10 inches and occupying no more than 20 percent of the surface area of the #building# wall (as viewed in elevation) from which it projects.
However, any installation on a roof with a slope greater than 20 degrees shall be limited to 18 inches in height, as measured perpendicular to the roof surface.
(xii) Vegetated roofs, not more than 3 feet, 6 inches in height excluding vegetation, as measured from the maximum height limit, or the finished level of the roof as it existed on (date of adoption), whichever is higher. On roofs with slopes greater than 20 degrees, vegetated roofs shall be limited to a height of 12 inches measured perpendicular to such roof surface;
(xiii) Weirs, check dams and other equipment for stormwater management, not more than 3 feet, 6 inches in height, as measured from the maximum

height limit, or the finished level of the roof as it existed on (date of adoption), whichever is higher;

- (xiv) Wire, chain link or other transparent fences;

(2) The maximum permitted size of enclosure walls surrounding elevator or stair bulkheads, roof water tanks, cooling towers ~~and or other #accessory#~~ mechanical equipment may be increased by authorization of the City Planning Commission, provided the Commission finds that:

- (i) the width of such additional enclosure wall at each #building# face does not exceed 80 percent of the width of the enclosure wall as allowed in paragraph (e)(1) of this Section;
- (ii) the additional area of the enclosure wall at each #building# face is not more than 50 percent of the area permitted as-of-right; and
- (iii) the enclosure wall is compatible with the #building# and the urban design goals of the Special District and complements the design by providing a decorative top; and

(f) in #special height locations# in Appendices 2.2 and 3.2 of this Chapter, no portion of a #building#, including permitted obstructions, shall exceed a height of 450 feet above #curb level#.

* * *

84-333 Limited height of buildings

The maximum height of any #building or other structure#, or portion thereof, shall not exceed 400 feet on any portion of subzone C-1 shown as a #special height location# in Appendix 3.2 of this Chapter, except that permitted obstructions pursuant to Section 33-42 shall be allowed to penetrate a maximum height limit.

The maximum height of any #building or other structure#, or any portion thereof, located within subzone C-2 shall not exceed 180 feet above #curb level#, except that:

- (a) the maximum height of any #building or other structure#, or portion thereof, shown as a #special height location# shall not exceed the height set forth in Appendix 3.2; and
- (b) Sections 23-62 and 33-42 (Permitted Obstructions) are hereby made inapplicable. Any portion of a #building or other structure# that exceeds an established height limit shall be subject to the following provisions:

- (1) The following shall not be considered obstructions and may this penetrate a maximum height limit:
 - (i) Chimneys or flues, with a total width not exceeding 10 percent of the #aggregate width of street walls# or a #building# at any level;
 - (ii) Decks, and other surfaces for recreational activities, not more than 3 feet, 6 inches in height, as measured from the maximum height limit, or the finished level of the roof as it existed on (date of adoption), whichever is higher;
 - (iii) Elevator or stair bulkheads, roof water tanks, cooling towers or other accessory mechanical equipment (including enclosure walls), provided that either the product, in square feet, of the #aggregate width of street walls# of such obstructions facing each #street# frontage times their average height, in feet, shall not exceed a figure equal to eight times the width, in feet, of the #street wall# of the #building# facing such frontage at #curb level#, or the #lot coverage# of all such obstructions, does not exceed 20 percent of the #lot coverage# of the #building# and the height of all such obstructions does not exceed 40 feet pursuant to Section 33-42 (Permitted Obstructions);
 - (iv) Fences, wire, chain link or other transparent type;
 - (v) Flagpoles and aerials;
 - (vi) Parapet walls, not more than four feet high in height, as measured from the maximum height limit, or the finished level of the roof as it existed on

(date of adoption), whichever is higher. A guardrail with a surface at least 70 percent open or with an opacity no more than 30 percent (as viewed in elevation), shall be permitted above a parapet wall or within 2 feet of a parapet wall, provided such guardrail is not more than 4 feet above the accessible level of a roof. Such restriction on guardrail height shall not apply when located beyond 2 feet from a parapet wall;

- (vii) Roof thickness, up to 8 inches, to accommodate the addition of insulation, for #buildings# or portions of #buildings# constructed prior to (date of adoption). For a #building# that has added roof thickness pursuant to this paragraph, an #enlargement# may align with the finished roof surface of such #building#, provided the #enlarged# portion does not exceed the maximum height limit height by more than 8 inches;

(viii) Rooftop greenhouses, permitted pursuant to Section 75-01 (Certification for Rooftop Greenhouses);

(ix) Skylights, clerestories or other day lighting devices, not more than 4 feet in height, as measured from the maximum height limit, or the finished level of the roof as it existed on (date of adoption), whichever is higher. Such devices shall be limited to a #lot coverage# not greater than 10 percent of the #lot coverage# of the roof and be located at least 8 feet from the #street wall# edge. However, such devices shall not be permitted obstructions above a roof with a slope greater than 20 degrees;

(x) Solar energy systems:

(a) on the roof of a #building#, up to 4 feet in height, as measured from the maximum height limit, or the finished level of the roof, whichever is higher;

(b) on the roof of a #building#, greater than 4 feet in height, as measured from the maximum height limit, or the finished level of the roof, whichever is higher, provided that all such portions above 4 feet are set back at least 6 feet from a #street wall#, limited to a #lot coverage# not greater than 25 percent of the #lot coverage# of the roof and do not exceed a height of 15 feet, or when located on a bulkhead or other obstruction pursuant to paragraph (f) of Section 33-42, do not exceed a height of 6 feet.

(c) on walls existing on (date of adoption), projecting no more than 10 inches and occupying no more than 20 percent of the surface area of the #building# wall (as viewed in elevation) from which it projects.

However, any installation on a roof with a slope greater than 20 degrees shall be limited to 18 inches in height, as measured perpendicular to the roof surface.

(xi) Vegetated roofs, not more than 3 feet, 6 inches in height excluding vegetation, as measured from the maximum height limit, or the finished level of the roof as it existed on (date of adoption), whichever is higher. On roofs with slopes greater than 20 degrees, vegetated roofs shall be limited to a height of 12 inches measured perpendicular to such roof surface;

(xii) Weirs, check dams and other equipment for stormwater management, not more than 3 feet, 6 inches in height, as measured from the maximum height limit, or the finished level of the roof as it existed on (date of adoption), whichever is higher;

(2) The maximum permitted size of enclosure walls surrounding elevator or stair bulkheads, roof water tanks, cooling towers ~~and or other #accessory#~~ mechanical equipment may be increased by authorization of the City Planning Commission, provided the Commission finds that:

- (i) the width of such additional enclosure

wall at each #building# face does not exceed 80 percent of the width of the enclosure wall as allowed in paragraph (b)(1) of this Section;

- (ii) the additional area of the enclosure wall at each #building# face is not more than 50 percent of the area permitted as-of-right; and
- (iii) the enclosure wall is compatible with the #building# and the urban design goals of the Special District and complements the design by providing a decorative top.

(c) ~~Notwithstanding the above, i~~n no event, shall the height of any #building#, including permitted obstructions, exceed 800 feet above #curb level#.

* * *

87-31 Permitted Obstructions

The provisions of Section 33-42 (Permitted Obstructions) shall apply to all #buildings#, ~~except that elevator or stair bulkheads, roof water tanks, cooling towers or other mechanical equipment (including enclosures), may penetrate a maximum height limit, provided that either:~~

(a) ~~the product, in square feet, of the #aggregate width of street walls# of such obstructions facing each #street# frontage, times their average height, in feet, shall not exceed a figure equal to eight times the width, in feet, of the #street wall# of the #building# facing such frontage; or~~

(b) ~~the #lot coverage# of all such obstructions does not exceed 20 percent of the #lot coverage# of the #building#, and the height of all such obstructions does not exceed 40 feet.~~

In addition, dormers may penetrate a maximum base height in accordance with the provisions of paragraph (c)(1) of Section 23-621 (Permitted obstructions in certain districts).

* * *

93-41 Rooftop Regulations

(a) ~~Permitted obstructions~~

- (+) Subdistricts A, B, C, D and E

The provisions of Section 33-42 (Permitted Obstructions) shall apply to all #buildings# within Subdistricts A through E, ~~except that elevator or stair bulkheads, roof water tanks, cooling towers or other mechanical equipment (including enclosures), may penetrate a maximum height limit provided that either the product, in square feet, of the #aggregate width of street walls# of such obstructions facing each #street# frontage, times their average height, in feet, shall not exceed a figure equal to eight times the width, in feet, of the #street wall# of the #building# facing such frontage or, the #lot coverage# of all such obstructions does not exceed 20 percent of the #lot coverage# of the #building#, and the height of all such obstructions does not exceed 40 feet. In addition, dormers may penetrate a maximum base height in accordance with the provisions of paragraph (c)(1) of Section 23-621 (Permitted obstructions in certain districts).~~

(b) (2) Subdistrict F

In Subdistrict F, the provisions of paragraph (d) of Section 33-42 (Permitted Obstructions) shall ~~not~~ apply, ~~except that. In lieu thereof, the following shall apply:~~

- (+) ~~#Building# bases and transition heights~~

~~For all #building# bases and transition heights, rooftop mechanical structures, including, but not limited to, elevator or stair bulkheads, roof water tanks, cooling towers or other mechanical equipment, and their required enclosures may penetrate a maximum height limit, provided that either the product, in square feet, of the #aggregate width of street walls# of such obstructions facing each #street# frontage, times their average height, in feet, shall not exceed a figure equal to eight times the width, in feet, of the #street wall# of the #building# facing such frontage or, the #lot coverage# of all such obstructions does not exceed 20 percent of the #lot coverage# of the #building#, and the height of all such obstructions does not exceed 40 feet.~~

- (ii) ~~Towers~~

~~For all towers, rooftop mechanical equipment, including, but not limited to, elevator or stair bulkheads, roof water tanks, cooling towers or other mechanical equipment, and their required enclosures, may penetrate a maximum height limit. For towers above a height of 350 feet, such rooftop mechanical structures shall comply with the tower top articulation~~

provisions set forth in Section 93-569 (Tower top articulation).

~~(b) Screening requirements for mechanical equipment~~

~~For all #developments# and #enlargements#, all mechanical equipment located on any roof of a #building or other structure# shall be fully enclosed, except that openings in such enclosure shall be permitted only to the extent necessary for ventilation and exhaust.~~

~~***~~

**93-55
Special Height and Setback Regulations in the South of Port Authority Subdistrict E**

(a) #Zoning lots# with Eighth Avenue frontage

(2) permitted obstructions, as listed in paragraph (a) of Section 93-41, may penetrate the #sky exposure plane#. In addition, a dormer, as listed in paragraph (c)(1) of Section 23-621, may penetrate the #sky exposure plane#.

**93-77
Design Criteria for Public Access Areas in Subdistrict F**

Public access areas in Subdistrict F shall be comprised of publicly accessible open spaces, private streets and pedestrian ways.

(a) Design criteria

(12) Canopies, awnings, ~~and~~ marquees and sun control devices

Where #buildings# front onto publicly accessible open spaces, private streets and pedestrian ways, canopies, awnings, and marquees and sun control devices shall be permitted pursuant to the standards set forth in paragraph (c) of Section 37-726 (Permitted obstructions).

**94-072
Special plaza provisions**

In Areas A, C and E, all #developments# which are located on a #zoning lot# with frontage along Emmons Avenue, except for a #zoning lot# of less than 8,000 square feet which was in existence as of November 1, 1972, shall provide and maintain a plaza for public use which complies with the following requirements:

(c) The size of the plaza shall be at least 4,000 square feet in one location and shall not at any point be more than two feet below or five feet above #street# level, with a minimum dimension of 35 feet. At least 15 percent of the plaza area shall be landscaped and planted with trees, except when a #zoning lot# abutting both Dooley Street and Emmons Avenue is #developed#, ~~then~~ such landscaping shall be at least 75 percent of the total plaza area provided with such #development#.

(f) A plaza may include as permitted obstructions, sculptures, kiosks, or open cafes occupying in the aggregate no more than 30 percent of the total plaza area. Ice skating rinks are also allowed as permitted obstructions within such plazas only for the months from October through March, provided the minimum area of such plaza is 7,500 square feet. Exterior wall thickness, awnings and other sun control devices pursuant to Section 37-726 (Permitted Obstructions) shall also be allowed as permitted obstructions.

**97-441
Permitted obstructions**

The provisions of Section 33-42 (Permitted Obstructions) shall apply to all #buildings# within the Special District, except that ~~the provisions of paragraph (d) shall not apply. In lieu thereof, the following regulations shall apply:~~

~~Elevator or stair bulkheads, roof water tanks, cooling towers or other mechanical equipment (including enclosures), may penetrate a maximum height limit or #sky exposure plane# provided that either:~~

~~(a) the product, in square feet, of the #aggregate width of street walls# of such obstructions facing each #street# frontage, times their average height, in feet, shall not exceed a figure equal to eight times the width, in feet, of the #street wall# of the #building# facing such frontage; or~~

~~(b) for #buildings# at least 120 feet in height, the #lot coverage# of all such obstructions does not exceed 20 percent of the #lot coverage# of the #building#, and the height of all such obstructions does not exceed 40 feet.~~

In addition, dormers may penetrate a maximum base height in accordance with the provisions of paragraph (c)(1) of Section 23-621 (Permitted obstructions in certain districts).

**98-422
Special rooftop regulations**

The provisions of Section 33-42 (Permitted Obstructions) shall apply to all #buildings or other structures# within the #Special West Chelsea District#, except ~~that as modified as follows:~~

~~(a) Permitted Obstructions~~

~~(1) Elevator or stair bulkheads, roof water tanks, cooling towers or other mechanical equipment (including enclosures), may penetrate a #sky exposure plane# or a maximum height limit provided that either the product, in square feet, of the #aggregate width of street walls# of such obstructions facing each #street# frontage, times their average height, in feet, shall not exceed a figure equal to eight times the width, in feet, of the #street wall# of the #building# facing such frontage or, the #lot coverage# of all such obstructions does not exceed 20 percent of the #lot coverage# of the #building#, and the height of all such obstructions does not exceed 40 feet.~~

~~(2) Dormers may penetrate a maximum base height in accordance with the provisions of paragraph (c)(1) of Section 23-621 (Permitted obstructions in certain districts). However, dormers may not exceed the maximum #building# height in Subareas C, F and G where the maximum base height and maximum #building# height are the same.~~

~~(b) Ventilation and mechanical equipment~~

All mechanical equipment located within 15 feet of the level of the #High Line bed# that is within 25 feet of the #High Line#, measured horizontally, or within the #High Line frontage#, as applicable, shall be screened and buffered with no intake or exhaust fans or vents facing directly onto the #High Line#.

**101-221
Permitted Obstructions**

The provisions of Section 33-42 (Permitted Obstructions) shall apply to all #buildings# within the #Special Downtown Brooklyn District#, except that ~~elevator or stair bulkheads, roof water tanks, cooling towers or other #accessory# mechanical equipment (including enclosures) may penetrate a maximum height limit, provided the product, in square feet, of the #aggregate width of street walls# of such obstructions facing each #street# frontage, times their average height, in feet, shall not exceed a figure equal to eight times the width, in feet, of the #street wall# of the #building# facing such frontage or, the #lot coverage# of all such obstructions does not exceed 20 percent of the #lot coverage# of the #building# and the height of all such obstructions does not exceed 40 feet.~~ In addition, dormers may penetrate a maximum base height in accordance with the provisions of paragraph (c)(1) of Section 23-621 (Permitted obstructions in certain districts).

**104-322
Permitted Obstructions**

(a) Chimneys, flues, intake and exhaust vents limited to a #lot coverage# of 900 square feet with neither length nor width of any single such obstruction, nor the total length or width of all such obstructions, greater than 30 feet;

(b) Decks, and other surfaces for recreational activities, not more than 3 feet, 6 inches in height, as measured from the maximum height limit, or the finished level of the roof as it existed on (date of adoption), whichever is higher;

(d) Elevator and stair bulkheads to a maximum height of 15 feet above the permitted maximum height of mechanical equipment;

(e) Flagpoles or aerials;

(f) House of worship towers, ornamental, having no #floor area# in portion of tower penetrating such #sky exposure plane#;

(g) Parapet walls, not more than four feet high in height, as measured from the maximum height limit, or the finished level of the roof as it existed on (date of adoption), whichever is higher. A guardrail with a surface at least 70 percent open or with an opacity no more than 30 percent (as viewed in elevation), shall be permitted above a parapet wall or within 2 feet of a parapet wall, provided such guardrail is not more than 4 feet above the accessible level of a roof. Such restriction on guardrail height shall not apply when located beyond 2 feet from a parapet wall;

(h) Pipes and supporting structures;

(i) Railings;

(j) Roof thickness, up to 8 inches, to accommodate the addition of insulation, for #buildings# or portions of #buildings# constructed prior to (date of adoption). For a #building# that has added roof thickness pursuant to this paragraph, an #enlargement# may align with the finished roof surface of such #building#, provided the #enlarged# portion does not exceed the maximum height limit height by more than 8 inches;

(k) Rooftop greenhouses, permitted pursuant to Section 75-01 (Certification for Rooftop Greenhouses);

(l) Skylights, clerestories or other day lighting devices, not more than 4 feet in height, as measured from the maximum height limit, or the finished level of the roof as it existed on (date of adoption), whichever is higher. Such devices shall be limited to a #lot coverage# not greater than 10 percent of the #lot coverage# of the roof and be located at least 8 feet from the #street wall# edge. However, such devices shall not be permitted obstructions above a roof with a slope greater than 20 degrees;

(m) Solar energy systems:

(1) on the roof of a #building#, up to 4 feet in height, as measured from the maximum height limit, or the finished level of the roof, whichever is higher;

(2) on the roof of a #building#, greater than 4 feet in height, as measured from the maximum height limit, or the finished level of the roof, whichever is higher, provided that all such portions above 4 feet are set back at least 6 feet from a #street wall#, limited to a #lot coverage# not greater than 25 percent of the #lot coverage# of the roof and do not exceed:

(i) a height of 15 feet; and

(iii) when located on a bulkhead or other obstruction pursuant to paragraph (d) of this Section, a height of 6 feet;

(3) on walls existing on (date of adoption), projecting no more than 10 inches and occupying no more than 20 percent of the surface area of the #building# wall (as viewed in elevation) from which it projects.

However, any installation on a roof with a slope greater than 20 degrees shall be limited to 18 inches in height, as measured perpendicular to the roof surface.

(n) Spires or belfries;

(o) Vegetated roofs, not more than 3 feet, 6 inches in height excluding vegetation, as measured from the maximum height limit, or the finished level of the roof as it existed on (date of adoption), whichever is higher. On roofs with slopes greater than 20 degrees, vegetated roofs shall be limited to a height of 12 inches measured perpendicular to such roof surface;

(p) Weirs, check dams and other equipment for stormwater management, not more than 3 feet, 6 inches in height, as measured from the maximum height limit, or the finished level of the roof as it existed on (date of adoption), whichever is higher;

(q) Window washing equipment mounted on the roof;

(r) Wire, chain link or other transparent fences.

**107-223
Permitted obstruction in designated open space**

The following shall not be considered as obstructions when located in #designated open space#:

(a) Awnings and other sun control devices pursuant to Section 23-44 (Permitted Obstructions)

(b) Balconies, unenclosed, subject to the provisions of Section 23-13; or

(bc) Eaves, gutters or downspouts projecting into such #designated open space# not more than 16 inches; or

(ed) Fences or walls, conditioned upon certification by the City Planning Commission that:

(1) such fences or walls will not obstruct or preclude public access or circulation of pedestrians, cyclists or horseback riders through the public easement within #designated open space#; and

(2) the location, size, design and materials of such fences or walls are appropriate to the character of the #designated open space#.

(e) Exterior wall thickness, pursuant to Section 23-44 (Permitted Obstructions)

(f) Solar energy systems on walls existing on (date of adoption), projecting no more than 10 inches and occupying no more than 20 percent of the surface area of the #building# wall (as viewed in elevation) from which it projects;

No #accessory# off-street parking facilities shall be permitted in #designated open space#. No #building or other structure# shall be erected in #designated open space# except as permitted by the provisions of Section 107-221 (Active recreational activities). Any existing #building or other structure# located within the #designated open space# on September 11, 1975, and not complying with the provisions of this Section or the other Sections specified in the preceding

paragraph, shall not be #enlarged# but may be continued as a #non-conforming use# or #noncomplying building# subject to the applicable provisions of Article V (Non-Conforming Uses and Non-Complying Buildings) in accordance with the underlying district regulations.

111-20 SPECIAL BULK PROVISIONS FOR AREAS A1 THROUGH A7

(d) Area A4, A5, A6 and A7

Except as set forth herein, the bulk regulations of the underlying district shall apply.

(2) The provisions of Section 33-42 (Permitted Obstructions) shall apply to all #buildings#, except that elevator or stair bulkheads, roof water tanks, cooling towers or other mechanical equipment (including enclosures), may penetrate a maximum height limit provided that either the product, in square feet, of the #aggregate width of street walls# of such obstructions facing each #street# frontage, times their average height, in feet, shall not exceed a figure equal to eight times the width, in feet, of the #street wall# of the #building# facing such frontage or, the #lot coverage# of all such obstructions does not exceed 20 percent of the #lot coverage# of the #building#, and the height of all such obstructions does not exceed 40 feet. In addition, dormers may penetrate a maximum base height in accordance with the provisions of paragraph (c)(1) of Section 23-621 (Permitted obstructions in certain districts).

114-121 Special rooftop regulations

The provisions of Section 33-42 (Permitted Obstructions) shall apply to all #buildings# or other structures# in R6A, R6B, R7A, R7B, C4-2A and C8-2 Districts in the #Special Bay Ridge District#, except that the provisions of paragraph (d) of Section 33-42 shall not apply. In lieu thereof, the following regulations shall apply:

Elevator or stair bulkheads, roof water tanks, cooling towers or other mechanical equipment (including enclosures) may exceed a maximum height limit provided that either the product, in square feet, of the #aggregate width of street walls# of such obstructions facing each #street# frontage, times their average height, in feet, shall not exceed a figure equal to eight times the width, in feet, of the #street wall# of the #building# facing such frontage or, the #lot coverage# of all such obstructions does not exceed 20 percent of the #lot coverage# of the #building#, and the height of all such obstructions does not exceed 20 feet. In addition, dormers may penetrate a maximum base height in accordance with the provisions of paragraph (c)(1) of Section 23-621 (Permitted obstructions in certain districts).

115-231 Permitted obstructions

The provisions of Section 33-42 (Permitted Obstructions) shall apply to all #buildings# within the #Special Downtown Jamaica District#, except that the provisions of paragraph (d) of Section 33-42 shall not apply. In lieu thereof, the following regulations shall apply:

Elevator or stair bulkheads, roof water tanks, cooling towers or other mechanical equipment (including enclosures) may penetrate a maximum height limit or #sky exposure plane#, provided that either:

- (a) the product, in square feet, of the #aggregate width of street walls# of such obstructions facing each #street# frontage, times their average height, in feet, shall not exceed a figure equal to eight times the width, in feet, of the #street wall# of the #building# facing such frontage; or
(b) for #buildings# at least 120 feet in height, the #lot coverage# of all such obstructions does not exceed 20 percent of the #lot coverage# of the #building#, and the height of all such obstructions does not exceed 40 feet.

In addition, dormers may penetrate a maximum base height in accordance with the provisions of paragraph (c)(1) of Section 23-621 (Permitted obstructions in certain districts).

116-231 Special rooftop regulations

The provisions of Section 33-42 (Permitted Obstructions) shall apply to all #buildings# or other structures# in the #Special Stapleton Waterfront District#, except that the provisions of paragraph (d) of Section 33-42 shall not apply. In lieu thereof, the following regulations shall apply:

Elevator or stair bulkheads, roof water tanks, cooling towers or other mechanical equipment (including enclosures) may exceed a maximum height limit provided that either:

- (a) the product, in square feet, of the #aggregate width of street walls# of such obstructions facing each #street# frontage, times their average height, in feet, shall not exceed a figure equal to eight times the width, in feet, of the #street wall# of the #building# facing such frontage; or
(b) the #lot coverage# of all such obstructions does not exceed 20 percent of the #lot coverage# of the #building#, and the height of all such obstructions does not exceed 20 feet.

In addition, dormers may penetrate a maximum base height in accordance with the provisions of paragraph (c)(1) of Section 23-621 (Permitted obstructions in certain districts).

121-32 Height of Street Walls and Maximum Building Height

- (b) Maximum #building# height
(2) permitted obstructions, as listed in paragraph (a) of Section 93-41, may penetrate the #sky exposure plane# and the height limit of 250 feet. In addition, a dormer, as listed in paragraph (c)(1) of Section 23-621, may penetrate the #sky exposure plane#.

125-31 Rooftop Regulations

(a) Permitted obstructions
The provisions of Section 33-42 (Permitted Obstructions) shall apply to all #buildings# within the #Special Southern Hunters Point District#, except that elevator or stair bulkheads, roof water tanks, cooling towers or other mechanical equipment (including enclosures), may penetrate a maximum height limit, provided that either:

- (1) the product, in square feet, of the #aggregate width of street walls# of such obstructions facing each #street# frontage, times their average height, in feet, shall not exceed a figure equal to eight times the width, in feet, of the #street wall# of the #building# facing such frontage; or
(2) the #lot coverage# of all such obstructions does not exceed 20 percent of the #lot coverage# of the #building#, and the height of all such obstructions does not exceed 40 feet. In addition, dormers may penetrate a maximum base height in accordance with the provisions of paragraph (c)(1) of Section 23-621 (Permitted obstructions in certain districts).

(b) Screening requirements for mechanical equipment
For all #developments# and #enlargements#, all mechanical equipment located on any roof of a #building or other structure# shall be fully enclosed, except that openings in such enclosure shall be permitted only to the extent necessary for ventilation and exhaust.

128-31 Rooftop Regulations

The provisions of this Section shall apply to all #buildings# in C4-2 Districts within the Upland and Waterfront Subdistricts.

- (a) Permitted obstructions
The provisions of Section 33-42 (Permitted Obstructions) shall apply to all #buildings# in C4-2 Districts within the Upland and Waterfront Subdistricts, except that elevator or stair bulkheads, roof water tanks, cooling towers or other mechanical equipment (including enclosures), may penetrate a maximum height limit, provided that either:
(1) the product, in square feet, of the #aggregate width of street walls# of such obstructions facing each #street# frontage, times their average height, in feet, shall not exceed a figure equal to eight times the width, in feet, of the #street wall# of the #building# facing such frontage; or
(2) the #lot coverage# of all such obstructions does not exceed 20 percent of the #lot coverage# of the #building#, and the height of all such obstructions does not exceed 40 feet. In addition, dormers may penetrate a maximum base height in accordance with the provisions of paragraph (c)(1) of Section 23-621 (Permitted obstructions in certain districts).

(b) Screening requirements for mechanical equipment
For all #developments# and #enlargements#, and #conversions# of #non-residential buildings# to #residences#, all mechanical equipment located on any roof of a #building or other structure# shall be fully enclosed, except that openings in such enclosure shall be permitted only to the extent necessary for ventilation and exhaust.

131-40 HEIGHT AND SETBACK REGULATIONS

131-41 Rooftop Regulations

(a) Permitted obstructions
The provisions of Section 33-42 (Permitted Obstructions) shall apply to all #buildings# within the #Special Coney Island District#, except that elevator or stair bulkheads, roof water tanks, cooling towers or other mechanical equipment (including enclosures), may penetrate a maximum height limit provided that either the product, in square feet, of the #aggregate width of street walls# of such obstructions facing each #street# frontage, times their average height, in feet, shall not exceed a figure equal to eight times the width, in feet, of the #street wall# of the #building# facing such frontage or, the #lot coverage# of all such obstructions does not exceed 20 percent of the #lot coverage# of the #building#, and the height of all such obstructions does not exceed 40 feet. In addition, dormers may penetrate a maximum base height in accordance with the provisions of paragraph (c)(1) of Section 23-621 (Permitted obstructions in certain districts) only in the Mermaid Avenue Subdistrict.

(b) Screening requirements for mechanical equipment
For all #developments# and #enlargements#, all mechanical equipment located on any roof of a #building or other structure# shall be fully enclosed, except that openings in such enclosure shall be permitted only to the extent necessary for ventilation and exhaust.

END OF AMENDMENT TEXT

QUEENS PLAZA SIGN REGULATIONS

QUEENS CB - 1 and 2 N 110223 ZRQ
Application submitted by the JetBlue Airways Corporation pursuant to Section 197-c and 201 of the New York City Charter for an amendment of the Zoning Resolution of the City of New York, relating to Article XI, Chapter 7 to modify sign regulations within the Queens Plaza Subdistrict of the Special Long Island City Mixed Use District.

Matter Underlined is new, to be added;
Matter in Strikeout is old, to be deleted;
Matter within # # is defined in Section 12-10;
*** indicate where unchanged text appears in the Zoning Resolution

Article XI - Special Purpose Districts

Chapter 7 Special Long Island Mixed Use District

117-51 Queens Plaza Subdistrict Special Use Regulations
The special #use# provisions of Sections 123-20 through 123-50, inclusive, of the #Special Mixed Use District# shall apply in the Queens Plaza Subdistrict except where modified by the provisions of this Section and shall supplement or supersede the provisions of the designated #Residence# or M1 District, as applicable.

117-514 Special Sign Regulations

Within the Queens Plaza Subdistrict, the #sign# regulations of Section 123-40 shall apply, except that such #sign# regulations may be modified to permit a non-flashing sign# on the rooftop of a #non-residential building#, provided that such #sign# directs attention to a business conducted within such #building#, where such business occupies at least 20 percent of the #floor area# within such #building#, or a minimum of 50,000 square feet of #floor area# within such #building#, whichever is less. In addition, the following rules shall apply:

- (a) such #sign# shall be located on the rooftop of a #building# with frontage on Queens Plaza South, Queens Boulevard, Queens Plaza East or Queens Plaza North, and the height of the rooftop on which the #sign# is affixed shall be at least 70 feet but not more than 150 feet above #curb level#;
(b) there shall be no more than one such #sign# on a #zoning lot#, and no more than one such #sign# per establishment on any #sign# structure;
(c) such #signs# shall be affixed to an open frame structure with maximum dimensions that shall not exceed 45 feet in height, as measured from the surface of the roof to its uppermost point, and 150 feet in width, as measured along its widest dimension;
(d) all writing, pictorial representations, emblems, flags, symbols or any other figure or character comprising the design of such #sign# shall be separate elements, individually cut and separately affixed to the open frame structure. No perimeter or background surfaces shall be applied or affixed to the open frame structure in addition to such separate elements. No portion of such separate elements shall extend beyond the maximum dimensions allowed for an open frame structure. The area of such separate elements of a rooftop #sign# shall not count towards the maximum #surface area# of a #sign# permitted in Section 32-644 (Illuminated or flashing signs in C4, C5-4, C6 or C7 Districts); and
(e) any illumination from a rooftop #sign# located within 100 feet of any #building# containing #residences#, where such #residences# legally existed at the time of the application for a permit for such #sign#, shall not project into or reflect onto any #residential# portion of such #building#.

**119-03 SPRINGFIELD BOULEVARD
QUEENS CB - 13 C 090466 ZMQ**

Application submitted by ADC Builders & Developers pursuant to Sections 197-c and 201 of the New York City Charter, for an amendment of the Zoning Map, Section No. 19a, by establishing within an existing R2A District a C1-3 District bounded by 119th Avenue, Francis Lewis Boulevard, 217th Street, a line perpendicular to the southeasterly street line of Springfield Boulevard distant 140 feet southwesterly (as measured along the street line) from the point of intersection of the southeasterly line of Springfield Boulevard and the southwesterly street line of 119th Avenue, and Springfield Boulevard.

The Subcommittee on Landmarks, Public Siting and Maritime Uses will hold a public hearing in the Council Committee Room, 250 Broadway, 16th Floor, New York City, New York 10007, commencing at 11:00 A.M. on Tuesday, April 24, 2012.

The Subcommittee on Planning, Dispositions and Concessions will hold a public hearing in the Council Committee Room, 250 Broadway, 16th Floor, New York City, New York 10007, commencing at 1:00 P.M. on Tuesday, April 24, 2012.

☛ a18-24

■ HEARINGS

**HEARING BY THE COMMITTEE ON RULES,
PRIVILEGES AND ELECTIONS**

THE COMMITTEE ON RULES, PRIVILEGES AND ELECTIONS WILL HOLD A HEARING ON WEDNESDAY, APRIL 18, 2012 AT 10:30 A.M. IN THE COMMITTEE ROOM AT CITY HALL, NEW YORK, NY 10007 ON THE FOLLOWING MATTERS:

Advice and Consent

- **Pre-considered-M**, Communication from the Mayor submitting the name of James Stolpinski for appointment as a member of the **New York City Waterfront Management Advisory Board** pursuant to §§ 31 and 1303 of the *New York City Charter*. Should Mr. Stolpinski receive the advice and consent of the Council, he will be eligible to serve the remainder of a one-year term that expires on August 31, 2012.

Designation

- **Pre-considered-M**, Robert F. Nolan, Council candidate for re-designation and subsequent re-appointment by the Mayor to the **New York City Health and Hospitals Corporation Board of Directors** to serve for the remainder of a five-year term that will expire on March 20, 2017.

AND SUCH OTHER BUSINESS AS MAY BE NECESSARY

A Calendar of speakers will be established in advance. Persons interested in being heard should write to the Honorable Christine C. Quinn, Speaker of the City Council, City Hall, New York, New York 10007, setting forth their name, representation and viewpoints.

Michael M. McSweeney
City Clerk, Clerk of the Council

a12-18

CITYWIDE ADMINISTRATIVE SERVICES

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN THAT A REAL PROPERTY ACQUISITIONS AND DISPOSITIONS PUBLIC HEARING, in accordance with Section 824 of the New York City Charter, will be held at 10:00 A.M. on May 2, 2012 at 22 Reade Street, 2nd floor conference room in Manhattan.

In the matter of a proposed lease renewal for the City of New York, as Tenant, of approximately 32,500 rentable square feet of space on the 3rd floor, in a building located at 29-76 Northern Blvd. (Block 239, Lot 49), in the Borough of Queens, for the New York City Police Department to use as offices.

The proposed renewal of the lease shall be for a period of ten (10) years from date of delivery of a fully executed Lease Renewal and Amendment Agreement to Landlord, at a base annual rent of \$568,750.00 (\$17.50 per square foot) for years from substantial completion through five (5), and \$617,500.00 (\$19.00 per square foot) for years six (6) through ten (10), payable in equal monthly installments at the end of each month.

The renewal of the lease may be terminated by the Tenant at any time, in whole or in part, upon sixty (60) days prior written notice. In the event that the lease is terminated by the Tenant, the Tenant shall pay to the Landlord the unamortized portion of the Landlord's cost of the alterations and improvements.

Further information, including public inspection of the proposed lease may be obtained at One Centre Street, Room 2000 North, New York, NY 10007. To schedule an inspection, please contact Chris Fleming at (212) 669-7497.

Individuals requesting Sign Language Interpreters should contact the Mayor's Office of Contract Services, Public Hearings Unit, 253 Broadway, Room 915, New York, NY 10007, (212) 788-7490, no later than FIVE (5) BUSINESS DAYS PRIOR TO THE PUBLIC HEARING.

TDD users should call VERIZON relay services.

☛ a18

NOTICE IS HEREBY GIVEN THAT A REAL PROPERTY ACQUISITIONS AND DISPOSITIONS PUBLIC HEARING, in accordance with Section 824 of the New York City Charter, will be held at 10:00 A.M. on May 2, 2013 in the 2nd Floor Conference Room, 22 Reade Street, in Manhattan.

In the matter of a proposed lease amendment for the City of New York, as Tenant, of approximately 25,879 rentable square feet of space on the 2nd, 3rd, 4th & 5th floors at 162-24 Jamaica Avenue (Block 10102, Lot 10), in the Borough of Queens, for the Department of Probation to us as an office.

The proposed lease amendment shall add Cleaning Services at an annual cost of \$77,637.00 (\$3.00 per square foot) and add Maintenance Services at an annual cost of \$32,348.75 (\$1.25 per square foot) for the initial five (5) year term of the lease. The annual cost for the second five (5) year term of the lease shall be \$85,400.70 (\$3.30 per square foot) for Cleaning Services and \$35,583.63 (\$1.38 per square foot) for Maintenance Services. Tenant may cancel either or both of the aforementioned services upon three (3) months written notice.

Further information, including public inspection of the proposed lease may be obtained at One Centre Street, Room 2000 North, New York, NY 10007. To schedule an inspection, please contact Chris Fleming at (212) 669-7497.

Individuals requesting Sign Language Interpreters should contact the Mayor's Office of Contract Services, Public Hearings Unit, 253 Broadway, Room 915, New York, NY 10007, (212) 788-7490, no later than FIVE (5) BUSINESS DAYS PRIOR TO THE PUBLIC HEARING.

TDD users should call VERIZON relay services.

☛ a18

CITY PLANNING COMMISSION

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN THAT RESOLUTIONS Have been adopted by the City Planning Commission Scheduling public hearings on the following matters to be held at the Auditorium of the National Museum of the American Indian, 1 Bowling Green New York, New York, on Wednesday, April 25, 2012 at 10:00 A.M.

**No. 1
WOODHAVEN-RICHMOND HILL REZONING
CD 9 C 120195 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. 14b, 14d, 17c, 18a and 18c:

1. eliminating from an existing R3-1 District a C1-2 District bounded by a line 100 feet northerly of Jamaica Avenue, 85th Street, a line 150 feet northerly of Jamaica Avenue, Woodhaven Boulevard, 86th Drive, 94th Street, a line 150 feet northerly of Jamaica Avenue, 98th Street, a line 150 feet southerly of Jamaica Avenue, 85th Street, a line 100 feet southerly of Jamaica Avenue, 80th Street, Jamaica Avenue, and 80th Street;
2. eliminating from an existing R3-1 District a C2-2 District bounded by:
 - a. a line 100 feet northerly of Jamaica Avenue, 76th Street, a line 150 feet northerly of Jamaica Avenue, 80th Street, Jamaica Avenue, 80th Street, a line 100 feet southerly of Jamaica Avenue, 78th Street, a line 150 feet southerly of Jamaica Avenue, 75th Street, a line 100 feet southerly of Jamaica Avenue, and Dexter Court and it's southerly centerline prolongation;
 - b. a line 150 feet northwesterly of Atlantic Avenue, 112th Street, a line 100 feet northwesterly of Atlantic Avenue, and 108th Street; and
 - c. and a line 150 feet northwesterly of Atlantic Avenue, 121st Street, a line 100 feet northwesterly of Atlantic Avenue, and 114th Street;
3. eliminating from an existing R5 District a C2-2 District bounded by a line 100 feet northwesterly of Atlantic Avenue, 121st Street, Atlantic Avenue, Lefferts Boulevard, 94th Avenue, 120th Street, a line 150 feet southeasterly of 94th Avenue, Lefferts Boulevard, a line 150 feet southeasterly of Atlantic Avenue, 107th Street, Atlantic Avenue, and 108th Street;
4. changing from an R3-1 District to an R3A District property bounded by:
 - a. a line 100 feet southerly of Jamaica Avenue, a line 80 feet northeasterly of 90th Street, 88th Avenue, a line 100 feet southwesterly of Woodhaven Boulevard, 89th Avenue, Woodhaven Boulevard, 91st Avenue, 88th Street, a line 80 feet northerly of 91st Avenue, and a line midway between 88th Street and 89th Street; and
 - b. Park Lane South, the northeasterly boundary line of the Long Island Railroad right-of-way (Rockaway Beach Division), a line 100 feet northerly of Jamaica Avenue, 98th Street, a line 250 feet northerly of Jamaica Avenue, and a line

5. changing from an R3-1 District to an R3X District property bounded by:
 - a. Park Lane South, 89th Street, a line 150 feet southerly of 85th Road, a line midway between 88th Street and 89th Street, a line 100 feet northerly of Jamaica Avenue, 86th Street, 86th Avenue, a line 290 feet northeasterly of Forest Parkway, a line 100 feet northerly of Jamaica Avenue, Forest Parkway, southeasterly street line of 86th Road and its northeasterly prolongation, and a line 100 feet southwesterly of Forest Parkway;
 - b. Park Lane South, a line 100 feet easterly of 96th Street, a line 150 feet northerly of Jamaica Avenue, 96th Street, a line 100 feet southerly of 86th Road, 94th Street, 86th Drive, Woodhaven Boulevard, 86th Road, 91st Street, a line 150 feet northerly of 85th Road, and a line midway between 91st Street and 90th Street; and
 - c. a line 100 feet southerly of Jamaica Avenue, 98th Street, a line 175 feet southerly of Jamaica Avenue, a line 140 feet northeasterly of 98th Street, a line 225 feet southeasterly of 91st Avenue, 98th Street, a line 100 feet northwesterly of Atlantic Avenue, 96th Street, 91st Avenue, 96th Street, 89th Avenue, and Woodhaven Boulevard;
6. changing from an R5 District to an R4-1 District property bounded by:
 - a. 95th Avenue, 104th Street, 94th Avenue, a line 90 feet northeasterly of 104th Street, 95th Avenue, a line midway between 106th Street and 105th Street, a line 100 feet northwesterly of 101st Avenue, and 102nd Street;
 - b. a line 100 feet southeasterly of 101st Avenue, a line midway between 112th Street and 113th Street, a line 100 feet northwesterly of 103rd Avenue, and a line midway between 101st Street and 102nd Street; and
 - c. Atlantic Avenue, 124th Street, a line 100 feet northwesterly of 95th Avenue, and 121st Street;
7. changing from an M1-1 District to an R4-1 District property bounded by 94th Avenue, 104th Street, 95th Avenue, and 102nd Street;
8. changing from an R3-1 District to an R4A District property bounded by a line 100 feet southeasterly of Jamaica Avenue, a line midway between 114th Street and 115th Street, a line perpendicular to the southwesterly street line of 115th Street distant 290 feet southeasterly (as measured along the street line) from the point of intersection of the southeasterly street line of Jamaica Avenue and the southwesterly street line of 115th Street, 115th Street, a line 200 feet southeasterly of Jamaica Avenue, 116th Street, a line 100 feet southeasterly of Jamaica Avenue, Lefferts Boulevard, 89th Avenue, 121st Street, a line 100 feet northwesterly of Atlantic Avenue, 112th Street, 89th Avenue and its southwesterly centerline prolongation, and 113th Street;
9. changing from an R5 District to an R4A District property bounded by:
 - a. Atlantic Avenue, 96th Street, 95th Avenue, and Woodhaven Boulevard;
 - b. 94th Avenue, 106th Street, a line 100 feet southeasterly of Atlantic Avenue, Lefferts Boulevard, a line 200 feet northwesterly of 95th Avenue, 120th Street, a line 150 feet northwesterly of 95th Avenue, 121st Street, a line 100 feet southeasterly of 95th Avenue, 124th Street, 94th Avenue, 125th Street, Atlantic Avenue, 127th Street, 94th Avenue, 129th Street, a line 150 feet southeasterly of Atlantic Avenue, 130th Street, a line 100 feet southeasterly of Atlantic Avenue, a line 100 feet northeasterly of 134th Street, a line 100 feet northwesterly of 95th Avenue, a line 100 feet southwesterly of the Van Wyck Expressway, a line 100 feet northwesterly of 101st Avenue, a line midway between 105th Street and 106th Street, 95th Avenue, and a line 90 feet northeasterly of 104th Street; and
 - c. a line 100 feet southeasterly of 101st Avenue, 135th Street, 102nd Avenue, Van Wyck Expressway, a line 100 feet northwesterly of 103rd Avenue, 133rd Street, 103rd Avenue, 127th Street, a line 90 feet northwesterly of 103rd Avenue, 114th Street, a line 100 feet northwesterly of 103rd Avenue, and a line midway between 112th Street and 113th Street;
10. changing from an R5 District to an R4B District property bounded by a line 100 feet northwesterly of 95th Avenue, 124th Street, a line 100 feet

- southeasterly of 95th Avenue, and 121st Street;
- 11. changing from an R3-1 District to an R6A District property bounded by:
 - a. a line 100 feet northerly of Jamaica Avenue, a line 85 feet westerly of 76th Street, a line 100 feet northerly of Jamaica Avenue, Woodhaven Boulevard, 86th Drive, 94th Street-, a line 100 feet southerly of 86th Road, 96th Street, a line 150 feet northerly of Jamaica Avenue, a line 100 feet easterly of 96th Street, a line 250 feet northerly of Jamaica Avenue, 98th Street, a line 100 feet southerly of Jamaica Avenue, and Dexter Court and its southerly centerline prolongation;
 - b. a line 150 feet southerly of Jamaica Avenue, a line 100 feet southwesterly of 102nd Street, a line 175 feet southerly of Jamaica Avenue, and 98th Street; and
 - c. a line 100 feet southeasterly of Jamaica Avenue, 116th Street, a line 200 feet southeasterly of Jamaica Avenue, 115th Street, a line perpendicular to the southwesterly street line of 115th Street distant 290 feet southeasterly (as measured along the street line) from the point of intersection of the southeasterly street line of Jamaica Avenue and the southwesterly street line of 115th Street, and a line midway between 114th Street and 115th Street;
- 12. changing from an R3-2 District to an R6A District property bounded by a line 130 feet northerly of Jamaica Avenue, a line 85 feet westerly of 76th Street, a line 100 feet northerly of Jamaica Avenue; and Dexter Court;
- 13. changing from an R5 District to an R6A District property bounded by a line midway between 93rd Avenue and Atlantic Avenue and its northeasterly prolongation, 108th Street, a line 100 feet northwesterly of Atlantic Avenue, 121st Street, Atlantic Avenue, Lefferts Boulevard, a line 100 feet southeasterly of Atlantic Avenue, 106th Street, 94th Avenue, and a line 100 feet northeasterly of 104th Street;
- 14. changing from a C8-1 District to an R6A District property bounded by:
 - a. Jamaica Avenue, the southerly prolongation of Dexter Court, a line 100 feet southerly of Jamaica Avenue, and Eldert Lane; and
 - b. a line 100 feet northerly of Jamaica Avenue, the northeasterly boundary line of the Long Island Railroad right-of-way (Rockaway Beach Division), a line perpendicular to the southwesterly street line of 101st Street distant 240 feet northwesterly (as measured along the street line) from the point of intersection of the northerly street line of Jamaica Avenue to the southwesterly street line of 101st Street, 101st Street, Jamaica Avenue, a line 100 feet southwesterly of 102nd Street, a line 150 feet southerly of Jamaica Avenue, and 98th Street;
- 15. establishing within a proposed R4A District a C2-3 District bounded by a line 150 feet southeasterly of Jamaica Avenue, Lefferts Boulevard, a line 535 feet southeasterly of Jamaica Avenue, and a line midway between Lefferts Boulevard and 118th Street;
- 16. establishing within an existing R5 District a C2-3 District bounded by:
 - a. 94th Avenue, 120th Street, a line 100 feet southeasterly of 94th Avenue, and Lefferts Boulevard;
 - b. Atlantic Avenue, a line 100 feet northeasterly of 130th Street, a line 100 feet southeasterly of Atlantic Avenue, 129th Street, 94th Avenue, and 127th Street;
 - c. Atlantic Avenue, 134th Street, a line 100 feet southeasterly of Atlantic Avenue, and 133rd Street; and
 - d. a line 100 feet southeasterly of Atlantic Avenue, the southwesterly service road of Van Wyck Expressway, a line 100 feet southeasterly of 95th Avenue, a line 100 feet southwesterly of Van Wyck Expressway, and a line 100 feet northwesterly of 95th Avenue, and a line 100 feet northeasterly of 134th street;
- 17. establishing within a proposed R6A District a C1-4 District bounded by a line 100 feet northerly of Jamaica Avenue, Woodhaven Boulevard, 86th Drive, 94th Street, a line 100 feet southerly of 86th Road, 96th Street, a line 100 feet northerly of Jamaica Avenue, 98th Street, a line 100 feet southerly of Jamaica Avenue, 80th Street, Jamaica Avenue, and 80th Street;
- 18. establishing within a proposed R6A District a C2-3 District bounded by a line midway between 93rd

- Avenue and Atlantic Avenue and its northeasterly prolongation, 108th Street, a line 100 feet northwesterly of Atlantic Avenue, 121st Street, Atlantic Avenue, Lefferts Boulevard, a line 100 feet southeasterly of Atlantic Avenue, 106th Street, Atlantic Avenue, and a line 100 feet northeasterly of 104th Street; and
- 19. establishing within a proposed R6A District a C2-4 District bounded by:
 - a. Jamaica Avenue, Dexter Court, a line 130 feet northerly of Jamaica Avenue, a line 85 feet westerly of 76th Street, a line 100 feet northerly of Jamaica Avenue, 80th Street, Jamaica Avenue, 80th Street, a line 100 feet southerly of Jamaica Avenue, and Eldert Lane; and
 - b. a line 100 feet northerly of Jamaica Avenue, the northeasterly boundary line of the Long Island Railroad right-of-way (Rockaway Beach Division), a line perpendicular to the southwesterly street line of 101st Street distant 240 feet northwesterly (as measured along the street line) from the point of intersection of the northerly street line of Jamaica Avenue to the southwesterly street line of 101st Street, 101st Street, Jamaica Avenue, a line 100 feet southwesterly of 102nd Street, a line 175 feet southerly of Jamaica Avenue, and 98th Street;

Borough of Queens, Community District 9, as shown on a diagram (for illustrative purposes only) dated February 27, 2012, and subject to the conditions of CEQR Declaration E-281.

BOROUGH OF MANHATTAN
Nos. 2, 3, 4 & 5
NEW YORK UNIVERSITY CORE
No. 2

CD 2 C 120077 MMM
IN THE MATTER OF an application submitted by New York University, 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 narrowing, by elimination, discontinuance and closing, of Mercer Street between West Houston Street and West 4th Street, and of LaGuardia Place between Bleecker Street and West 3rd Street;
- the elimination, discontinuance and closing of portions of Mercer Street, West 3rd Street and West 4th Street below an upper limiting plane;
- the establishment of parks west of Mercer Street and east of LaGuardia Place between Bleecker Street and West 3rd Street above lower-limiting planes; and
- the adjustment of legal grades necessitated thereby,

including authorization for any acquisition or disposition of real property related thereto, in accordance with Map Nos. 30230 through 30235, dated December 22, 2011 and signed by the Borough President.

No. 3

CD 2 C 120122 ZMM
IN THE MATTER OF an application submitted by New York University pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 12c:

1. eliminating from within an existing R7-2 District a C1-5 District bounded by a line 340 feet northerly of Bleecker Street, a line 125 feet easterly of LaGuardia Place, a line 131 feet southerly of Bleecker Street, and LaGuardia Place;
2. changing from an R7-2 District to a C1-7 District property bounded by West 3rd Street, Mercer Street*, West Houston Street, LaGuardia Place, Bleecker Street, and LaGuardia Place*;
3. changing from a C6-2 District to an R7-2 District property bounded by West 4th Street, Mercer Street*, West 3rd Street, and the former centerline of Mercer Street*;
4. changing from a C6-2 District to a C1-7 District property bounded by West 3rd Street, Mercer Street*, West Houston Street, and the former centerline of Mercer Street*;
5. establishing within an existing R7-2 District a C1-5 District bounded by a line 100 feet southerly of East 8th Street, Mercer Street, West 4th Street, and Washington Square East, Waverly Place, and University Place;

as shown on a diagram (for illustrative purposes only) dated January 3, 2012.

*Note: Mercer Street and LaGuardia Place are proposed to be narrowed under a concurrent related application (C 120077 MMM) for a change in the City Map.

No. 4

CD 2 C 120123 ZRM
IN THE MATTER OF an application submitted by New York University pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, concerning special permit regulations for large scale general developments relating to Section 74-742 (Ownership) and Section 74-743 (Special Provisions

for bulk modifications) on the zoning lots bounded by West Third Street, Mercer Street, West Houston Street, and LaGuardia Place.

Matter Underlined is new, to be added; Matter in ~~Strikeout~~ is old, to be deleted; Matter within # # is defined in Section 12-10;

Article 7 – Administration

* * *

Chapter 4
 Special Permits by the City Planning Commission

* * *

74-742
 Ownership

Except as otherwise provided in this Section, any #large-scale general development# for which application is made for a special permit in accordance with the provisions of Section 74-74 (Large- Scale General Development) shall be on a tract of land which at the time of application is all under the control of the applicant(s) as the owner(s) or holder(s) of a written option to purchase. No special permit shall be granted unless the applicant(s) acquired actual ownership (single fee ownership or alternate ownership arrangements according to the #zoning lot# definition in Section 12-10 (DEFINITIONS) for all #zoning lots# comprising the #large-scale general development#) of, or executed a binding sales contract for, all of the property comprising such tract.

When a #large-scale general development# is located within a designated urban renewal area, the City's urban renewal agency, or a person authorized by such agency, may apply for and be granted a special permit under the provisions of Section 74-74 even though such #large-scale general development# does not meet the ownership requirements set forth elsewhere in this Section. All parcels comprising such #large-scale general development# shall be within the designated urban renewal area and subject to the urban renewal controls set forth in the approved urban renewal plan.

~~When a #large-scale general development# is to be #developed# or #enlarged# through assemblage by any other governmental agency, or its agent, having the power of condemnation, a special permit may be applied for and granted under the provisions of Section 74-74 even though such #large-scale general development# does not meet the ownership requirements set forth elsewhere in this Section.~~

A special permit may be applied for and granted under the provisions of Section 74-74, even though such #large-scale general development# does not meet the ownership requirements set forth elsewhere in this Section, when the site of such #large-scale general development# is:

- (a) to be #developed# or #enlarged# through assemblage by any other governmental agency, or its agent, having the power of condemnation, or
- (b) partially under city ownership, within the former Washington Square Southeast Urban Renewal Area, within Community District 2 in the Borough of Manhattan provided that the exception to the ownership requirements set forth herein shall apply only to tracts of land in city ownership.

* * *

74-743
 Special provisions for bulk modification

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

* * *

Within the former Washington Square Southeast Urban Renewal Area, within Community District 2 in the Borough of Manhattan, where the Commission has approved a #large-scale general development#, and a #lot line# of such #large-scale general development# coincides with the boundary of a mapped #public park#, such #lot line# shall be considered to be a #street line# of a #wide street # for the purposes of applying all #use# and #bulk# regulations of this Resolution.

* * *

No. 5

CD 2 C 120124 ZSM
IN THE MATTER OF an application submitted by New York University pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-743* of the Zoning Resolution:

1. to allow the distribution of total allowable floor area without regard for zoning lot lines; and
2. to allow the location of buildings without regard for the applicable height and setback, yards and distance between buildings;

to facilitate the development of four new buildings, within a Large-Scale General Development generally bounded by West 3rd Street, Mercer Street***, West Houston Street, and LaGuardia Place*** (Block 533, Lots 1 & 10, and Block 524, Lots 9 & 66), in a C1-7** District.

*Note: Section 74-743 is proposed to be changed under a concurrent related application (N 120123 ZRM) for a zoning text amendment.

**Note: The site is proposed to be rezoned from an R7-2 and R7-2/C1-5 Districts to a C1-7 District under a concurrent related application (C 120122 ZMM) for a change in the Zoning Map.

***Note: Mercer Street and LaGuardia Place are proposed to be narrowed under a concurrent related application (C 120077 MMM) for a change in the City Map.

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.

NOTICE

On Wednesday, April 25, 2012, at 10:00 A.M., in the National Museum of the American Indian at the historic Alexander Hamilton U.S. Custom House located at One Bowling Green, in Lower Manhattan, a public hearing is being held by the City Planning Commission in conjunction with the above ULURP hearing to receive comments related to a Draft Environmental Impact Statement (DEIS) concerning an application by New York University for a zoning map amendment and zoning text amendments as well as a special permit for a large-scale general development project (LSGD). The zoning map amendment would rezone the two blocks between LaGuardia Place, Mercer Street, West Houston Street, and West Third Street from R7-2 and R7-2/C1-5 to C1-7. It would also rezone several blocks between Washington Square East / University Place, Mercer Street, West Fourth Street, and the northern boundary of the existing R6-2 zoning district near East Eighth Street from R7-2 to R7-2/C1-5. The zoning text amendments would allow applications for LSGD special permits within the former Washington Square Southeast Urban Renewal Area to be submitted without meeting normally-applicable ownership requirements and allow public parks in the former Washington Square Southeast Urban Renewal Area to be treated as a street for all zoning purposes. The applicant is also requesting a special permit under ZR Section 74-74 to waive certain bulk requirements for their LSGD. Also being requested by the applicant under a concurrent application is a change to the City Map that would eliminate, discontinue and close (“demap”) four areas within the mapped rights-of-way of Mercer Street, LaGuardia Place, West 3rd Street and West 4th Street, and the subsequent disposition of portions of those demapped areas along with easements in other portions to the applicant, and the mapping of portions of two of the demapped areas as a public park. The proposed actions would facilitate a proposal by the applicant to expand their facilities at its academic core with two academic buildings, a mixed-use building containing academic, dormitory, hotel and conference space, faculty housing and retail uses, and a building containing academic and dormitory uses (the applicant anticipates making space available within this building to the New York City School Construction Authority for the provision of a public school). The proposal also includes below-grade space for academic use, an athletic center, and an accessory parking garage with 389 spaces; and approximately 3.8 acres of parkland and publicly-accessible open spaces. Comments are requested on the DEIS and will be accepted until Monday, May 7, 2012.

This hearing is being held pursuant to the State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR), CEQR No. 11DCP121M.

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

a11-25

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, April 18, 2012, 8:00 P.M., 1097 Bergen Avenue, Brooklyn, NY

BSA# 42-10-BZ

2170 Mill Avenue
IN THE MATTER OF an application filed pursuant to Section 72-21 of the Zoning Resolution as amended, requesting various zoning waivers to permit the construction of a 6-story residential development that is contrary to the bulk regulations of the R3-1 zoning district, the application also requests a waiver to permit commercial use on the first floor.

a12-18

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

BOROUGH OF BROOKLYN

COMMUNITY BOARD NO. 11 - Wednesday, April 18, 2012, 7:30 P.M., Bensonhurst Center for Rehabilitation and Healthcare, 1740 84th Street, Brooklyn, NY

BSA# 211-71-BZ

1907 Cropsey Avenue
IN THE MATTER OF the applicant seeks to amend an existing variance to permit the removal of the accessory automotive repair shop and permit an accessory convenience store also an extension of time to obtain a certificate of occupancy.

a12-18

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, April 24,

2012 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.

a17-23

ENVIRONMENTAL CONTROL BOARD

MEETING

OFFICE OF ADMINISTRATIVE TRIALS AND HEARINGS / ENVIRONMENTAL CONTROL BOARD

The next meeting will take place on Thursday, April 26, 2012 at 40 Rector Street, OATH Lecture Room, 14th Floor, New York, NY 10006 at 9:15 A.M. at the call of the Chairman.

a17-19

INFORMATION TECHNOLOGY AND TELECOMMUNICATIONS

FRANCHISE ADMINISTRATION

PUBLIC HEARINGS

NOTICE OF A FRANCHISE AND CONCESSION REVIEW COMMITTEE (“FCRC”) PUBLIC HEARING to be held on Monday, May 7, 2012 commencing at 2:30 P.M. at 22 Reade Street, Borough of Manhattan in the matter of approval of a change of control of mobile telecommunications franchisee Mobilitie Investments II, LLC (“Mobilitie”) arising from the sale of all of the equity interests of Mobilitie by the parent company of Mobilitie, Mobilitie Holdings II, LLC to SBA Monarch Acquisition, LLC. Mobilitie's franchise from the City of New York (“the City”) grants the non-exclusive right to install, operate and maintain telecommunications equipment and facilities on City owned and managed street light poles, traffic light poles, highway sign support poles and certain utility poles (“utility” being defined as it is defined in 47 U.S.C. Section 224). The franchise runs until November 14, 2019. The franchisee is limited to the use of 3,000 poles City-wide during the term of the franchise.

Copies of organizational charts reflecting the controlling ownership of the franchisee before and after the above-described change of control (including name changes for the franchisee and its parent), and a copy of Mobilitie's existing franchise agreement with the City, may be viewed at the Department of Information Technology and Telecommunications, 2 Metrotech Center, 4th Floor, Brooklyn, New York 11201, from April 16, 2012 through May 7, 2012, between the hours of 9:30 A.M. and 3:30 P.M., excluding Saturdays, Sundays and holidays. Hard copies of Mobilitie's franchise agreement with the City and copies of the organizational charts may be obtained, by appointment, at a cost of \$.25 per page. All payments shall be made at the time of pickup by check or money order made payable to the New York City Department of Finance. The franchise agreement and copies of the organizational charts may also be obtained in PDF form at no cost, by email request. Interested parties should contact Roxanne Chambers at (212) 788-6610 or by email at RChambers@doitt.nyc.gov.

NOTE: Individuals requesting sign language interpreters at the public hearing should contact the Mayor's Office of Contract Services, Public Hearing Unit, 253 Broadway, 9th Floor, New York, New York 10007, (212) 788-7490, no later than SEVEN (7) BUSINESS DAYS PRIOR TO THE PUBLIC HEARING. TDD users should call Verizon relay service.

The Hearing may be cablecast on NYC Media Group channels.

a13-m7

LANDMARKS PRESERVATION COMMISSION

PUBLIC HEARINGS

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, **April 24, 2012 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 12-9077 - Block 145, lot 7501-105 Chambers Street, aka 89-91 Reade Street & 160-170 Church Street - Cary Building - Individual Landmark - Tribeca South Historic District
An Italianate style store and loft building designed by King and Kellum and built in 1856-57. Application is to enlarge window openings. Community District 1.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 12-6363 - Block 145, lot 18-105-107 Reade Street - Tribeca South Historic District
An Italianate style store and loft building built in 1860-61. Application is to construct a rooftop addition and alter the rear facade. Zoned C6-3A. Community District 1.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 12-5306 - Block 224, lot 27-464 Greenwich Street - Tribeca North Historic District
A store and loft building designed by Charles S. Clark and

built in 1892. Application is alter the cast iron vault light platform and excavate the cellar. Zoned C6-2A/TMU. Community District 1.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 13-0319 - Block 175, lot 4-78 Franklin Street - Tribeca East Historic District
An Italianate/Second Empire Style store and loft building designed by Samuel A. Warner and built in 1866-1868. Application is to replace ground floor infill and install a ramp. Community District 1.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 13-0491 - Block 179, lot 51, 52-15 Leonard Street, aka 11-13 Leonard Street - Tribeca West Historic District
An early 20th century commercial style industrial workshop designed by Edward Schneider and built in 1920; and an altered industrial workshop designed by Charles Goldman and built in 1924. Application is to demolish the existing buildings and to construct a new building. Zoned C6-2A/TMU. Community District 1.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 12-4186 - Block 472, lot 11-251 Centre Street - SoHo-Cast Iron Historic District Extension
A Renaissance Revival style store and loft building designed by Albert V. Porter and built in 1901-02. Application is to remove a sidewalk hatch and install a cellar access stair, railings, and gate. Community District 1.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 12-4848 - Block 530, lot 41-54 Bond Street - Bowerie Lane Theater, originally Bond Street Savings Bank - Individual landmark
A French Second Empire style building designed by Henry Engelbert and built in 1874. Application is to enlarge an existing rooftop addition. Zoned C6-1. Community District 2.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 12-6776 - Block 590, lot 11-277 Bleecker Street, aka 32 Jones Street - Greenwich Village Historic District- Extension II
An altered Romanesque/Renaissance Revival style tenement building with a commercial ground floor designed by Max Muller and built in 1899-1901. Application is to install a sidewalk railing, a cellar storefront, and modify the ground floor storefront. Community District 2.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 12-7101 - Block 590, lot 29-168 West 4th Street - Greenwich Village Historic District-Extension II
An altered Renaissance Revival style tenement dwelling, with a commercial ground floor. Application is to alter an existing rear yard addition. Zoned C1-5. Community District 2.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 12-9621 - Block 607, lot 1-134-146 West 12th Street - Greenwich Village Historic District
A utilitarian brick and stone building designed by Eggers and Higgins and built in 1953-54. Application is to modify the facade and construct additions. Zoned C6-2, R8. Community District 2.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 12-7860 - Block 588, lot 12-30 Grove Street - Greenwich Village Historic District
A vernacular Greek Revival style townhouse with early Italianate style and transitional features built in 1851-52. Application is construct rooftop and rear yard additions and alter the ironwork. Zoned R6. Community District 2.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 12-5928 - Block 744, lot 8-357 West 20th Street - Chelsea Historic District
An Italianate style rowhouse built in 1858. Application is to alter the rooftop dormers. Community District 4.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 12-9583 - Block 822, lot 49-12 West 21st Street - Ladies' Mile Historic District
A neo-Renaissance style store and loft building designed by Buchman & Fox and built in 1907. Application is to install storefront infill. Community District 5.

ADVISORY REPORT

BOROUGH OF MANHATTAN 13-0241 - Block 1257, lot 2-Bryant Park - Scenic Landmark
A formal French-style garden designed in 1933 by Lusby Simpson and reconstructed and partially redesigned by Hanna/Olin in 1988-91. Application is to establish a master plan governing seasonal installations. Community District 5.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 12-9608 - Block 815, lot 21-104 West 40th Street - Spring Mills Building - Individual Landmark
An office tower designed by Harrison and Abramovitz, and Charles H. Abbe, and built in 1961-63. Application is to establish a master plan governing the future installation of mechanical louvers. Community District 5.

BINDING REPORT

BOROUGH OF MANHATTAN 12-9479 - Block 1111, lot 1-Central Park, Mineral Spring Building and Central Park Zoo - Central Park-Scenic Landmark
An English Romantic style public park designed by Frederick Law Olmsted and Calvert Vaux in 1856; a comfort station and concession building built c. 1959; and a zoo remodeled from a menagerie in 1936 and again in the 1980s. Application is to install wifi antennas. Community District 5,7,8,10,11.

CERTIFICATE OF APPROPRIATENESS

BOROUGH OF MANHATTAN 12-7504 - Block 1143, lot 58-

162 West 72nd Street - Upper West Side/Central Park West Historic District
A neo-Renaissance style office building designed by Henry Ives Cobb and built in 1909-10. Application is to install a ramp and modify storefront infill. Community District 7.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 12-5565 - Block 1128, lot 50-30 West 76th Street- Upper West Side/Central Park West Historic District
A Renaissance Revival style rowhouse with Romanesque style elements designed by Gilbert A. Schellenger and built in 1891. Application is to alter the areaway entrance. Community District 7.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 12-3115 - Block 1249, lot 38-308 West 88th Street - Riverside-West End Historic District
A Flemish Revival style rowhouse designed by Joseph H. Taft and built in 1889-1890. Application is to construct rooftop and rear yard additions. Zoned R-8. Community District 7.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 12-7632 - Block 1378, lot 126-31 East 63rd Street - Upper East Side Historic District
A rowhouse built in 1877-79 and altered in 1938 by Treanor & Fatio. Application is to alter the front façade and construct a rooftop bulkhead and rear yard addition. Zoned R8B. Community District 8.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 13-0335 - Block 1399, lot 8-121 East 64th Street - Upper East Side Historic District
A residence originally designed by John McCool and built in 1876-77, altered by James E. Casale with a neo-Tudor style facade in 1919-22. Application is to alter the facade and replace ironwork. Community District 8.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 12-8108 - Block 1384, lot 7501-28 East 70th Street - Upper East Side Historic District
A neo-Gothic style apartment hotel designed by Emory Roth and built in 1926-27. Application is to enlarge a window opening. Community District 8.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 12-8961 - Block 1523, lot 165-122 East 95th Street - Expanded Carnegie Hill Historic District
A Queen Anne style rowhouse designed by C. Abbott French & Co. and built in 1887-1888. Application is to replace windows and doors and construct a rooftop bulkhead. Zoned R8B. Community District 8.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 12-8742 - Block 1504, lot 31-1160 Park Avenue - Expanded Carnegie Hill Historic District
A neo-Renaissance-style apartment building designed by George F. Pelham and built in 1926. Application is to replace windows. Community District 8.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 12-5776 - Block 1750, lot 34-81 East 125th Street - Mount Morris Bank - Individual Landmark
A Queen Anne/Romanesque Revival style bank building designed by Lamb and Rich and built in 1883-84 and enlarged 1889-90. Application is to reconstruct the partially demolished building. Zoned C6-3. Community District 11.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF BROOKLYN 13-0450 - Block 20, lot 1-29 Jay Street - DUMBO Historic District
A brick warehouse building built in 1975-77. Application is to alter the facade, and install signage and lighting. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF BROOKLYN 12-8288 - Block 1945, lot 8-357 Waverly Avenue- Clinton Hill Historic District
A vernacular 19th century carriage house and residence. Application is to construct a rear yard addition. Zoned R6B. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF BROOKLYN 12-7856 - Block 1964, lot 55-40 Cambridge Place - Clinton Hill Historic District
A vernacular French Second Empire style semi-detached frame house, built circa 1866. Application is to construct a rear addition, replace windows, and install solar panels. Zoned R-6B. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF BROOKLYN 12-9066 - Block 942, lot 16-100 Park Place - Park Slope Historic District
A neo-Grec style rowhouse designed by Parfitt Brothers and built in 1877. Application is to enlarge an existing tree pit by removing bluestone paving. Community District 6.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF BROOKLYN 12-5844 - Block 1144, lot 56-588 Vanderbilt Avenue - Prospect Heights Historic District
A Romanesque Revival/Renaissance Revival style flats building designed by Timothy Remsen and built in 1891. Application is to legalize alterations to the stoop and replacement of ironwork at the gate and areaway without Landmarks Preservation Commission permits. Community District 8.

BINDING REPORT
BOROUGH OF BROOKLYN 12-9584 - Block 7917, lot 1-5816 Clarendon Road - Pieter Claesen Wyckoff House - Individual Landmark
A Dutch Colonial vernacular style farmhouse built c. 1652, with a main section added in 1740. Application is to construct a new building on the site and alter pathways. Zoned C2-2. Community District 17.

BOARD OF STANDARDS AND APPEALS

PUBLIC HEARINGS

MAY 1, 2012, 10:00 A.M.

NOTICE IS HEREBY GIVEN of a public hearing, Tuesday morning, **May 1, 2012, 10:00 A.M.**, at 40 Rector Street, 6th Floor, New York, N.Y. 10006, on the following matters:

SPECIAL ORDER CALENDAR

359-01-BZ
APPLICANT – Sheldon Lobel, P.C., for Bnos Zion of Bobov, Inc., owner.
SUBJECT – Application February 3, 2012 –Application (ZR§§72-01 and 72-22) to request an amendment to the plans previously approved by the BSA to permit the enclosure of an existing open areaway at the premises for use as one-story shared entrance way, which would increase the lot coverage and floor area ratio contrary to ZR §24-11 and BSA Cal. No. 359-01-BZ.R6 zoning district.
PREMISES AFFECTED – 5002 14th Avenue, aka 5000-5014 14th Avenue, aka 1374-1385 50th Street, Block 5649, Lot 38, Borough of Brooklyn.
COMMUNITY BOARD #12BK

395-04-BZ
APPLICANT – Moshe M. Friedman, P.E., for Congregation Imrei Yehudah, owner; Meyer Undorfer, lessee.
SUBJECT – Application April 3, 2012 – Extension of Time to Complete Construction of a previously approved Variance (72-21) for the proposed construction of a UG4 synagogue which expired on November 1, 2011; Extension of Time to obtain a Certificate of Occupancy which expired on November 1, 2009; Waiver of the Rules. R5 zoning district.
PREMISES AFFECTED – 1232 54th Street, southwest side 242'6" southeast of the intersection formed by 54th Street and 12th Avenue, Block 5676, Lot 17, Borough of Brooklyn.
COMMUNITY BOARD #12BK

128-10-BZ
APPLICANT – Eric Palatnik, P.C., for Merhay Yagudayev, owner; Jewish Center of Kew Gardens Hill Inc., lessee.
SUBJECT – Application December 21, 2011 –Application filed to amend previously BSA approved resolution to allow increase in proposed building height, total floor area and to include an elevator lift as a solution for handicap access. R4 zoning district.
PREMISES AFFECTED – 147-58 77th Road, 150th Street and 77th Road, Block 6688, Loy 31, Borough of Queens.
COMMUNITY BOARD #8Q

APPEALS CALENDAR

19-12-A
APPLICANT – Goldman Harris, LLC, for 38-20 28th Street, LLC, owner.
SUBJECT – Application January 30, 2012 –Request for a determination that the Applicant has obtained a vested right under the common law to continue construction and obtain a Certificate of Occupancy. M1-2 R5BLIC Zoning District.
PREMISES AFFECTED – 38-30 28th Street, between 38th and 39th Avenues, Block 386, Lot 27, Borough of Queens.
COMMUNITY BOARD #1Q

41-12-A
APPLICANT – Queens First Properties, LLC, for Mohammad Uddin, owner.
SUBJECT – Application February 15, 2012 – Appeal seeking a common law vested right to continue development commenced under the prior R6 Zoning District. R5A Zoning District.
PREMISES AFFECTED – 112-26 38th Avenue, 225' from the corner of 112th Street and 38th Avenue, Block 1785, Lot 10, Borough of Queens.
COMMUNITY BOARD #3Q

MAY 1, 2012, 1:30 P.M.

NOTICE IS HEREBY GIVEN of a public hearing, Tuesday afternoon, **May 1, 2012, at 1:30 P.M.**, at 40 Rector Street, 6th Floor, New York, N.Y. 10006, on the following matters:

ZONING CALENDAR

187-11-BZ
APPLICANT – Davidoff Malito & Hatcher, LLP, for Sandford Realty, LLC, owner.
SUBJECT – Application December 8, 2011 – Variance (§72-21) to allow for the enlargement and conversion of existing manufacturing building to mixed-use residential and commercial building, contrary to use regulations, ZR 42-00. M1-1 zoning district.
PREMISES AFFECTED – 118 Sanford Street, between Park Avenue and Myrtle Avenue, Block 1736, Lot 32, Borough of Brooklyn.
COMMUNITY BOARD #3BK

40-12-BZ
APPLICANT – Francis R. Angelino, Esq., for Helm Equities Richmond Avenue, LLC, owner; Global Health Clubs, LLC, lessee.
SUBJECT – Application February 14, 2012 – Application for special permit under Z.R. §73-36 for new physical culture establishment (Global Health Clubs). C2-1 zoning district.
PREMISES AFFECTED – 2385 Richmond Avenue, Richmond Avenue and East Richmond Hill Road, Block 2402, Lot 1, Borough of Staten Island.
COMMUNITY BOARD #2SI

42-12-BZ
APPLICANT – Sheldon Lobel, P.C., for 158 West 27th Street, LLC, owner; 158 West 27th Fitness Group, LLC, lessee.
SUBJECT – Application February 16, 2012 – Application filed pursuant to Z.R. §§ 42-31 and 73-36 seeking a special permit to allow the operation of a physical culture establishment (*Planet Fitness*) on a portion of the cellar, first

and second floors of the existing twelve-story building at the premises.
PREMISES AFFECTED – 158 West 27th Street, located on the south side of 27th Street, between Avenue of the Americas and Seventh Avenue, Block 802, Lot 75, Borough of Manhattan.
COMMUNITY BOARD #5M

Jeff Mulligan, Executive Director

a17-18

PROPERTY DISPOSITION

CITYWIDE ADMINISTRATIVE SERVICES

ASSET MANAGEMENT

AUCTION

PROPOSED SALE OF CERTAIN NEW YORK CITY REAL PROPERTY PARCELS BY PUBLIC AUCTION

PUBLIC NOTICE IS HEREBY GIVEN THAT The Department of Citywide Administrative Services, Asset Management proposes to offer the properties listed herein for sale at Public Auction.

In accordance with Section 384 of the New York City Charter, a Public Hearing was held on March 6, 2012 for these properties at Spector Hall, 22 Reade Street, Main Floor, Borough of Manhattan.

These properties will be sold in accordance with the Standard Terms and Conditions of Sale dated January 18, 2012. An asterisk (*) appears adjacent to those parcels subject to Special Terms and Conditions.

They have been approved for sale by the Mayor of the City of New York, and will be offered at public auction on May 10, 2012.

The brochure for this sale is available on the DCAS website at nyc.gov/dcas. Additionally, brochures are available at 1 Centre Street, 20th Floor South, New York, New York 10007, or by calling (212) 669-8888.

32 Parcels

Borough of The Bronx

Block	Lot(s)	Upset Price
3520	34	\$374,500

Borough of Brooklyn

Block	Lot(s)	Upset Price
1339	38	\$ 82,500
1465	29,42,43,44	\$262,500
1473	14	\$247,500
3432	42	\$101,500
5289	46	\$467,500
7208	302	\$780,000

Borough of Queens

Block	Lot(s)	Upset Price
3916	136	\$114,000
*10107	68,69,70	\$525,000
*10107	74,75,76	\$506,500
10108	316	\$615,000
10193	85	\$ 9,000
12041	99	\$ 28,500
14240	113	\$126,000
14243	1119	\$ 37,500
14243	1169 and 14246, 1169	\$ 36,000
*14246	1189	\$ 60,000
14251	1666	\$ 30,000
14253	1488,1492	\$195,000
14253	1512,1513,1514	\$169,000
14254	1638,1639,1640,2037	\$169,000
*15306	11	\$191,500
*15317	16	\$ 66,000
15600	325	\$ 51,000
15819	145	\$ 62,500
16066	50	\$ 66,000
16103	83,84	\$178,000
16290	999	\$403,500

Borough of Staten Island

Block	Lot(s)	Upset Price
1012	57	\$ 34,000
3671	15	\$ 49,000
6253	9	\$217,500
6353	42	\$487,500

m23-my10

MUNICIPAL SUPPLY SERVICES

SALE BY SEALED BID

SALE OF: 18 LOTS OF USED PARKING METERS.

S.P.#: 12019 **DUE:** April 27, 2012

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.

a16-27

SALE OF: 1 LOT OF 28,800 LBS. OF ONCE FIRED ASSORTED CALIBER CARTRIDGE CASES.

S.P.#: 12018 DUE: April 19, 2012

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 for information.

a6-19

HOUSING PRESERVATION & DEVELOPMENT

■ NOTICE

ASSET SALES PROGRAM

REQUEST FOR OFFERS

The Department of Housing Preservation and Development ("HPD") of the City of New York (the "City") is issuing a Request for Offers for the purchase of occupied and vacant City-owned residential properties, in the following Boroughs/Community Boards.

Manhattan	Community Board 11
Bronx	Community Board 2
Brooklyn	Community Board 4,5,8,14,16,17 and 18
Queens	Community Board 8,10,12 and 13
Staten Island	Community Board 3

The buildings will be sold in their "as is" condition. After the sale, the new owner would be responsible for complying with all applicable building, zoning and other legal requirements. All purchasers would be solely responsible for securing sufficient financial resources to purchase and operate the properties and perform any necessary rehabilitation or repair work. HPD will NOT offer any subsidies or financial incentives related to the sale or rehabilitation or redevelopment of these properties.

The Request for Offers is available on HPD's website at www.nyc.gov/hpd from Monday, April 30, 2012, 10:00 A.M. through Friday, May 18, 2012, 5:00 P.M.

All sales will be subject to applicable governmental approvals.

Michael R. Bloomberg Mayor	Mathew M. Wambua Commissioner
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a16-27

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

"Compete To Win" More Contracts!
Thanks to a new City initiative - "Compete to Win" - the NYC Department of Small Business Services offers a new set of FREE services to help create more opportunities for minority and women-owned businesses to compete, connect and grow their business with the City. With NYC Construction Loan, Technical Assistance, NYC Construction Mentorship, Bond Readiness, and NYC Teaming services, the City will be able to help even more small businesses than before.

● **Win More Contracts at nyc.gov/competetowin**

"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."

ADMINISTRATION FOR CHILDREN'S SERVICES

■ SOLICITATIONS

Human / Client Services

NON-SECURE DETENTION GROUP HOMES – Negotiated Acquisition – Judgment required in evaluating proposals - PIN# 06811N0004 – DUE 05-31-13 AT 2:00 P.M. – The Administration for Children's Services, Division of Youth and Family 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 5/31/13.

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.
Administration for Children's Services, 150 William Street, 9th Floor, New York, NY 10038.
Patricia Chabla (212) 341-3505; Fax: (212) 341-3625; patricia.chabla@dca.state.ny.us

j1-n14

CITYWIDE ADMINISTRATIVE SERVICES

MUNICIPAL SUPPLY SERVICES

■ VENDOR LISTS

Goods

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

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

Applications for consideration of equipment products for inclusion on the acceptable brands list are available from: Mr. Edward Andersen, Procurement Analyst, Department of Citywide Administrative Services, Office of Citywide Procurement, 1 Centre Street, 18th Floor, New York, NY 10007. (212) 669-8509.

j5-d31

COMPTROLLER

ASSET MANAGEMENT

■ SOLICITATIONS

Services (Other Than Human Services)

EAFE ACTIVE EQUITY MANAGERS SEARCH – Innovative Procurement – Judgment required in evaluating proposals - PIN# 015-12815100IQ – DUE 04-26-12 AT 5:00 P.M. – The Comptroller of the City of New York (the "Comptroller"), on behalf of 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"), and the New York City Board of Education Retirement System ("BERS") (collectively "NYCRS" or the "Systems"), is conducting a search to identify managers to manage EAFE Active Equity portfolios for one or more of the Systems. In addition, other related systems or funds may select managers through this solicitation.

The Comptroller's Office is using a pilot process to conduct this search, as permitted and in accordance with Section 3-12 (Innovative Procurement Methods) of the Procurement Policy Board Rules of the City of New York ("PPB Rules"). This pilot process will permit BAM and the Systems to review a broader universe of potential investment managers than is the case under the current Request for Proposals ("RFP") process. Specifically, BAM and the Systems' general investment Consultants will use industry databases to identify the universe of EAFE Active Equity Managers that are potential candidates for hiring by the Systems, rather than limiting that review to only those managers that respond to a formal Request for Proposals. In addition to the goal of opening the procurement process to greater competition, goals of the pilot process include facilitating the Systems' ability to identify and hire the highest qualified managers based on performance and organizational strength, and shortening the amount of time it takes to complete the manager selection process. The proposed innovative procurement method will be evaluated to determine whether it is in the City's interest to codify the method used within the PPB Rules.

How to Participate in this Search Investment management firms must do the following to be considered in this search:

1. Potential candidates should carefully review this Notice and the Minimum Requirements described in Section B. Interested managers that meet the minimum requirements, including incumbent managers, must enter their information in the following databases by April 26, 2012 in order to be considered by each consultant as part of the initial evaluation. For Callan, investment firms must submit their information directly to the Consultant; for Rocaton, SIS, NEPC and Buck, investment firms must enter their information into eVestment Alliance's database. Information on requirements for entering information into these databases can be found at: <http://www.callan.com> (click on "data and tools"), then click on "Manager Questionnaire" and <https://www.evestment.com> (click on register/submit data in the upper right hand corner).

2. If a potential manager's firm and product information is in the above databases, the manager must ensure that all such information is current and accurate.

3. There is no fee for entering information into either of these databases. Managers must ensure that they complete all database information, including both firm level and product level information. Managers are advised that information in the database may become part of any contract resulting from this search.

Current and accurate data must be in the above databases by no later than April 26, 2012.

Managers that meet the minimum requirements specified in the Notice of Solicitation ("Notice") will be evaluated in accordance with the evaluation criteria and process set forth in the Notice. Any of the Systems may select one or more managers through this search process. An evaluation committee made up of staff of the New York City Comptroller's Office, working with the Consultants, will evaluate firms that meet the Minimum Requirements. The evaluation is expected to result in three-year investment management agreements with estimated aggregate annual costs of \$130 million or more.

Consistent with the policies expressed by the City of New York, participation by minority-owned and women-owned businesses or partnering arrangements with minority-owned and women-owned investment firms are encouraged. Additionally, participation by small and New York City based businesses is encouraged.

The Notice of Search will be available for download from the Comptroller's Web site at www.comptroller.nyc.gov on or about April 16, 2012. You must register to download the Notice by selecting "Bureaus", then "Asset Management" then "Investment Management Searches". Database information is due by April 26, 2012. Questions about the Notice or the pilot process should be transmitted by e-mail to Evelyn Dresler, Director of Asset Management Contracting at bamcontracts@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; bamcontracts@comptroller.nyc.gov

a16-20

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

HEALTH AND MENTAL HYGIENE

■ INTENT TO AWARD

Human / Client Services

- SUPPORTIVE HOUSING FOR LOW-INCOME PERSONS LIVING WITH HIV/AIDS (HOPWA)** – Negotiated Acquisition – DUE 04-19-12 AT 5:00 P.M. – The Department intends to enter a negotiated acquisition extension from 7/1/12 to 6/30/13 with the following vendors:
- African Service Committee - 13AE007501R0X00 - \$350,000
 - ACQC - 13AE007601R0X00 - \$479,940
 - ACQC - 13AE007801R0X00 - \$350,000
 - ACQC - 13AE007901R0X00 - \$1,285,000
 - Ali Forney Center, Inc. - 13AE008001R0X00 - \$432,000
 - Brooklyn Aids Task Force, Inc. - 13AE008101R0X00 - \$350,000
 - CCNC - 13AE008501R0X00 - \$1,023,316
 - Camba - 13AE008201R0X00 - \$912,411
 - Camba - 13AE008301R0X00 - \$424,233
 - Camba - 13AE008401R0X00 - \$438,792
 - Fegs - 13AE008601R0X00 - \$447,240
 - Gay Men's Health Crisis - 13AE008701R0X00 - \$4,505,169
 - Harlem United Community Aids Ctr. - 13AE009001R0X00 - \$1,247,939
 - Harlem United Community Aids Ctr. - 13AE009101R0X00 - \$1,241,603
 - Institute for Community Living - 13AE008801R0X00 - \$706,251
 - The Osborne Assoc., Inc. - 13AE009201R0X00 - \$350,000
 - Project Hospitality, Inc. - 13AE009301R0X00 - \$350,000
 - Project Hospitality, Inc. - 13AE009401R0X00 - \$1,045,472
 - Project Hospitality, Inc. - 13AE008901R0X00 - \$424,008
 - Services for The Underserved - 13AE009501R0X00 - \$657,540

These Vendors will continue providing the same Housing Opportunities for People Living with HIV/AIDS Services as the current contract ending on 6/30/2012.

This Procurement was selected by means of a negotiated acquisition extension, pursuant to Section 3-04(b)(2)(iii) of the Procurement Policy Board Rules, and is being published for Informational Purposes only. Vendors are welcome to submit an expression of interest for future procurements for this service.

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.
Health and Mental Hygiene, 42-09 28th Street, 21st Floor, L.I.C., NY 11101. John Rojas (347) 396-7428; jrojas@health.nyc.gov

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AGENCY CHIEF CONTRACTING OFFICER

■ SOLICITATIONS

Human / Client Services

NEW YORK/NY III SUPPORTED HOUSING CONGREGATE – Competitive Sealed Proposals – Judgment required in evaluating proposals - PIN# 81608PO076300R0X00-R – DUE 09-18-12 AT 4:00 P.M. – The Department is issuing a RFP to establish 3,000 units of citywide supportive housing in newly constructed or rehabilitated single-site buildings for various homeless

populations pursuant to the New York III Supported Housing agreement. The subject RFP will be open-ended and proposals will be accepted on an on-going basis. The RFP is available on-line at <http://www.nyc.gov/html/doh/html/acco/acco-rfp-nynycongregate-20070117-form.shtml>. A pre-proposal conference was held on March 6, 2007 at 2:00 P.M. at 125 Worth Street, 2nd Floor Auditorium, New York, N.Y. Any questions regarding this RFP must be sent in writing in advance to Contracting Officer at the above address or e-mailed to the above address. All proposals must be hand delivered at the Agency Chief Contracting Officer, Gotham Center, CN#30A, 42-09 28th Street, 17th Floor, Queens, NY 11101-4132, no later than September 18, 2012.

As a minimum qualification requirement for (1) the serious and persistent mentally ill populations, the proposer must be incorporated as a not-for-profit organization, and (2) for the young adult populations, the proposer must document site control and identify the source of the capital funding and being used to construct or renovate the building.

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.
Health and Mental Hygiene, ACCO, Gotham Center, CN#30A, 42-09 28th Street, 17th Floor, Queens, NY 11101-4132. Huguette Beauport (347) 396-6633; hbeaupor@health.nyc.gov

a6-s17

INFORMATION TECHNOLOGY AND TELECOMMUNICATIONS

EXECUTIVE DIVISION

■ SOLICITATIONS

Services (Other Than Human Services)

TRANSLATION AND INTERPRETATION SERVICES – Negotiated Acquisition – PIN# 85809X0007CNVN001 – DUE 04-25-12 AT 2:00 P.M. – DoITT intends to enter into negotiations with Language Line Services, Inc. to provide Citywide Language Translation and Interpretation Services. Any firm which believes it can provide the required services in the future is invited to express interest via email to acco@doitt.nyc.gov by April 25, 2012, 2:00 P.M.

The services cannot be timely procured through competitive sealed bidding or competitive sealed proposals. DoITT is utilizing the Negotiated Acquisition Extension procurement source method to provide the services in order to continue to provide uninterrupted service.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
Department of Information Technology and Telecommunications, 75 Park Place, 9th Floor, New York, NY 10007. Anne Cody (212) 788-6276; acody@doitt.nyc.gov

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PARKS AND RECREATION

CONTRACT ADMINISTRATION

■ SOLICITATIONS

Construction / Construction Services

RECONSTRUCTION OF ELECTRICAL SYSTEM AND RECONSTRUCTION PLUMBING SYSTEM – Competitive Sealed Bids – DUE 05-10-12 AT 10:30 A.M. – PIN# 8462012C000C05 - Electrical System for various DPR pool facilities.
PIN# 8462012C000C06 - Plumbing System for various DPR pool facilities.

Various DPR facilities, Citywide, known as Contract #CNYG-1611MA. E-PIN: 84612B0058. Various DPR facilities, Citywide, known as Contract #CNYG-1711MA. E-PIN: 84612B0057.

Bid documents are available for a fee of \$25.00 in the Blueprint Room, Room #64, Olmsted Center, from 8:00 A.M. to 3:00 P.M. The fee is payable by company check or money order to the City of NY, Parks and Recreation. A separate check/money order is required for each project. The Company name, address and telephone number as well as the project contract number must appear on the check/money order. Bidders should ensure that the correct company name, address, telephone and fax numbers are submitted by your company/messenger service when picking up bid documents.

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, Olmsted Center, Room 64, Flushing Meadows Corona Park, Flushing, NY 11368. Juan Alban (718) 760-6771, Juan.Alban@parks.nyc.gov

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REVENUE AND CONCESSIONS

■ SOLICITATIONS

Services (Other Than Human Services)

CITY HALL PARK NEWSSTAND – Request for Proposals – PIN# M13-NS-2012 – DUE 05-11-12 AT 3:00 P.M. – In accordance with Section 1-13 of the Concession Rules of the City of New York, the New York City Department of Parks and Recreation (“Parks”) is issuing, as of the date of this notice, a Request for Proposals (RFP) for the renovation operation and maintenance of a newsstand at City Hall Park, Murray Street on Broadway, Manhattan.

There will be a recommended site visit on Friday, April 27, 2012 at 11:00 A.M. We will be meeting at the newsstand location at City Hall Park, Murray Street on Broadway, Manhattan. If you are considering responding to this RFP, please make every effort to attend this recommended site visit. All proposals submitted in response to this RFP must be submitted no later than Friday, May 11, 2012 at 3:00 P.M.

For more information or to request to receive a copy of the RFP by mail, prospective proposers may contact Glenn Kaalund, Project Manager, at (212) 360-1397 or via email at glenn.kaalund@parks.nyc.gov

TELECOMMUNICATION DEVICE FOR THE DEAF (TDD)
212-504-4115

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
Parks and Recreation, The Arsenal-Central Park, 830 Fifth Avenue, Room 407, New York, NY 10021. Glenn Kaalund (212) 360-3482; Fax: (212) 360-3434; glenn.kaalund@parks.nyc.gov

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SCHOOL CONSTRUCTION AUTHORITY

CONTRACT ADMINISTRATION

■ SOLICITATIONS

Construction / Construction Services

LOW VOLTAGE ELECTRIC – Competitive Sealed Bids – PIN# SCA12-14213D-1 – DUE 05-08-12 AT 2:00 P.M. – 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. Range: \$1,890,000.00 to \$1,993,000.00.

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, Plans Room Window, Room #1046, 30-30 Thomson Avenue, 1st Floor, Long Island City, New York 11101. Stacia Edwards (718) 752-5849; sedwards@nycsca.org

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AUDITORIUM UPGRADE – Competitive Sealed Bids – PIN# SCA12-14227D-1 – DUE 05-08-12 AT 11:30 A.M. – Washington Irving HS (Manhattan). Project Range: \$1,680,000.00 to \$1,770,000.00. Non-refundable bid documents charge: \$100.00, certified check or money order only. Make checks 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. Rookmin Singh (718) 752-5843; rsingh@nycsca.org

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CONTRACT SERVICES

■ SOLICITATIONS

Construction / Construction Services

AUDITORIUM UPGRADE – Competitive Sealed Bids – PIN# SCA12-14200D-1 – DUE 05-08-12 AT 2:30 P.M. – JHS 50 (Brooklyn). Non-refundable document charge: \$100.00. Project Range: \$960,000.00 to \$1,010,000.00.

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, First Floor, Long Island City, NY 11101. Ricardo Forde (718) 752-5288; Fax: (718) 472-0477; rforde@nycsca.org

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PARAPETS/EXTERIOR MASONRY – Competitive Sealed Bids – PIN# SCA12-14209D-1 – DUE 05-07-12 AT 2:00 P.M. – I.S. 275 (Brooklyn). Project Range: \$3,770,000.00 - \$3,970,000.00. Pre-Bid Meeting: April 26, 2012 at 10:00 A.M., at 985 Rockaway Avenue, Brooklyn, NY 11212. 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; Fax: (718) 472-0477; lpersaud@nycsca.org

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TRIBOROUGH BRIDGE & TUNNEL AUTHORITY

■ SOLICITATIONS

Construction / Construction Services

OILING OF CABLE STRANDS AND EYEBARS AT ANCHORAGES/PAINTING OF CABLE AND SUSPENDER ROPES AT THE VERRAZANO-NARROWS BRIDGE – Competitive Sealed Bids – PIN# VNM354365000 – DUE 06-01-12 AT 3:00 P.M. – A site tour is scheduled for May 3, 2012 at 10:00 A.M. Please contact Gavin Masterson, Manager, General Projects to RSVP at (646) 252-7089 no later than 48 hours prior to the tour.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
Triborough Bridge and Tunnel Authority, 2 Broadway, 24th Floor, New York, NY 10004. Victoria Warren (646) 252-7092; Fax: (646) 252-7077; vprocure@mtabt.org

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AGENCY PUBLIC HEARINGS ON CONTRACT AWARDS

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.

ENVIRONMENTAL PROTECTION

CUSTOMER SERVICES

■ PUBLIC HEARINGS

THIS PUBLIC HEARING HAS BEEN CANCELLED

NOTICE IS HEREBY 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 April 19, 2012 commencing at 10:00 A.M. on the following:

IN THE MATTER OF a proposed contract between the Department of Environmental Protection and Municipal Services Bureau, 6505 Airport Blvd, Suite 100, Austin, Texas 78752 for BCS-COLL: Third-Party Delinquency Collection Services. The Contract term shall be 1 year with 2 one year options to renew from the date of the written notice to proceed. The Contract amount shall be \$660,000.00 - Location: Citywide - PIN: 82611P0013.

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 April 6, 2012 to April 19, 2012 between the hours of 9:30 A.M. - 12:00 P.M. and from 1:00 P.M. - 4:00 P.M.

Pursuant to Section 2-11(c)(3) of the Procurement Policy Board Rules, if DEP does not receive, by April 13, 2012, from any individual a written request to speak at this hearing, then DEP need not conduct this hearing. Written notice should be sent to Ms. Debra Butlien, NYCDEP, 59-17 Junction Blvd., 17th Floor, Flushing, NY 11373 or via email to dbutlien@dep.nyc.gov.

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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ENGINEERING DESIGN AND CONSTRUCTION

■ PUBLIC HEARINGS

THIS PUBLIC HEARING HAS BEEN CANCELLED

NOTICE IS HEREBY 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 April 19, 2012 commencing at 10:00 A.M. on the following:

IN THE MATTER OF a proposed contract between the Department of Environmental Protection and Hatch Mott McDonald NY, Inc., 475 Park Avenue South, New York, New York 10016 for GOW-EMER: Emergency Services for the Gowanus Building Collapse Review. The Contract term shall be 6 months from the date of the written notice to proceed. The Contract amount shall be \$300,000.00 - Location: Borough of Brooklyn - PIN: 82612E0015.

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 April 6, 2012 to April 19, 2012 between the hours of 9:30 A.M. - 12:00 P.M. and from 1:00 P.M. - 4:00 P.M.

Pursuant to Section 2-11(c)(3) of the Procurement Policy Board Rules, if DEP does not receive, by April 13, 2012, from any individual a written request to speak at this hearing, then DEP need not conduct this hearing. Written notice should be sent to Ms. Debra Butlien, NYCDEP, 59-17 Junction Blvd., 17th Floor, Flushing, NY 11373 or via email to dbutlien@dep.nyc.gov.

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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WATER AND SEWER OPERATIONS

■ PUBLIC HEARINGS

THIS PUBLIC HEARING HAS BEEN CANCELLED

NOTICE IS HEREBY 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 April 19, 2012 commencing at 10:00 A.M. on the following:

IN THE MATTER OF a proposed contract between the Department of Environmental Protection and NYS Industries for the Disabled, 252 West 29th Street, 7th Floor, New York, New York 10001 for OC-12: Office Cleaning Services at Various Citywide Locations. The Contract term shall be 1 year with an option to renew for one year from the date of the written notice to proceed. The Contract amount shall be \$527,515.00 - Location: Citywide - PIN: 82612M0001.

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 April 6, 2012 to April 19, 2012 between the hours of 9:30 A.M. - 12:00 P.M. and from 1:00 P.M. - 4:00 P.M.

Pursuant to Section 2-11(c)(3) of the Procurement Policy Board Rules, if DEP does not receive, by April 13, 2012, from any individual a written request to speak at this hearing, then DEP need not conduct this hearing. Written notice should be sent to Ms. Debra Butlien, NYCDEP, 59-17 Junction Blvd., 17th Floor, Flushing, NY 11373 or via email to dbutlien@dep.nyc.gov.

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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WASTEWATER TREATMENT

■ PUBLIC HEARINGS

THIS PUBLIC HEARING HAS BEEN CANCELLED

NOTICE IS HEREBY 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 April 19, 2012 commencing at 10:00 A.M. on the following:

IN THE MATTER OF a proposed contract between the Department of Environmental Protection and First Environment, 91 Fulton Street, Boonton, New Jersey 07005 for 1287-EAA: Environmental Audit of Bureau of Wastewater Treatment Water Pollution Control Plants. The Contract term shall be 730 consecutive calendar days from the date of the written notice to proceed. The Contract amount shall be \$329,832.00 - Location: Citywide - PIN: 82612P0002.

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 April 6, 2012 to April 19, 2012 between the hours of 9:30 A.M. - 12:00 P.M. and from 1:00 P.M. - 4:00 P.M.

Pursuant to Section 2-11(c)(3) of the Procurement Policy Board Rules, if DEP does not receive, by April 13, 2012, from any individual a written request to speak at this hearing, then DEP need not conduct this hearing. Written notice should be sent to Ms. Debra Butlien, NYCDEP, 59-17 Junction Blvd., 17th Floor, Flushing, NY 11373 or via email to dbutlien@dep.nyc.gov.

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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SPECIAL MATERIALS

CITY PLANNING COMMISSION

■ NOTICE

NEGATIVE DECLARATION

Project Identification
CEQR No. 11DCP120M
ULURP Nos. N 120142 ZRM
and 120143 ZMM
SEQRA Classification: Type 1

Lead Agency
City Planning Commission
22 Reade Street
New York, NY 10007
Contact: Robert Dobruskin,
AICP
(212) 720-3423

Name, Description and Location of Proposal

Chelsea Market Expansion

The applicant, Jamestown Premier Chelsea Market, LP, is seeking zoning map and text amendments that would extend the Special West Chelsea District and make text changes to certain sections of the Special West Chelsea District (ZR Section Article IX, Chapter 8) in connection with a proposal to expand Chelsea Market. The proposed actions would add Block 713, which is controlled by the applicant, to the Special West Chelsea District while maintaining the underlying existing M1-5 zoning; allow an increase in the maximum permitted floor area ratio (FAR) from 5.0 to 7.5 in exchange for contributions to the High Line Improvement Fund and provision of certain High Line amenities; and establish specific height, setback, and other building envelope bulk controls to govern the form of new expansions on the project site. The area of the proposed special district extension is bounded by West 16th Street on the north, Ninth Avenue on the east, West 15th Street on the south, and Tenth Avenue on the west (Block 713) in the Chelsea neighborhood of Manhattan Community District 4. A portion of the elevated High Line structure, which has operated as a public open space since June 2009, traverses the western end of Block 713, passing through the complex adjacent to Tenth Avenue. The project site is located within the State and National Registers of Historic Places listed Gansevoort Market Historic District, and across the street from the NYC Landmark Gansevoort Market Historic District.

The proposed actions would facilitate a proposal by the applicant to expand the Chelsea Market complex with approximately 359,000 gross square feet (gsf) of office and hotel space. Approximately 255,000 gsf of office space would be added on top of the western portion of the existing complex (Tenth Avenue) resulting in a total height of 230 feet. An approximately 104,000 gsf hotel would be added to the northeast corner of the complex (Ninth Avenue) resulting in a total height of 160 feet. The proposed hotel space would have approximately 150 guest rooms. The proposed project would also renovate some existing space, including access to or reconfiguring lobbies on the first floor to accommodate the new office and hotel towers. The proposed project would take approximately eighteen (18) months to construct according to the applicant, and would be completed in 2014. However, although the applicant anticipates constructing the office use concurrently with the hotel use, the proposed zoning text

contains an allowance for the development of office expansion first so long as the full High Line amenities along Tenth Avenue are provided no later than 2017. Therefore, the environmental review for the proposed actions considered analysis years of 2014 and 2017.

The project site contains 165,200 square feet of lot area and is occupied by 10 buildings, attached and interconnected to create one complex known as Chelsea Market and is traversed on its western edge by a portion of the High Line. The buildings generally range in height from one to eight stories, with a maximum height of approximately 142 feet. The Chelsea Market complex currently includes approximately 164,755 gsf of retail space with some wholesale and production activities on the first level, approximately 751,042 gsf of office space, including television studio/production space, on the second through eighth floors, and approximately 165,000 gsf of storage, mechanical, retail, and production space in a below-grade cellar level for a total FAR of 5.4. With the expansion, the project site would have a total of approximately 164,755 gsf of ground floor retail with some wholesale and production activities, 1,006,042 gsf of office, 104,000 gsf of hotel space, and 165,000 gsf of below-grade space for a total FAR of 7.5.

The proposed zoning text amendment also includes a CPC Chairperson certification concerning proof of compliance with requirements for contributions to the High Line Improvement Fund and provision of certain High Line amenities. This certification is necessary in order for enlargements subject to the text provisions to be constructed. The applicant is not seeking the certification concurrently with the proposed zoning text and map amendments, but expects to apply for the certification at a later date. Because the certification is a ministerial action not subject to CEQR, further environmental review will not be needed at that time.

The applicant intends to construct the office expansion component (i.e., the Tenth Avenue building) with massing, setbacks of facades, contemporary designs and use of materials that differentiate the building from the original building while remaining harmonious with the industrial character of the original building, as shown in the Concept Plan. A Restrictive Declaration will be executed and recorded against the property as part of the proposed action. This Restrictive Declaration will require the applicant to submit the final design plans for the Tenth Avenue building to the CPC Chair for a determination that they are consistent with the Concept Plan.

Absent the proposed actions, the current M1-5 zoning governing the project site would remain and the project site would not be added to the Special West Chelsea District. The Chelsea Market complex would remain generally the same size and with similar uses, with various as-of-right modifications including interior and exterior renovations and small rooftop additions to accommodate changing tenant demands. The applicant would not make contributions to the High Line via the High Line Improvement Bonus or provide High Line related amenities in the absence of the proposed actions.

Statement of No Significant Effect:

The Environmental Assessment and Review Division of the Department of City Planning, on behalf of the City Planning Commission, has completed its technical review of the Environmental Assessment Statement dated April 5, 2012, prepared in connection with the ULURP Application (N 120142 ZRM and 120143 ZMM). The City Planning Commission has determined that the proposed action will have no significant effect on the quality of the environment.

Supporting Statement:

The above determination is based on an environmental assessment which finds that:

1. The applicant intends to construct the office expansion component (i.e., the Tenth Avenue building) with massing, setbacks of facades, contemporary designs and use of materials that differentiate the building from the original building while remaining harmonious with the industrial character of the original building, as shown in the Concept Plan. A Restrictive Declaration will be executed and recorded against the property as part of the proposed action. This Restrictive Declaration will require the applicant to submit the final design plans for the Tenth Avenue building to the CPC Chair for a determination that they are consistent with the Concept Plan. These measures would help ensure that the proposed action would not result in significant adverse impacts to historic and cultural resources.
2. No significant effects on the environment which would require an Environmental Impact Statement are foreseeable.

This Negative Declaration has been prepared in accordance with Article 8 of the Environmental Conservation Law 6NYCRR part 617.

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CONDITIONAL NEGATIVE DECLARATION

Project Identification
CEQR No. 11DCP149R
ULURP Nos. 110218 ZMR,
110219 ZSR, N 110220 RAR,
N 110221 RAR, N 110222 RCR,
and N 110262 ZCR
SEQRA Classification: Unlisted

Lead Agency
City Planning Commission
22 Reade Street
New York, NY 10007
Contact: Robert Dobruskin,
AICP
(212) 720-3423

Name, Description and Location of Proposal

Veterans Plaza Food Store

The applicant, Savo Plaza LLC, is seeking a zoning map amendment from M1-1 to C8-2, a special permit pursuant to ZR Section 74-743 for bulk modifications and authorizations pursuant to ZR Sections 107-65 and 107-68 to alter the existing natural topography and provide for additional accessory off-street parking spaces. The applicant is also seeking certifications from the CPC Chair for a cross access connection along the eastern property line and not require other cross access connections along the western and northern property lines. The directly affected area is located in the Charleston neighborhood of Staten Island Community District 3 and within the boundaries of the City's Coastal Zone and the Special South Richmond Development District (SSRDD). The rezoning area consists of multiple properties (portions of Lots 50 and 100 on Block 7487 and a portion of Lot 75 on Block 7446) fronting Veterans Road West between Waunner Street (a paper street) and Tyrellan Avenue and adjacent to the Bricktown Centre shopping center. Block 7487, Lot 50, which contains approximately 186,235 square feet of lot area, is owned by the applicant and is the subject of the proposed special permit, authorizations, and

certifications. The other properties would be affected by the proposed zoning map amendment, but would not be redeveloped as the result of the actions.

The proposed actions would facilitate a proposal by the applicant to redevelop Lot 50 with an approximately 70,000 zoning square-foot food store (Use Group 6) with accessory off-street parking for 233 cars and accessory loading for 7 loading berths. The proposed food store would be 19 feet in height except for the loading area which would be 27 feet in height. Access to the proposed project site would be provided via two new curb cuts, one along Veterans Road West and another along the existing main driveway entrance to the Bricktown Centre shopping center. It is expected that the proposed grocery store and parking area would be constructed and occupied by 2013.

The rezoning action would change the existing zoning from a M1-1 manufacturing district to a C8-2 commercial district. M1-1 zoning districts permits light manufacturing uses and certain commercial uses with a maximum floor area ratio (FAR) of 1.0. Community facility uses are allowed in a M1-1 district by special permit only, except for houses of worship which are permitted as-of-right. C8-2 zoning districts permit automotive and other commercial uses requiring large amounts of land as well as certain community facility uses and has a maximum FAR of 2.0. Neither M1-1 nor C8-2 districts permit any residential uses. Parking for a food store with more than 2,000 square feet of floor area requires one parking space per 200 square feet of floor area under the current M1-1 zoning district. The proposed C8-2 zone requires one parking space per 300 square feet of floor area. A food store greater than 10,000 square feet in size, such as the proposed project, would require a special permit within a M1-1 zoning district while it would be as of right in a C8-2 zone.

The proposed zoning map amendment, special permit, and authorizations for parking are discretionary actions. The proposed authorization to modify topography and proposed certifications pursuant to ZR Sections 36-592 and 36-596 concerning cross access connections are ministerial actions, which are not subject to environmental review.

The project site (Block 7487, Lot 50) is currently developed with a one-story concrete block automotive use and a landscaper's garden center with accessory trailers and a one-story plastic and aluminum greenhouse for a total of approximately 2,550 square feet of building floor area. It is located west and adjacent to the main entrance to Bricktown Centre. To the east and adjacent to the project site is a commercial storage facility with one-story buildings and to the north vacant land. South of the project site and across the street of Veterans Road West is a small commercial development with mostly one and two-story high buildings.

As noted above, the rezoning action would also include relatively small portions of Block 7487, Lot 100 and Block 7446, Lot 75. The proposed zoning map amendment would not result in development of these two lots as the latter (Block 7446, Lot 75) is already in use as a private assess road for Bricktown Centre and the former (Block 7487, Lot 100) is owned by MTA and was very recently developed into the MTA Charleston bus depot. A small portion of the applicant's property (Block 7487, Lot 50) would not be rezoned, and thus would remain in an M1-1 district. It would be subject to the other proposed actions (special permit, authorizations, and certifications).

Absent the proposed actions, the existing M1-1 zoning would remain in place and the current uses in the rezoning area would remain unchanged.

Statement of No Significant Effect:

The Environmental Assessment and Review Division of the Department of City Planning, on behalf of the City Planning Commission, has completed its technical review of the Environmental Assessment Statement dated March 22, 2012, prepared in connection with the ULURP Application (110390ZMK). The City Planning Commission has determined that the proposed action will have no significant effect on the quality of the environment, once modified as follows:

1. The applicant agrees to perform the remediation measures as articulated in its February 2012 Remedial Action Plan (RAP) that was reviewed and approved by NYC Department of Environmental Protection (DEP). The remediation measures include excavation to the depth of construction and installation of a 20-mil vapor barrier beneath the foundation of the proposed structure; disposal of impacted soil in accordance with all federal, state and local regulations; removal of underground storage tanks if encountered during remediation and/or construction and installation of at least one foot of clean soil in areas not capped with asphalt or concrete; dust control and soil stockpiling procedures. The applicant also agrees to adhere to its Construction Health and Safety Plan (CHASP) to ensure the protection of on-site workers, monitoring plan, and other safety requirements during construction of the applicant's proposed building. Furthermore, the applicant agrees to submit to DEP, upon the completion of the proposed project, a Professional Engineer certified Remedial Closure Report.

2. No other significant effects on the environment which would require an Environmental Impact Statement are foreseeable.

Supporting Statement:

The above determination is based on an environmental assessment which finds that:

1. A Phase I Environmental Site Assessment (ESA) and Limited Phase II Soil Sampling and Analysis report was prepared for the project site. The Phase I ESA and Limited Phase II report was reviewed by DEP's Bureau of Environmental Planning and Assessment, and pursuant to a letter dated August 17, 2011, a supplemental Phase II ESA was recommended to more adequately identify/characterize the surface and subsurface soils of the subject parcel prior to on-site soil disturbance. Furthermore, the applicant was required to submit a hazardous materials work plan/sampling protocol and an investigative health and safety plan to DEP for their review and approval prior to conducting the supplement Phase II ESA. Subsequently, the requested documents were submitted by the applicant and they were approved by DEP on October 31, 2011.

The applicant had the supplemental Phase II ESA conducted for the project site and a Phase II ESA report was submitted for DEP review. Based on that review and pursuant to a letter dated January 23, 2012, DEP recommended that a project specific Remedial Action Plan (RAP) and Construction Health and Safety Plan (CHASP) be developed by the applicant and submitted for DEP review and approval. The applicant complied and DEP approved the RAP and CHASP pursuant to its letter dated March 6, 2012. Consequently,

with the implementation of the RAP and CHASP, no significant adverse impacts related to hazardous materials will occur.

It is fully agreed and understood that if the foregoing conditions, modifications, and alterations are not fully incorporated into the proposed action that this Conditional Negative Declaration shall become null and void. In such event, the applicant shall be required to prepare a Draft Environmental Impact Statement before proceeding further with said proposal.

This Conditional Negative Declaration has been prepared in accordance with Article 8 of the Environmental Conservation Law 6NYCRR part 617.

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MAYOR'S OFFICE OF ENVIRONMENTAL REMEDIATION

NOTICE

The New York City Office of Environmental Remediation (OER) has received a NYC Voluntary Cleanup Program (VCP) application from Passive House Xperimental, LLC for a site located at 107 Union Street, Block 2368 and Lot 34 in Williamsburg section of Brooklyn, New York. Site No. 12CVCP054K is assigned to this project.

Information regarding this site, including the site cleanup plan, can be found at:
<http://www.nyc.gov/html/oer/html/repository/RBrooklyn.shtml>

The public comment period on the cleanup plan ends on May 17, 2012. Please send comments to Shaminder Chawla, NYC OER, 253 Broadway, 14th Fl., New York, NY 10007 or to shaminderc@dep.nyc.gov

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The New York City Office of Environmental Remediation (OER) has received a NYC Voluntary Cleanup Program (VCP) application from 25 Hope Development, LLC for a site located at 25 Hope Street, Block 2368 and Lot 34 in Williamsburg section of Brooklyn, New York. Site No. 12CVCP052K is assigned to this project.

Information regarding this site, including the site cleanup plan, can be found at:
<http://www.nyc.gov/html/oer/html/repository/RBrooklyn.shtml>

The public comment period on the cleanup plan ends on May 12, 2012. Please send comments to Shaminder Chawla, NYC OER, 253 Broadway, 14th Fl., New York, NY 10007 or to shaminderc@dep.nyc.gov

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LABOR RELATIONS

NOTICE

2008-2010 School Crossing Guards

AGREEMENT entered into this 6th day of April, 2012 by and between the City of New York and related public employers pursuant to and limited to their respective elections or statutory requirement to be covered by the New York City Collective Bargaining Law and their respective authorizations to the City to bargain on their behalf (hereinafter referred to jointly as the "Employer"), and Local 372, and District Council 37, A.F.S.C.M.E., AFL-CIO (hereinafter referred to as the "Union"), for the twenty-four (24) month period from March 3, 2008 to March 2, 2010.

WITNESSETH:

WHEREAS, the parties hereto have entered into collective bargaining and desire to reduce the results thereof to writing,

NOW, THEREFORE, it is mutually agreed as follows:

ARTICLE I - UNION RECOGNITION AND UNIT DESIGNATION

Section 1.

The **Employer** recognizes the **Union** as the sole and exclusive collective bargaining representative for the bargaining unit set forth below, consisting of employees of the **Employer**, wherever employed, whether full-time, part time, per annum, hourly or per diem, in the below listed title, and in any successor title(s) that may be certified by the **Board of Certification of the Office of Collective Bargaining** to be part of the unit herein for which the **Union** is the exclusive collective bargaining representative and in any positions in Restored Rule X titles of the Classified Service the duties of which are or shall be equated by the City Personnel Director and the Director of the Budget for salary purposes to the below listed title:

70205 School Crossing Guard

Section 2.

The terms "employee" and "employees" as used in this **Agreement** shall mean only those persons in the unit described in Section 1 of this Article.

ARTICLE II - DUES CHECKOFF

Section 1.

a. The **Union** shall have the exclusive right to the checkoff and transmittal of dues on behalf of each **employee** in accordance with the Mayor's Executive Order No. 98, dated May 15, 1969, entitled "Regulations Relating to the Checkoff of Union Dues" and in accordance with the Mayor's Executive Order No. 107, dated December 29, 1986, entitled "Procedures for Orderly Payroll Check-Off of Union Dues and Agency Shop Fees."

b. Any **employee** may consent in writing to the authorization of the deduction of dues from the **employee's** wages and to the designation of the

Union as the recipient thereof. Such consent, if given, shall be in a proper form acceptable to the City, which bears the signature of the **employee**.

Section 2.

The parties agree to an agency shop to the extent permitted by applicable law, as described in a supplemental agreement hereby incorporated by reference into this **Agreement**.

ARTICLE III - SALARIES

Section 1.

The maximum salary for a title shall not constitute a bar to the payment of any salary adjustment or pay differentials provided for in this **Agreement** but the said increase above the maximum shall not be deemed a promotion.

Section 2.

Employees in the title School Crossing Guard shall be subject to the following specified hourly salary rates:

a. Effective 3/3/08

	Incumbent Rate	Hired after		before	
		Between 6/30/86	7/1/85		7/1/84
Appt. Rate	\$9.50	\$10.92	\$11.21	\$11.41	\$11.63
After 1 yr.	\$9.874	\$11.35	\$11.62	\$11.81	\$11.98
After 2 yrs.		\$11.59	\$11.82	\$12.01	\$12.19
After 3 yrs.		\$12.40	\$12.64	\$12.76	\$12.91

b. Effective 3/3/09

	Incumbent Rate	Hired after		before	
		Between 6/30/86	7/1/85		7/1/84
Appt. Rate	\$9.88	\$11.36	\$11.66	\$11.87	\$12.10
After 1 yr.	\$10.26	\$11.80	\$12.08	\$12.28	\$12.46
After 2 yrs.		\$12.05	\$12.29	\$12.49	\$12.68
After 3 yrs.		\$12.90	\$13.15	\$13.27	\$13.43

NOTE: * See Article III, Section 4 (New Hires).

Section 3.

A. General Wage Increase

a. The general increases, effective as indicated, shall be:

- Effective March 3, 2008, Employees shall receive a general increase of 4%.
- Effective March 3, 2009, Employees shall receive an additional general increase of 4%.
- Part-time per annum, per session, hourly paid and per diem Employees (including seasonal appointees) and Employees whose normal work year is less than a full calendar year shall receive the increases provided in subsections 3B(a)(i) and 3B(a)(ii) on the basis of computations heretofore utilized by the parties for all such Employees.

b. The increases provided for in Section 3(a) above shall be calculated as follows:

- The general increase in Section 3(a)(i) shall be based upon the base rates (including salary or incremental salary schedules) of the applicable titles in effect on March 2, 2008;
- The general increase in Section 3(a)(ii) shall be based upon the base rates (including salary or incremental salary schedules) of the applicable titles in effect on March 2, 2009.

c. i. The general increases provided for in this Section 3 shall be applied to the base rates, incremental salary levels and the minimum "hiring rates," minimum "incumbent rates" and maximum rates (including levels), if any, fixed for the applicable titles.

- A general increase of 5.47%, effective on the last day of the Agreement, and consistent with the terms of the Stipulation of Settlement (A-13472-10; BCB 2864-10) shall be applied to the following "additions to gross": uniform allowances, equipment allowances, transportation allowances, uniform maintenance allowances, assignment differentials, service increments, longevity differentials, longevity increments, advancement increases, assignment (level) increases, and experience, certification, educational, license, evening, or night shift differentials.

Section 4. New Hires

a. The appointment rate for an employee newly hired on or after March 3, 2008 and appointed at a reduced hiring rate shall be the applicable minimum "hiring rate" set forth in subsections 2(a)(i)(1) and 2(b)(i)(1). On the two year anniversary of the employee's original date of appointment, such employee shall be paid the

indicated minimum "incumbent rate" for the applicable title that is in effect on such two year anniversary as set forth in subsection 2(a)(i)(2) and 2(b)(i)(2) of this Article III.

- For a title subject to an incremental pay plan, the employee shall be paid the appropriate increment based upon the employee's length of service. Section 2 of this Article III reflects the correct amounts and has been adjusted in accordance with the provisions of Section 3(c)(i) of this Article III.
- Employees who change titles or levels before attaining two years of service will be treated in the new title or level as if they had been originally appointed to said title or level on their original hiring date.

c. For the purposes of Sections 4(a) and 4(b), employees 1) who were in active pay status before March 2, 2008, and 2) who are affected by the following personnel actions after said date shall not be treated as "newly hired" employees and shall be entitled to receive the indicated minimum "incumbent rate" set forth in subsections 2(a)(i)(2) and 2(b)(i)(2) of this Article III:

- Employees who return to active status from an approved leave of absence.
- Employees in active status (whether full or part-time) appointed to permanent status from a civil service list, or to a new title (regardless of jurisdictional class or civil service status) without a break in service of more than 31 days.
- Employees who were laid off or terminated for economic reasons who are appointed from a recall/preferred list or who were subject to involuntary redeployment.
- Provisional employees who were terminated due to a civil service list who are appointed from a civil service list within one year of such termination.
- Permanent employees who resign and are reinstated or who are appointed from a civil service list within one year of such resignation.
- Employees (regardless of jurisdictional class or civil service status) who resign and return within 31 days of such resignation.
- A provisional employee who is appointed directly from one provisional appointment to another.
- For employees whose circumstances were not anticipated by the parties, the First Deputy Commissioner of Labor Relations is empowered to issue, on a case-by-case basis, interpretations concerning application of this Section 4. Such case-by-case interpretations shall not be subject to the dispute resolution procedures set forth in Article VI of this Agreement.

d. The First Deputy Commissioner of Labor Relations may, after notification to the affected union(s), exempt certain hard to recruit titles from the provisions of subsection 4.

Section 5.

In the case of an employee on leave of absence without pay, the salary rate of such employee shall be changed to reflect the salary adjustments specified in Article III.

Section 6. - Longevity Increment Agreement

- School Crossing Guards with 15 or more years of "City" service in pay status shall receive a longevity increment of 43 cents (\$0.43) per hour.
- The rules for eligibility for the longevity increment described above in subsection 6a. shall be set forth in Appendix A to this **Agreement** and are incorporated by reference herein.

Section 7. - Additional Days of Pay

- All regularly employed School Crossing Guards shall receive one additional day of pay (Martin Luther King, Jr.'s Birthday) at their regular daily rate of pay in the month of January. Said additional day of pay shall be paid in the last paycheck in January or the first paycheck in February.
- All regularly employed School Crossing Guards shall receive one additional day of pay (Memorial Day) at their regular daily rate of pay in the month of May. Said additional day of pay shall be paid in the first paycheck in June.
- Effective July 1, 2002, all regularly employed School Crossing Guards shall continue to receive four (4) additional days of pay at their regular daily rate of pay as follows: Columbus Day; Veterans Day; Thanksgiving Day, and day after Thanksgiving Day.
- Effective July 1, 2004, all regularly employed School Crossing Guards shall continue to receive three (3) additional days of pay at their regular daily rate of pay as follows: during "Presidents'

Week/mid-Winter Recess" or equivalent period in other than Department of Education.

ARTICLE IV - HOURS

Section 1.

No School Crossing Guard may work more than five (5) hours in a work day.

ARTICLE V - HEALTH INSURANCE

School Crossing Guards who regularly work twenty (20) or more hours per week shall be covered by the City's Basic Health Insurance Plan. Health Insurance coverage shall not be provided by the City during the summer recess except as described in Article VIII.

ARTICLE VI - WELFARE FUND

Section 1.

a. The City shall make contributions to the District Council 37, A.F.S.C.M.E., AFL-CIO Health and Security Fund on behalf of all employees who regularly work 15 hours or more per week on a continuous basis and have been so employed continuously for 90 days prior to the commencement of the obligation of the City to make its contributions provided, however, that the summer recess, authorized leaves of absence or time on a recall list shall not be considered a break in service.

b. In accordance with the election by the **Union** pursuant to the provisions of Article XIII of the 1995-2001 **Citywide Agreement** between the City of New York and related public employers and District Council 37, A.F.S.C.M.E., AFL-CIO, or any successor(s) thereto, the Welfare Fund provisions of that **Citywide Agreement** or any successor(s) thereto shall apply to employees covered by this **Agreement**, as described in Section 1(b) of the **Citywide Agreement**.

c. When an election is made by the **Union** pursuant to the provisions of Article XIII, Section 1(b), of the 1995-2001 **Citywide Agreement** between the City of New York and related public employers and District Council 37, A.F.S.C.M.E., AFL-CIO, or any successor(s) thereto, the provisions of Article XIII, Section 1(b) of the **Citywide Agreement** or any successor(s) thereto, shall apply to employees covered by this **Agreement**, and when such election is made, the **Union** hereby waives its right to training, education and/or legal services contributions provided in this **Agreement**. In no case shall the single contribution provided in Article XIII, Section 1(b) of the **Citywide Agreement** or any successor(s) thereto, exceed the total amount that the **Union** would have been entitled to receive if the separate contributions had continued.

d. Effective July 1, 2002, 11cents (\$0.11) per hour shall continue to be contributed for the provision of Welfare Fund Benefits during the summer months (from the last day of school in June to the first day of school in September) for School Crossing Guards who received Welfare Fund Benefits during the school year. The 11 cents per hour contribution will be made for each hour for which a School Crossing Guard is in pay status. Payments for this "summer" Welfare Fund contribution will be subject to a separate agreement to be entered into by the parties and no payments shall be made until said separate agreement is executed. Benefits to be provided are limited by the contribution itself. It is understood that if the benefits paid under the relevant schedule exceed the funds on hand for this purpose the benefits will be reduced or terminated. It is understood and agreed that the provisions of this Section (d). are entirely separate and apart from Welfare Fund payments that are contained in Article VI, Sections a, b, and c. It is further understood and agreed that any future increases in Welfare Fund payments as detailed in Sections a, b, and c above shall have no impact on this Section d. and that any increase contemplated for this Section d. shall be subject to negotiations between the parties applicable solely to this separate unit agreement or its successor(s).

e. Effective July 1, 2002, 5 cents (\$0.05) per hour shall continue to be contributed to establish Welfare Fund benefits for School Crossing Guards who 1) permanently resign their positions as School Crossing Guards, 2) are at least 60 years of age, and 3) have at least 10 calendar years of continuous service as School Crossing Guards prior to leaving their position.

Continuous service shall be defined as time in pay status. However, Christmas, Easter, summer vacations and other school recesses shall not constitute a break in service.

For the purposes of this Article, School Crossing Guards who were terminated in 1975 as a result of the dissolution of the School Crossing Guard Program and who were reappointed by June 30, 1979, shall be deemed not to have had a break in service during the time the employee was terminated. However, the period of time between the employee's termination in 1975 and subsequent reappointment shall not be counted for purposes of calculating the 10 years of service required to receive this benefit.

The 5-cent contribution shall be made for each hour for which any School Crossing Guard is in pay status.

Payments for this Welfare Fund contribution will

be subject to a separate agreement to be entered into by the parties, and no payments shall be made until said separate agreement is executed. Benefits to be provided are limited by the contribution itself. It is understood that if the benefits paid under the relevant schedule exceed the funds on hand for this purpose the benefits will be reduced or terminated. It is understood and agreed that the provisions of this Section (e) are entirely separate and apart from Welfare Fund payments that are contained in Article VI, Sections a, b, c, and d. It is further understood and agreed that any future increases in Welfare Fund payments as detailed in Sections a, b, c and d above shall have no impact on this Section (e), and that any increase contemplated for this Section (e) shall be subject to negotiations between the parties applicable solely to this separate unit agreement or its successor(s).

No benefits shall be provided to a School Crossing Guard who leaves her/his position prior to January 1, 1984.

Section 2.

The **Union** agrees to provide welfare fund benefits to domestic partners of covered employees in the same manner as those benefits are provided to spouses of married covered employees.

Section 3.

In accordance with the Health Benefits Agreement dated January 11, 2001, each welfare fund shall provide welfare fund benefits equal to the benefits provided on behalf of an active employee to widow(er)s, domestic partners and/or children of any employee who dies in the line of duty as that term is referenced in Section 12-126(b)(2) of the New York City Administrative Code. The cost of providing this benefit shall be funded by the Stabilization Fund.

ARTICLE VII - ADDITIONAL HEALTH INSURANCE BENEFIT

Effective July 1, 2002, the sum of 5 cents (\$0.05) per hour shall continue to be contributed to D.C. 37 for remittance to the D.C. 37 Health and Security Fund for each hour worked by a School Crossing Guard. The sums shall be used to provide health insurance coverage for School Crossing Guards who are at least 60 years of age and resign on or after January 1, 1987 with at least 10 regular school years of continuous service in pay status as School Crossing Guards prior to their resignation.

For the purposes of this Article only, continuous service in pay status as a School Crossing Guard shall be counted towards the 10 year service requirement for those employees who were terminated in 1975 as a result of the disbanding of the School Crossing Guard Program and were reappointed by June 30, 1979.

The payments hereunder shall be subject to a separate agreement to be entered into by the parties and approved as to form by the Corporation Counsel. The cost of the benefits provided shall not exceed the contributions made pursuant to this Article VII. If the benefits exceed the available funds, the benefits shall be reduced or terminated.

ARTICLE VIII - SUMMER HEALTH INSURANCE

Section 1.

a. Effective July 1, 2002 the **City** shall continue to pay 9 cents (\$0.09) for each hour a School Crossing Guard is in pay status to be contributed toward a trust and agency account, maintained by the New York City Employee Benefit Program.

b. Effective July 1, 2002, the **City** shall contribute the sum of \$386,815.27 annually to the Summer Health Insurance Trust and Agency Account.

Section 2.

a. The funds contributed to the trust and agency account shall be used to provide or subsidize continued health insurance during the summer months for School Crossing Guards who are eligible for health insurance benefits during the school year and who otherwise meet eligibility criteria as described in Section c below.

b. The **City** and the **Union** shall meet each spring to determine service eligibility requirements for receipt of this benefit and to determine what portion of the health insurance cost shall be borne by the fund and what portion shall be borne by the School Crossing Guard.

c. In the event that a shortfall in monies in the trust and agency account is projected by the **City** for any summer vacation period, the **City** and the **Union** shall bargain over the extent, if any, to which the **City** will pay from the trust and agency account towards each affected Guard's coverage.

ARTICLE IX - POST & PICK

At the beginning of each school year, employees shall have the opportunity to pick their posts within their precinct. Such "picks" will be based on the employee's seniority within his/her precinct at the time post and pick occurs. Should a vacancy occur during the school year, a post and pick system will be instituted on a precinct-wide basis. Such assignments shall be made on the basis of seniority. For the purposes of his Article only, seniority shall be calculated as time served in the precinct as a School Crossing Guard.

ARTICLE X - PRODUCTIVITY AND PERFORMANCE Introduction

Delivery of municipal services in the most efficient, effective and courteous manner is of paramount importance to the **Employer** and the **Union**. Such achievement is recognized to be a mutual obligation of both parties within their respective roles and responsibilities. To achieve and maintain

a high level of effectiveness, the parties hereby agree to the following terms:

Performance Levels

a. The **Union** recognizes the **Employer's** right under the **New York City Collective Bargaining Law** to establish and/or revise performance standards or norms notwithstanding the existence of prior performance levels, norms or standards. Such standards, developed by usual work measurement procedures, may be used to determine acceptable performance levels, to prepare work schedules and to measure the performance of each employee or group of employees. Notwithstanding the above, questions concerning the practical impact that decisions on the above matters have on employees are within the scope of collective bargaining. The **Employer** will give the **Union** prior notice of the establishment and/or revision of performance standards or norms hereunder.

b. Employees who work at less than acceptable levels of performance may be subject to disciplinary measures in accordance with applicable law.

c. Performance Compensation

The **Union** acknowledges the **Employer's** right to pay additional compensation for outstanding performance.

The **Employer** agrees to notify the **Union** of its intent to pay such additional compensation.

ARTICLE XI - DEATH BENEFIT

If an employee dies during the term of this **Agreement** because of an injury arising out of and in the course of the employee's employment through no fault of the employee, and in the proper performance of the employee's duties, a payment of twenty-five thousand dollars (\$25,000) will be made from funds other than those of the Retirement System in addition to any other payment which may be made as a result of such death. Such payment shall be made to the beneficiary so designated, or if no beneficiary is so designated, payment shall be made to the employee's estate.

ARTICLE XII - LEAVES

Section 1. Death in Family

Absences for Death in the Family shall be excusable in the discretion of the agency head without charge to sick leave or annual leave balances, upon submittal of evidence satisfactory to the agency head.

a. Employees shall be permitted absences not to exceed four (4) work days in the case of death in the immediate family. Immediate family shall be defined for this purpose as spouse; natural, foster or step parent, child, brother or sister; father-in-law; mother-in-law; or any relative residing in the household.

b. Bereavement leave shall be granted for the death of a "domestic partner" pursuant to the terms set forth in Executive Order No. 38, dated January 7, 1993 or its successor(s).

c. When a death in an employee's family occurs while the employee is on annual leave, such time as is excusable for death in the family shall not be charged to annual leave or sick leave.

Section 2. Child Care Leave

a. A child care leave of absence without pay shall be granted to an employee (male or female) who becomes the parent of a child up to four years of age (or whose domestic partner registered pursuant to Executive Order No. 48, dated January 7, 1993, becomes the parent of a child up to four years of age, either by birth or by adoption, for a period of up to forty-eight (48) months. The use of this maximum allowance will be limited to one instance only. All other confinement and child care leaves of an employee shall be limited to a thirty-six (36) month maximum.

b. Prior to the commencement of child care leave, an employee shall be continued in pay status for a period of time equal to all of the employee's unused accrued annual leave.

c. Employees, who initially elect to take less than the forty-eight (48) month maximum period of leave or the thirty-six (36) months may elect to extend such leave by up to two extensions, each extension to be a minimum of six (6) months. However in no case may the initial leave period plus the one or two extensions total more than forty-eight (48) months or thirty-six (36) months.

d. This provision shall not diminish the right of the Agency Head or the Personnel Director, as set forth in Rule 5.1 of the Leave Regulations, to grant a further leave of absence without pay for child care purposes.

Section 3. Sick Leave

a. All employees shall continue to accrue one (1) hour of sick leave for each twenty (20) hours actually worked, to a maximum accrual of 500 hours. Effective July 1, 2004, all employees newly hired on or after July 1, 2004 shall accrue sick leave at the rate of one (1) hour of sick leave for each 24 hours actually worked for the first five (5) years of service.

b. Effective July 1, 2004, employees may use three (3) days per year from their sick leave balances for the care of ill family members. Approval of such leave is discretionary with the agency and proof of disability must be provided by the employee satisfactory to the agency within five (5) days of the employee's return to work.

Section 4. Annual Leave

- a. All employees employed prior to July 1, 1985 shall continue to accrue one (1) hour of annual leave for each eleven (11) hours actually worked, to a maximum accrual of 210 hours.
- b. Employees newly hired on or after July 1, 1985 shall accrue annual leave as follows:
- At the beginning of the employees first year: 1 hour for every 22 hours actually worked.
- At the beginning of the employees second year: 1 hour for every 17 hours actually worked.
- At the beginning of the employee's third year: 1 hour for every 17 hours actually worked.
- At the beginning of the employee's fourth year: 1 hour for every 15 hours actually worked.
- At the beginning of the employee's fifth year: 1 hour for every 11 hours actually worked.
- c. Effective July 1, 1991 employees hired on or after July 1, 1985 shall accrue annual leave as follows:
- At the beginning of the employee's first year: 1 hour for every 15 hours worked.
- At the beginning of the employee's fifth year: 1 hour for every 11 hours worked.
- d. Effective July 1, 2004 employees hired on or after July 1, 2004 shall accrue annual leave as follows:
- At the beginning of the employee's first year: 1 hour for every 15 hours worked.
- At the beginning of the employee's fifth year: 1 hour for every 14 hours worked.
- At the beginning of the employee's sixth year: 1 hour for every 13 hours worked.
- At the beginning of the employee's seventh year: 1 hour for every 12 hours worked.
- At the beginning of the employee's ninth year: 1 hour for every 11 hours worked.

ARTICLE XIII - IDENTIFICATION CARDS

The **Employer** shall provide to each employee who has served continuously for six (6) months a photo I.D. card. Lost cards shall be reported immediately and replaced at the employee's expense. Upon separation from service, an employee shall not receive her/his final paycheck until the employee has returned the I.D. card issued or has submitted an appropriate affidavit of loss.

ARTICLE XIV - UNIFORM ALLOWANCE

A uniform allowance in the per annum amounts set forth below shall be provided to those employees who are required to wear a uniform which is not supplied by the Employer:

Effective Date	Annual Amount
3/3/08	\$196
3/2/10	\$207

ARTICLE XV - NON-COMPETITIVE LAYOFF PROCEDURE

If budgetary restrictions, consolidations or abolition of functions or other curtailment of activities result in the abolition of non-competitive positions, the suspension among the incumbents in the same class of positions shall be made in inverse order of their original appointment to the agency in the subject class of positions.

The date of original appointment shall be the first date of appointment followed by continuous service up to the time of the abolition or reduction of positions.

An employee who had been terminated from the subject class of positions and who was reappointed in the affected class of positions within one year thereafter shall for the purposes of this Article be deemed to have continuous service except that employees terminated in 1975 as a result of the dissolution of the School Crossing Guard Program and who were reappointed by June 30, 1979, shall for the purposes of this Article be deemed to have continuous service.

A period of an authorized leave of absence without pay or any period during which an employee is suspended from the employee's position pursuant to this Article shall not constitute an interruption of continuous service for the purposes of this Article.

Layoff shall be made from among employees in the same class of positions in the agency except that the Employer may determine the layoff unit (department, bureau, division or other subdivision). In such case layoff shall be made from among incumbents in the same class of positions in each such unit.

Where layoffs are scheduled, the following procedure shall be used:

- (1) Notice shall be provided to the union not less than 30 days before the effective date(s) of such projected layoffs.
- (2) Within such 30-day period designated representatives of the Employer will meet and confer with the designated representatives of the Union with the objective of considering feasible alternatives to all or part of such scheduled layoffs.

Employees in affected titles in the layoff unit shall be laid off in the following order:

- (1) All employees in probationary status in the same title. Among them, layoff shall be in inverse order to date of original appointment.
- (2) All employees who have satisfactorily completed

their probationary periods in the same title. Among them, layoff shall be in inverse order to date of original appointment.

In the event of layoff the Employer shall place the names of such employees on a preferred list together with others who have been suspended from the same class of positions. The Employer shall certify such list for filling vacancies in the same class of positions in the layoff unit from which the suspensions were made.

Persons on the list shall be called for reinstatement in the order of their original date of appointment and upon the occurrence of a vacancy in an appropriate position in the layoff unit shall be certified on the basis of the original date of appointment.

The eligibility for reinstatement of a person on such a preferred list shall not continue for a period longer than four (4) years from the date of separation.

No person suspended or demoted prior to completing his/her probationary term shall be certified for reinstatement until the exhaustion of all other eligibles on the preferred list and shall be required to complete his/her probationary term upon reinstatement.

Failure or refusal to accept reinstatement from preferred lists to vacancies in the same class of positions shall be deemed relinquishment of eligibility and the employee's name shall be removed from the list.

A person reinstated from a preferred list to his/her former class of positions shall receive at least the same salary he/she was receiving at the time of suspension.

Notwithstanding any other provisions of this Article, the Employer may disqualify for reinstatement and remove from a preferred list the name of any eligible who is physically or mentally disabled for the performance of the duties of the position for which such list is established, or who has been guilty of such misconduct as would result in dismissal.

ARTICLE XVI - GRIEVANCE PROCEDURE**Section 1. - Definition:**

The term "Grievance" shall mean:

- a. A dispute concerning the application or interpretation of the terms of this Agreement;
- b. A claimed violation, misinterpretation or misapplication of the rules or regulations, *written* policy or orders of the Employer applicable to the agency which employs the grievant affecting terms and conditions of employment; provided, provided, disputes involving the Personnel Rules and Regulations of the City of New York or the Rules and Regulations of the Health and Hospitals Corporation with respect to those matters set forth in the first paragraph of Section 7390.1 of the Unconsolidated Laws shall not be subject to the grievance procedure or arbitration;
- c. A claimed assignment of Employees to duties substantially different from those stated in their job specifications;
- d. A claimed improper holding of an open-competitive rather than a promotional examination;
- e. A claimed wrongful disciplinary action taken against a permanent Employee covered by Section 75(1) of the Civil Service Law or a permanent Employee covered by the Rules and Regulations of the Health and Hospitals Corporation upon whom the agency head has served written charges of incompetence or misconduct while the Employee is serving in the Employee's permanent title or which affects the Employee's permanent status.
- f. Failure to serve written charges as required by Section 75 of the Civil Service Law or the Rules and Regulations of the Health and Hospitals Corporation upon a permanent Employee covered by Section 75(1) of the Civil Service Law or a permanent Employee covered by the Rules and Regulations of the Health and Hospitals Corporation where any of the penalties (including a fine) set forth in Section 75(3) of the Civil Service Law have been imposed.
- g. A claimed wrongful disciplinary action taken against a Non-Competitive employee with more than three (3) months of service in title in the same agency except for employees during the period of a mutually agreed upon extension of probation.

Section 2.

The Grievance Procedure, except for grievances as defined in Sections 1(d), 1(e), and 1(g) of this Article, shall be as follows:

Employees may at any time informally discuss with their supervisors a matter which may become a grievance. If the results of such a discussion are unsatisfactory, the Employees may present the grievance at **STEP I**.

All grievances must be presented in writing at all steps in the grievance procedure. For all grievances as defined in Section 1(c), no monetary award shall in any event cover any period prior to the date of the filing of the **STEP I** grievance unless such grievance has been filed within thirty (30) days of the assignment to alleged out-of-title work. No monetary award for a grievance alleging a miscalculation of salary rate resulting in a payroll error of a continuing nature shall be issued unless such grievance has been filed within the time limitation set forth in **STEP I** below for such grievances; if the grievance is so filed, any monetary award shall in any event cover only the period up to six years prior to the date of the filing of the grievance.

STEP I The Employee and/or the Union shall present the grievance in the form of a memorandum to the person designated for such purpose by the agency head no later than 120 days after the date on which the grievance arose except that grievances alleging a miscalculation of salary rate resulting in a payroll error of a continuing nature shall be presented no later than 120 days after the first date on which the grievant discovered the payroll error. The Employee may also request an appointment to discuss the grievance and such request shall be granted. The person designated by the Employer to hear the grievance shall take any steps necessary to a proper disposition of the grievance and shall issue a determination in writing by the end of the third work day following the date of submission.

STEP II An appeal from an unsatisfactory determination at **STEP I** or **STEP I(a)**, where applicable, shall be presented in writing to the agency head or the agency head's designated representative who shall not be the same person designated in **STEP I**. An appeal must be made within five (5) work days of the receipt of the **STEP I** or **STEP I(a)** determination. The agency head or designated representative, if any, shall meet with the Employee and/or the Union for review of the grievance and shall issue a determination in writing by the end of the tenth work day following the date on which the appeal was filed.

STEP III An appeal from an unsatisfactory determination at **STEP II** shall be presented by the Employee and/or the Union to the Commissioner of Labor Relations in writing within ten (10) work days of the receipt of the **STEP II** determination. The grievant or the Union should submit copies of the **STEP I** and **STEP II** grievance filings and any agency responses thereto. Copies of such appeal shall be sent to the agency head. The Commissioner of Labor Relations or the Commissioner's designee shall review all appeals from **STEP II** determinations and shall issue a determination on such appeals within fifteen (15) work days following the date on which the appeal was filed.

STEP IV An appeal from an unsatisfactory determination at **STEP III** may be brought solely by the Union to the Office of Collective Bargaining for impartial arbitration within fifteen (15) work days of receipt of the **STEP III** determination. In addition, the Employer shall have the right to bring directly to arbitration any dispute between the parties concerning any matter defined herein as a "grievance". The Employer shall commence such arbitration by submitting a written request therefor to the Office of Collective Bargaining. A copy of the notice requesting impartial arbitration shall be forwarded to the opposing party. The arbitration shall be conducted in accordance with the Title 61 of the Rules of the City Of New York. The costs and fees of such arbitration shall be borne equally by the Union and the Employer.

The arbitrator's decision, order or award (if any) shall be limited to the application and interpretation of the Agreement, and the arbitrator shall not add to, subtract from or modify the Agreement. The arbitrator's award shall be final and binding and enforceable in any appropriate tribunal in accordance with Article 75 of the Civil Practice Law and Rules. The arbitrator may provide for and direct such relief as the arbitrator deems necessary and proper, subject to the limitations set forth above and any applicable limitations of law.

Section 3.

As a condition to the right of the Union to invoke impartial arbitration set forth in this Article, including the arbitration of a grievance involving a claimed improper holding of an open-competitive rather than a promotional examination, the Employee or Employees and the Union shall be required to file with the Director of the Office of Collective Bargaining a written waiver of the right, if any, of such Employee(s) and the Union to submit the underlying dispute to any other administrative or judicial tribunal except for the purpose of enforcing the arbitrator's award.

Section 4.

A grievance concerning a large number of Employees and which concerns a claimed misinterpretation, inequitable application, violation or failure to comply with the provisions of this Agreement may be filed directly at **STEP III** of the grievance procedure. Such "group" grievance must be filed no later than 120 days after the date on which the grievance arose, and all other procedural limits, including time limits, set forth in this Article shall apply. All other individual grievance in process concerning the same issues shall be consolidated with the "group" grievance.

Section 5.

If a determination satisfactory to the Union at any level of the Grievance Procedure is not implemented within a reasonable time, the Union may re-institute the original grievance at **STEP III** of the Grievance Procedure; or if a satisfactory **STEP III** determination has not been so implemented, the Union may institute a grievance concerning such failure to implement at **STEP IV** of the Grievance Procedure.

Section 6.

If the Employer exceeds any time limit prescribed at any step in the Grievance Procedure, the grievant and/or the Union may invoke the next step of the procedure, except that only the Union may invoke impartial arbitration under **STEP IV**.

Section 7.

The Employer shall notify the Union in writing of all grievances filed by Employees, all grievance hearings, and all determinations. The Union shall have the right to have a representative present at any grievance hearing and shall be given forty-eight (48) hours' notice of all grievance hearings.

Section 8.

Each of the steps in the Grievance Procedure, as well as time limits prescribed at each step of this Grievance Procedure, may be waived by mutual agreement of the parties.

Section 9.

Grievance relating to a claimed wrongful disciplinary action taken against a non-competitive employee covered by this Agreement shall be subject to and governed by the following special procedure:

The provisions contained in this section shall not apply to any of the following categories of employees:

- (a) Probationary employees
- (b) Non-competitive employees with less than three (3) months of service in title.

Step I(n)-Following the service of written charges upon an employee a conference shall be held with respect to such charges by a person who is designated by the agency head to review such charges. The employee may be represented at such conference by a representative of the **Union**. The person designated by the agency head to review the charges shall take any steps necessary to a proper disposition of the charges and shall issue a decision in writing by the end of the fifth day following the date of the conference.

Step II(n) -If the employee is dissatisfied with the decision in **Step I(n)** above, he or she may appeal such decision. The appeal must be within five (5) work days of the receipt of such decision. Such appeal shall be treated as a grievance appeal beginning with **Step II** of the Grievance Procedure set forth herein.

Section 10.

The grievance and the arbitration procedure contained in this Agreement shall be the exclusive remedy for the resolution of disputes defined as "grievances" herein. This shall not be interpreted to preclude either party from enforcing the arbitrator's award in court. This Section shall not be construed in any manner to limit the statutory rights and obligations of the Employer under Article XIV of the Civil Service Law.

Section 11. Expedited Arbitration Procedure.

a. The parties agree that there is a need for an expedited arbitration process which would allow for the prompt adjudication of grievances as set forth below.

b. The parties voluntarily agree to submit matters to final and binding arbitration pursuant to the New York City Collective Bargaining Law and under the jurisdiction of the Office of Collective Bargaining. An arbitrator or panel of arbitrators, as agreed to by the parties, will act as the arbitrator of any issue submitted under the expedited procedure herein.

c. The selection of those matters which will be submitted shall include, but not limited to, out-of-title cases concerning all titles, disciplinary cases wherein the proposed penalty is a monetary fine of one week or less or written reprimand, and other cases pursuant to mutual agreement by the parties. The following procedures shall apply:

i. SELECTION AND SCHEDULING OF CASES:

(1) The Deputy Chairperson for Disputes of the Office of Collective Bargaining shall propose which cases shall be subject to the procedures set forth in this Section 14 and notify the parties of propose hearing dates for such cases.

(2) The parties shall have ten business days from the receipt of the Deputy Chairperson's proposed list of cases and hearing schedule(s) raise any objections thereto.

(3) If a case is not proposed by the Deputy Chairperson for expedited handling, either party may, at any time prior to the scheduling of an arbitration hearing date for such case, request in writing to the other party and to the Deputy Chairperson of Disputes of the Office of Collective Bargaining that said case be submitted to the expedited procedure. The party receiving such request shall have ten business days from the receipt of the request to raise any objections thereto.

(4) No case shall be submitted to the expedited arbitration process without the mutual agreement of the parties.

ii. CONDUCT OF HEARINGS:

(1) The presentation of the case, to the extent possible, shall be made in the narrative form. To the degree that witnesses are necessary, examination will be limited to questions of material fact and cross-examination will be similarly limited. Submission of relevant documents, etc., will not be unreasonably limited and may be submitted as a "packet" exhibit.

(2) In the event either party is unable to proceed with hearing a particular case, the case shall be rescheduled. However, only one adjournment shall be permitted. In the event that either party is unable to proceed on a second occasion, a default judgment may be entered against the adjourning party at the Arbitrator's discretion absent good cause shown.

(3) The Arbitrator shall not be precluded from attempting to assist the parties in settling a particular case.

(4) A decision will be issued by the Arbitrator within two weeks. It will not be necessary in the Award to

recount any of the facts presented. However, a brief explanation of the Arbitrator's rationale may be included. Bench decisions may also be issued by the Arbitrator.

(5) Decisions in this expedited procedure shall not be considered as precedent for any other case nor entered into evidence in any other forum or dispute except to enforce the Arbitrator's award.

(6) The parties shall, whenever possible, exchange any documents intended to be offered in evidence at least one week in advance of the first hearing date and shall endeavor to stipulate to the issue in advance of the hearing date.

ARTICLE XVII - BULLETIN BOARDS: EMPLOYER FACILITIES

The **Union** may post notices on bulletin boards in places and locations where notices usually are posted by the **Employer** for the employees to read. All notices shall be on **Union** stationery, and shall be used only to notify employees of matters pertaining to **Union** affairs. Upon request to the responsible official in charge of a work location, the **Union** may use **Employer** premises for meetings during employees' lunch hours, subject to availability of appropriate space and provided such meetings do not interfere with **Employer** business.

ARTICLE XVIII - NO STRIKES

In accordance with the New York City Collective Bargaining Law, as amended, neither the **Union** nor any employee shall induce or engage in any strikes, slowdowns, work stoppages, mass absenteeism, or induce any mass resignations during the term of this **Agreement**.

ARTICLE XIX - UNION ACTIVITY

Time spent by employee representatives in the conduct of labor relations with the City and on union activities shall be governed by the terms of **Executive Order No. 75**, as amended, dated March 22, 1973, entitled "**Time Spent on the Conduct of Labor Relations between the City and its Employees and on Union Activity**" or any other applicable Executive Order.

ARTICLE XX - LABOR-MANAGEMENT COMMITTEE Section 1.

The **Employer** and the **Union**, having recognized that cooperation between management and employees is indispensable to the accomplishment of sound and harmonious labor relations, shall jointly maintain and support a labor-management committee.

Section 2.

The labor-management committee shall consider and recommend to the agency head changes in the working conditions of the employees within the agency who are covered by this **Agreement**. The issue of walkie-talkies as a safety matter and the subject hours of staffing needed for school crossing posts shall be appropriate subjects for labor management discussion. Matters subject to the Grievance Procedure shall not be appropriate items for consideration by the labor-management committee.

Section 3.

The labor-management committee shall consist of six (6) members who shall serve for the term of this **Agreement**. The **Union** shall designate three members and the agency head shall designate three members. Vacancies shall be filled by the appointing party for the balance of the term to be served. Each member may designate one alternate. The committee shall select a chairperson from among its members at each meeting. The chairpersonship of the committee shall alternate between the members designated by the agency head and the members designated by the **Union**. A quorum shall consist of a majority of the total membership of a committee. The committee shall make its recommendations to the agency head in writing.

Section 4.

The labor-management committee shall meet at the call of either the **Union** members or the **Employer** members at times mutually agreeable to both parties. At least one week in advance of a meeting the party calling the meeting shall provide, to the other party, a written agenda of matters to be discussed. Minutes shall be kept and copies supplied to all members of the committee.

ARTICLE XXI - FINANCIAL EMERGENCY ACT

The provisions of this **Agreement** are subject to applicable provisions of law, including the New York State Financial Emergency Act for the City of New York as amended.

ARTICLE XXII - APPENDICES

The Appendix or Appendices, if any attached hereto and initialed by the undersigned shall be deemed a part of this **Agreement** as if fully set forth herein.

ARTICLE XXIII - SAVINGS CLAUSE

In the event that any provision of this **Agreement** is found to be invalid, such invalidity shall not impair the validity and enforceability of the remaining provisions of this **Agreement**.

ARTICLE XXIV - CONTRACTING OUT CLAUSE

The problem of "Contracting-Out" or "Farming-Out" of work normally performed by personnel covered by this **Agreement** shall be referred to the Labor-Management Committee as provided for in Article XX of this **Agreement**.

WHEREFORE, we have hereunto set our hands and seals this 6th day of April, 2012.

CITY OF NEW YORK AND RELATED PUBLIC EMPLOYERS AS DEFINED HEREIN

DISTRICT COUNCIL 37, A.F.S.C.M.E., AFL-CIO

BY: _____ /s/

BY: _____ /s/

JAMES F. HANLEY
Commissioner of Labor Relations

LILLIAN ROBERTS
Executive Director

APPROVED AS TO FORM: **LOCAL 372, DC 37, AFSCME, AFL-CIO**

BY: _____ /s/

BY: _____ /s/

PAUL T. REPHEN
Acting Corporation Counsel

SANTOS CRESPO
President

APPROVED:
FINANCIAL CONTROL BOARD

BY: _____ /s/

UNIT: School Crossing Guards

TERM: March 3, 2008 to March 2, 2010

**Appendix A
Longevity Increment Eligibility Rules**

The following rules shall govern the eligibility of Employees for the longevity increments provided for in Article III, Section 6 of the 2008 - 2010 School Crossing Guard Unit Contract:

1. Only service in pay status shall be used to calculate the 15 years of service, except that for other than full time per annum Employees only a continuous year of service in pay status shall be used to calculate the 15 years of service. A continuous year of service shall be a full year of service without a break of more than 31 days. Where the regular and customary work year for a title is less than a twelve month year, such as a school year, such regular and customary year shall be credited as a continuous year of service counting towards the 15 years of service. If the normal work year for an Employee is less than the regular and customary work year for the Employee's title, it shall be counted as a continuous year of service if the Employee has customarily worked that length work year and the applicable agency verifies that information.
2. Service in pay status prior to any breaks in service of more than one year shall not be used to calculate the 15 years of service. Where an Employee has less than seven years of continuous service in pay status, breaks in service of less than one year shall be aggregated. Where breaks in service aggregate to more than one year they shall be treated as a break in service of more than one year and the service prior to such breaks and the aggregated breaks shall not be used to calculate the 15 years of service. No break used to disqualify service shall be used more than once.
3. The following time in which an Employee is not in pay status shall not constitute a break in service as specified in paragraph 2 above:
 - (a) Time on a leave approved by the proper authority which is consistent with the **Rules and Regulations of the New York City Personnel Director** or the appropriate personnel authority of a covered organization.
 - (b) Time prior to a reinstatement.
 - (c) Time on a preferred list pursuant to **Civil Service Law Sections 80 and 81** or any similar contractual provision.
 - (d) Time not in pay status of 31 days or less.

Notwithstanding the above, such time as specified in subsections a, b and c above shall not be used to calculate the 15 years of service.

4. Once an Employee has completed the 15 years of "City" service in pay status and is eligible to receive the \$0.43 longevity increment, the \$0.43 shall become part of the Employee's base rate for all purposes except as provided in paragraph 5 below.
5. The \$0.43 longevity increment shall not become pensionable until fifteen months after the Employee begins to receive such \$0.43 increment. Fifteen months after the Employee begins to receive the \$0.43 longevity increment, such \$0.43 longevity increment shall become pensionable and as part of the Employee's base rate, the \$0.43 longevity increment shall be subject to the general increases provided in Article III, Section 3(a) of this **Agreement**.

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2008 - 2010 BLUE COLLAR AGREEMENT

AGREEMENT entered into this 30th day of March 2012, by and between the **City of New York** and related public employers pursuant to and limited to their respective elections or statutory requirement to be covered by the New York City Collective Bargaining Law and their respective authorizations to the City to bargain on their behalf and the **New York City Health and Hospitals Corporation** (hereinafter referred to jointly as the "Employer"), and **District Council 37, AFSCME, AFL-CIO** (hereinafter referred to as the "Union"), for the twenty-four (24) month period from March 3, 2008 to March 2, 2010.

WITNESSETH:

WHEREAS, the parties hereto have entered into collective bargaining and desire to reduce the results thereof to writing,

NOW, THEREFORE, it is mutually agreed as follows:

ARTICLE I - UNION RECOGNITION AND UNIT DESIGNATION**Section 1.**

The Employer recognizes the **Union** as the sole and exclusive collective bargaining representative for the bargaining unit set forth below, consisting of employees of the Employer, wherever employed, whether full-time, part-time per annum, hourly or per diem, in the below listed title(s), and in any successor title(s) that may be certified by the Board of Certification of the Office of Collective Bargaining to be part

of the unit herein for which the Union is the exclusive collective bargaining representative and in any positions in Restored Rule X titles of the Classified Service the duties of which are or shall be equated by the City Personnel Director and the Director of the Budget for salary purposes to any of the below listed title(s):

UNIT A (Supervisory)

Table with 2 columns: TITLE and TITLE CODE NUMBER. Lists various supervisory roles such as Area Supervisor, Assistant Maintenance Supervisor, etc.

UNIT B (Non-Supervisory)

Table with 2 columns: TITLE and TITLE CODE NUMBER. Lists various non-supervisory roles such as Apprentice (Construction Laborer), Assistant Highway Repairer, etc.

Section 2.

The terms "Employee" and "Employees" as used in this Agreement shall mean only those persons in the unit described in Section 1 of this Article.

ARTICLE II - DUES CHECKOFF

Section 1.

a. The Union shall have the exclusive right to the checkoff and transmittal of dues on behalf of each employee in accordance with the Mayor's Executive Order No. 98, dated May 15, 1969, entitled "Regulations Relating to the Checkoff of Union Dues" and in accordance with the Mayor's Executive Order No. 107, dated December 29, 1986, entitled "Procedures for Orderly Payroll Check-Off of Union Dues and Agency Shop Fees."

b. Any Employee may consent in writing to the authorization of the deduction of dues from the employee's wages and to the designation of the Union as the recipient thereof. Such consent, if given, shall be in a proper form acceptable to the City, which bears the signature of the Employee.

Section 2.

The parties agree to an agency shop to the extent permitted by applicable law, as described in a supplemental agreement hereby incorporated by reference into this Agreement.

ARTICLE III - SALARIES

Section 1.

a. This Article III is subject to the provisions, terms and conditions of the Alternative Career and Salary Pay Plan Regulations, dated March 15, 1967 as

amended, except that the specific terms and conditions of this Article shall supersede any provisions of such Regulations inconsistent with this Agreement subject to the limitations of applicable provisions of law.

b. Unless otherwise specified, all salary provisions of this Agreement, including minimum and maximum salaries, advancement or level increases, general increases, education differentials and any other salary adjustments, are based upon a normal work week of 40 hours in all agencies except the Health and Hospitals Corporation in which such provisions shall be based upon a work week of 37-1/2 hours and the Off-Track Betting Corporation in which such provisions shall be based upon the normal work week listed in the Off-Track Betting Corporation Working Conditions Agreement. In accordance with Article IX, Section 24 of the 1995-2001 Citywide Agreement, an Employee who works on a full-time, per-diem basis shall receive their base salary (including salary increment schedules) and/or additions-to-gross payment in the same manner as a full-time, per-annum employee. An Employee who works on a part-time per annum basis and who is eligible for any salary adjustments provided in this Agreement shall receive the appropriate pro-rata portion of such salary adjustment computed on the relationship between the number of hours regularly worked each week by such employee and the number of hours in the said normal work week, unless otherwise specified.

Classes of Positions with a 35 Hour Normal Work Week:

- Assistant Maintenance Supervisor
Assistant Printing Press Operator
City Pest Control Aide
Crew Chief (Pest Control)
Exterminator
Pest Control Aide
Regional Director (Bureau of Pest Control)
Senior Crew Chief (Pest Control)
Senior Supervisor (Exterminators)
Supervisor (Exterminators)
Telephone Service Technician
Urban Park Ranger

c. Employees who work on a per diem or hourly basis and who are eligible for any salary adjustment provided in this Agreement shall receive the appropriate pro-rata portion of such salary adjustment computed as follows, unless otherwise specified:

Per diem rate - 1/261 of the appropriate minimum basic salary.

Hourly Rate - 40 hour week basis - 1/2088 of the appropriate minimum basic salary.

37-1/2 hour week basis - 1/1957 of the appropriate minimum basic salary.

35 hour week basis - 1/1827 of the appropriate minimum basic salary

d. The maximum salary for a title shall not constitute a bar to the payment of any salary adjustment or pay differentials provided for in this Agreement but the said increase above the maximum shall not be deemed a promotion.

Section 2.

Employees in the following title(s) shall be subject to the following specified salary(ies), salary adjustment(s), and/or salary range(s):

a. Effective March 3, 2008

UNIT A - SUPERVISORY BLUE COLLAR

Table with 4 columns: Increment, i. Minimum Rate, (1) Hiring Rate, (2) Incumbent Rate, ii. Maximum Rate. Lists various supervisory roles and their corresponding salary rates.

Table with 4 columns: Title, Hiring Rate, Incumbent Rate, Maximum Rate. Lists various supervisory roles and their corresponding salary rates, including Dist. Supervisor, Foreman of Gardeners, etc.

b. Effective March 3, 2009

UNIT A - SUPERVISORY BLUE COLLAR

Table with 4 columns: Increment, i. Minimum Rate, (1) Hiring Rate, (2) Incumbent Rate, ii. Maximum Rate. Lists various supervisory roles and their corresponding salary rates.

Table listing various job titles and their corresponding rates. Includes categories like 'hiring rate', 'after 1 year', 'after 2 years', 'after 3 years', and 'Guaranteed rate for special supervision'. Job titles include Crew Chief (Pest Control), Custodial Supervisor, Dist. Sup.(Wat.& Sew. Syst.), etc.

NOTE:
* For present incumbents only
** Rate based on 40 hour week.
*** See Article III, Section 4, "New Hires"
Increments are payable on an annual basis on the January 1 or July 1 next succeeding completion of the requisite year of service.
Employees who exercise supervision over subordinates, the majority of whom (excluding "A" and "B" Laborers) are subject to Section 220 of the Labor Law, will receive the indicated "Guaranteed Rate for Specified Supervision" while exercising such supervision on a regular assignment basis. In the event the nature of supervision exercised on a

regular assignment basis by such employees should change whereby the majority of subordinate personnel (excluding "A and B" Laborers) do not consist of employees subject to Section 220 of the Labor Law, the annual rates for such employees shall revert to the regular increment stated.
@ Employees in the title of Park Supervisor who exercise supervision over subordinates in the asphalt gang (one in each borough) or the sewer gang (one citywide), the majority of whom are "C" Laborers, will receive the maximum annual rate while exercising such supervision on a regular assignment basis.
+ Regular assignment basis" shall be deemed to include assignment while the regular incumbent is on sick leave or other leave of absence, with or without pay for periods of more than thirty consecutive calendar days, but shall not be deemed to include assignment while the regular incumbent is on annual leave.

a. Effective March 3, 2008
UNIT B - NON-SUPERVISORY BLUE COLLAR

Table with columns: Increment, i. Minimum (1) Hiring Rate, (2) Incumbent Rate, ii. Maximum Rate. Lists job titles like Apprentice (Construction Laborer), Assistant City Highway Repairer, Assistant Gardener, etc., with their respective rates.

b. Effective March 3, 2009
UNIT B - NON-SUPERVISORY BLUE COLLAR

Table with columns: Increment, i. Minimum (1) Hiring Rate, (2) Incumbent Rate, ii. Maximum Rate. Lists job titles like Apprentice (Construction Laborer), Assistant City Highway Repairer, Assistant Gardener, etc., with their respective rates.

Table listing various job titles and their corresponding rates. Includes categories like 'Hiring rate', 'After 1 year', 'After 2 years', 'After 3 years', 'After 4 years', 'After 5 years'. Job titles include City Elevator Operator, City Parking Equipment Service Worker, City Park Worker, etc.

NOTE:
* For present incumbents only
** Increments are payable on an annual basis on the January 1st or July 1st next succeeding completion of the requisite year of service.
*** See Article III, Section 4, "New Hires"
**** Each appointment to this position above the minimum will be handled on a case by case basis.

Section 3. Wage Increases.
A. General Wage Increase

- a. The general wage increases, effective as indicated, shall be:
i. Effective March 3, 2008, Employees shall receive a general increase of 4%.
ii. Effective March 3, 2009, Employees shall receive an additional general increase of 4%.
iii. Part-time per annum, per session, hourly paid and part-time per diem Employees (including seasonal appointees) and Employees whose normal work year is less than a full calendar year shall receive the increases provided in subsections 3A(a)(i) and 3A(a)(ii) on the basis of computations heretofore utilized by the parties for all such Employees.
b. The increases provided for in Section 3A(a) above shall be calculated as follows:
i. The general increase in Section 3A(a)(i) shall be based upon the base rates (including salary or incremental salary schedules) of the applicable titles in effect on March 2, 2008;
ii. The general increase in Section 3A(a)(ii) shall be based upon the base rates (including salary or incremental salary schedules) of the applicable titles in effect on March 2, 2009.
c. i. The general increases provided for in this Section 3 shall be applied to the base rates, incremental salary levels and the minimum "hiring rates," minimum "incumbent rates" and maximum rates (including levels), if any, fixed for the applicable titles.
ii. A general increase of 5.47%, effective on the last day of the Agreement, and consistent with the terms of the Stipulation of Settlement (A-13472-10; BCB 2864-10)) shall be applied to the following "additions to gross": uniform allowances, equipment allowances, transportation allowances, uniform maintenance allowances, assignment differentials, service increments, longevity differentials, longevity

increments, advancement increases, assignment (level) increases, and experience, certification, educational, license, evening, or night shift differentials. Recurring increment payments are excluded from this provision.

Section 4. New Hires.

- a. The appointment rate for an employee newly hired on or after March 3, 2008 and appointed at a reduced hiring rate shall be the applicable minimum "hiring rate" set forth in subsections 2(a)(i)(1) and 2(b)(i)(1). On the two year anniversary of the employee's original date of appointment, such employee shall be paid the indicated minimum "incumbent rate" for the applicable title that is in effect on such two year anniversary as set forth in subsection 2(a)(i)(2) and 2(b)(i)(2) of this Article III.
- b.
 - i. For a title subject to an incremental pay plan, the employee shall be paid the appropriate increment based upon the employee's length of service. Section 2 of this Article III reflects the correct amounts and has been adjusted in accordance with the provisions of Section 3(c)(i) of this Article III.
 - ii. Employees who change titles or levels before attaining two years of service will be treated in the new title or level as if they had been originally appointed to said title or level on their original hiring date.
- c. For the purposes of Sections 4(a) and 4(b), employees 1) who were in active pay status before March 3, 3008, and 2) who are affected by the following personnel actions after said date shall not be treated as "newly hired" employees and shall be entitled to receive the indicated minimum "incumbent rate" set forth in subsections 2(a)(i)(2) and 2(b)(i)(2) of this Article III:
 - i. Employees who return to active status from an approved leave of absence.
 - ii. Employees in active status (whether full or part-time) appointed to permanent status from a civil service list, or to a new title (regardless of jurisdictional class or civil service status) without a break in service of more than 31 days.
 - iii. Employees who were laid off or terminated for economic reasons who are appointed from a recall/preferred list or who were subject to involuntary redeployment.
 - iv. Provisional employees who were terminated due to a civil service list who are appointed from a civil service list within one year of such termination.
 - v. Permanent employees who resign and are reinstated or who are appointed from a civil service list within one year of such resignation.
 - vi. Employees (regardless of jurisdictional class or civil service status) who resign and return within 31 days of such resignation.
 - vii. A provisional employee who is appointed directly from one provisional appointment to another.
 - viii. For employees whose circumstances were not anticipated by the parties, the First Deputy Commissioner of Labor Relations is empowered to issue, on a case-by-case basis, interpretations concerning application of this Section 4. Such case-by-case interpretations shall not be subject to the dispute resolution procedures set forth in Article VI of this Agreement.
- d. The First Deputy Commissioner of Labor Relations may, after notification to the affected union(s), exempt certain hard to recruit titles from the provisions of subsection 4.

Section 5.

Each general increase provided herein, effective as of each indicated date, shall be applied to the rate in effect on the date as specified in Section 3 of this Article. In the case of a promotion or other advancement to the indicated title on the effective date of the general increase specified in Section 3 of this Article, such general increase shall not be applied, but the general increase, if any, for the title formerly occupied, effective on the date indicated shall be applied.

Section 6.

In the case of an Employee on leave of absence without pay the salary rate of such Employee shall be changed to reflect the salary adjustments specified in Article III.

Section 7.

A person permanently employed by the Employer who is appointed or promoted on a permanent, provisional, or temporary basis in accordance with Personnel Rules and Regulations of the City of New York or, where the Personnel Rules and Regulations of the City of New York are inapplicable to a public employer, such other Rules or Regulations as are applicable to the public employer, without a break in service to any of the following title(s) from another title in the direct line of promotion or from another title in the Career and Salary Plan, the minimum rate of which is exceeded by at least 8 percent by the minimum rate of the

title to which appointed or promoted, shall receive upon the date of such appointment or promotion either the minimum basic salary for the title to which such appointment or promotion is made, or the salary received or receivable in the lower title plus the specified advancement increase, whichever is greater:

TITLE	3/3/08	3/2/10
Assistant Maintenance Supervisor	\$1,277	\$1,347
Assistant Principal Custodial Supervisor	\$1,277	\$1,347
Associate Park Service Worker	\$1,277	\$1,347
Crew Chief (Pest Control)	\$1,044	\$1,101
Curator of Jumel Mansion	\$870	\$918
Custodial Assistant (including OTB)	\$870	\$918
Custodial Supervisor (incl spec.)	\$931	\$982
Exterminator	\$1,044	\$1,101
Laborer (City Rent)	\$870	\$918
Lock Technician (OTB)	\$1,277	\$1,347
Maintainer (OTB)	\$1,277	\$1,347
Maintenance Supervisor	\$1,332	\$1,405
Pest Control Aide	\$1,044	\$1,101
Principal Custodial Supervisor	\$1,392	\$1,468
Security Specialist	\$1,277	\$1,347
Senior Custodial Supervisor	\$1,163	\$1,227
Senior Supervisor (Exterminators)	\$1,392	\$1,468
Senior Crew Chief (Pest Control)	\$1,277	\$1,347
Supervising Maintainer (OTB)	\$1,332	\$1,405
Supervisor (Exterminators)	\$1,277	\$1,347

An employee promoted to or advanced to the titles of Borough Supervisor, Climber & Pruner, Foreman of Gardeners, Gardener, Superintendent of Water & Sewer Systems, Supervisor, Supervisor of Gardeners or Supervisor of Water & Sewer Systems shall receive upon such promotion or advancement either the minimum rate of such title or an amount to be added to the rate in the title from which advanced equal to one increment of the title to which advanced, whichever resultant rate is greater. If such resultant rate is not identical with any increment included in effect for the title to which advanced, such resultant rate shall be increased to equal the next higher increment in effect.

Section 8. Uniform Allowances

Uniform allowances in the pro-rated annual amounts set forth below shall be provided to those employees in positions specified below who are required by their agency to wear a uniform.

TITLE		3/3/08	3/2/10
Assistant Park Director	Department Parks/Recreation	\$314	\$331
Foreman of Gardeners	Department Parks/Recreation	\$314	\$331
General Park Foreman	Department Parks/Recreation	\$314	\$331
Horticulturist	Department Parks/Recreation	\$314	\$331
Associate Park Service Worker	Department Parks/Recreation	\$223	\$235
City Park Worker		\$223	\$235
Park Service Worker		\$223	\$235
Climber & Pruner	Department Parks/Recreation	\$271	\$286
Gardener Level II	Department Parks/Recreation	\$188	\$198
Park Supervisor	Department Parks/Recreation	\$1,129	\$1,191
Principal Park Supervisor	Department Parks/Recreation	\$1,129	\$1,191
Attendant [Female] **	Department Transportation	\$103	\$109
City Attendant [Female] ***		\$103	\$109
Traffic Device Maintainer	Dept. of Transportation	\$144	\$152
Police Attendant	Police Department	\$209	\$220
City Elevator Operator	Department of Correction	\$506	\$534
City Security Aide	DCAS/Div. Public Bldgs	\$506	\$534
Watch Person*	Health & Hospitals Corporation	\$506	\$534
	Human Resources Administration		
	Police Department		
Supervisor of Parks Maint. & Operations		\$1,129	\$1,191

Note:

- * For present incumbents only
- ** This uniform allowance applies only to Attendants who work for the Dept. of Transportation.
- *** This uniform allowance applies only to City Attendants who work for the Dept. of Transportation.

Section 9. Equipment Allowances

Equipment allowances in the pro-rated annual amounts set forth below shall be provided to those employees in positions specified below:

Title	Agency	Annual Amount	
		3/3/08	3/2/10
Associate Urban Park Ranger	Dept. Parks & Recreation	\$305	\$322
Urban Park Ranger			
Assistant City Highway Repairer	Dept. of Transportation	\$155*	\$163*
Assistant Highway Repairer			* For Safety Equipment

Section 10. Assignment Differentials

- a. An assignment differential shall be paid to incumbents in the class of positions of Traffic Device Maintainer in the amount *per shift* indicated below for the operation of a heavy duty vehicle or the special vehicle known as the "Night Liner":

Effective March 3, 2008	Effective March 2, 2010
\$4.88	\$5.15
- b. An assignment differential in the pro-rata annual amount indicated below shall be paid to the incumbent in the class of positions of Attendant and City Attendant while assigned on a continuing basis and officially designated as "Assistant to the Director in Charge of Female Attendants" in the Department of Transportation (Bureau of Ferry and General Aviation Operations):

Effective March 3, 2008	Effective March 2, 2010
\$727	\$767
- c. An assignment differential in the pro-rata annual amount indicated below shall be paid to employees in the class of positions of Custodial Assistant and City Custodial Assistant while assigned on a continuing basis to the "Special Cleaning Action

Team" in the Department of General Services:

Effective March 3, 2008	Effective March 2, 2010
\$2,426	\$2,559

- d. An assignment differential in the pro-rata annual amount indicated below shall be paid to employees in the class of positions of Security Coordinator (OTB) while assigned on a continuing basis to act as "Shift Supervisor."

Effective March 3, 2008	Effective March 2, 2010
\$1,215	\$1,281

- e. Employees of Mayoral agencies serving in the titles of Exterminator, Supervisor (Exterminators) and Senior Supervisor (Exterminators) who possess a Commercial Pesticide Application Certificate issued by New York State shall receive a differential in the prorata annual amount indicated below:

Effective March 3, 2008	Effective March 2, 2010
\$939	\$990

- f. An assignment differential shall be paid in the amount indicated below, to employees in the position of Associate Park Service Worker, as a daily differential, for the operation of the following vehicles:

Effective	3/3/08	3/2/10
16 Yd Packer	\$16.26 (per day)	\$17.15 (per day)
25 Yd Packer	\$16.26 (per day)	\$17.15 (per day)
Beach Cleaner	\$16.26 (per day)	\$17.15 (per day)
Boom Truck	\$16.26 (per day)	\$17.15 (per day)
Bus (40 passengers)	\$16.26 (per day)	\$17.15 (per day)
Leaf Vacuum	\$16.26 (per day)	\$17.15 (per day)
Rollback	\$16.26 (per day)	\$17.15 (per day)
Roll-off Container	\$16.26 (per day)	\$17.15 (per day)
Surf Rake	\$16.26 (per day)	\$17.15 (per day)
Sweeper	\$16.26 (per day)	\$17.15 (per day)
Backhoe	\$23.22 (per day)	\$24.49 (per day)
Crawler/Bulldozer	\$23.22 (per day)	\$24.49 (per day)
Front End Loader	\$23.22 (per day)	\$24.49 (per day)
Class A CDL Work	\$0.88 (per day)	\$0.93 (per day)

- g. Effective January 1, 2004, an Associate Park Service Worker assigned to operate Front End Loader, Backhoe, Cleat Tractor and/or Bulldozer on a full-time basis shall receive an assignment differential in the pro-rata annual amount indicated below. This shall be in addition to the assignment differential provided for in Article III, Section 10. f., above.

Effective March 3, 2008	Effective March 2, 2010
\$7,493	\$7,903

- h. An assignment differential in the pro-rata annual amount indicated below shall be paid to employees in the class of positions of City Park Worker and Associate Park Service Worker while assigned to Specialized/Heavy Duty Work Crews described in the Memorandum of Agreement dated October 31, 1994:

Effective March 3, 2008	Effective March 2, 2010
\$7,347	\$7,749

- i. An assignment differential in the pro-rata annual amount indicated below shall be paid to employees in the class of positions of Watershed Maintainer who are required by the Department of Environmental Protection in the performance of their official duties to possess and maintain a valid Grade 2, 2a, 3, 3a, 4, or 4a Wastewater Treatment Plant Operation Certificate:

Effective March 3, 2008	Effective March 2, 2010
\$3,390	\$3,575

- j. An assignment differential in the pro-rata annual amount indicated below shall be paid to employees in the class of positions of Watershed Maintainer who holds a valid Grade 2, 2a, 3, 3a, 4, or 4a Wastewater Treatment Plant Operation Certificate and is designated by the Department of Environmental Protection to be "in charge" of one or more wastewater treatment plant(s) on a Saturday, Sunday or holiday for each tour actually worked:

Effective March 3, 2008	Effective March 2, 2010
\$63.12	\$66.57

- k. An assignment differential in the pro-rata annual amount indicated below shall be paid to an employee in the class of position of City Park Worker when assigned on a continuing basis and officially designated to perform the duties of "Inspector" in the Department of Parks and Recreation:

Effective March 3, 2008	Effective March 2, 2010
\$4,377	\$4,616

- l. An assignment differential in the pro-rata annual amount indicated below shall be paid to employees in the class of position of Watershed Maintainer who are assigned to perform duties in the New York City Department of Environmental Protection's West of Hudson Control Center, e.g., monitor SCADA system conditions for water supply reservoirs and associated facilities; respond to alarms; monitor reservoir stream releases and water supply diversions and monitor target flows, and related duties on a full time basis:

Effective	Effective
March 3, 2008	March 2, 2010
\$3,390	\$3,575

Section 11. Premium Pay

- a. Employees of the Department of Parks and Recreation in the titles of Park Supervisor, Principal Park Supervisor, and Horticulturist shall be entitled to be paid at the rate of time and one-half (1-1/2x) for all hours actually worked on a Saturday or a Sunday. Notwithstanding the above, work performed on a sixth or seventh day of work within a calendar week or on a holiday shall be compensated in accordance with the overtime and holiday premium pay provision of the Citywide Agreement.
- b. Employees of the Department of Environmental Protection in the titles of Supervisor (Water and Sewer Systems) and District Supervisor (Water and Sewer Systems) shall continue to be entitled to be paid at the rate of time and one-half (1-1/2x) for all hours actually worked on a Saturday or Sunday. Notwithstanding the above, work performed on a sixth or seventh day of work within a calendar week or on a holiday shall be compensated in accordance with the overtime and holiday premium pay provisions of the Citywide Agreement.
- c. In lieu of the provisions of Article III, Sections 1 of the Citywide Agreement, employees of the Department of Environmental Protection in the titles of Supervisor (Water and Sewer Systems) and District Supervisor (Water and Sewer Systems) shall be compensated for night work at the rates per shift set forth below.

Effective	Effective
March 3, 2008	March 2, 2010
\$12.29	\$12.29 (No increase)

Section 12. Longevity Increment:

- a. Employees with 15 years or more of "City" service in pay status shall receive a longevity increment of \$800 per annum.
- b. The rules for eligibility for the longevity increment described above in subsection 12(a), shall be set forth in Appendix A of this Agreement and are incorporated by reference herein.

Section 13. Recurring Increment Payment

- a. Full-time Employees shall be eligible to receive the Recurring Increment Payments ("RIP") indicated below with the exception of titles listed in Section 13. b. of this section.

Bargaining Unit	Years of City Service	3/3/08	3/3/09
		RIP	RIP
Unit A (Supervisory)	10 Years	\$2,597	\$2,701
Unit B (Non Supervisory)	10 Years	\$2,259	\$2,349

- b. Full time Employees in the classes of positions of Associate Urban Park Ranger, Assistant City Highway Repairer, Associate Park Service Worker and Urban Park Ranger shall be eligible to receive the Recurring Increment Payment ("RIP") indicated below:

Bargaining Unit	Years of City Service	3/3/08	3/3/09
		RIP	RIP
Unit A (Supervisory)	10 Years	\$2,597	\$2,701
Unit B (Non Supervisory)	10 Years	\$1,571	\$1,634

- c. The RIPs shall be based upon years of City service and shall be paid in addition to the longevity increment set forth in Section 12. RIPs shall be payable on the January 1, April 1, July 1, or October 1 subsequent to the qualifying employee's anniversary date, subject to the rules for eligibility set forth in Appendix B of this Agreement.

ARTICLE IV - WELFARE FUND

Section 1.

- a. In accordance with the election by the Union pursuant to the provisions of Article XIII of the Citywide Agreement between the City of New York and related public employers and District Council 37, AFSCME, AFL-CIO, the Welfare Fund provisions of the 1995-2001 Citywide Agreement, as amended or any successor agreement(s) thereto, shall apply to Employees covered by this Agreement.
- b. When an election is made by the Union pursuant to the provisions of Article XIII, Section 1 (b), of the Citywide Agreement between the City of New York and related public employers and District Council 37, AFSCME, AFL-CIO, the provisions of Article XIII, Section 1(b) of the 1995-2001 Citywide Agreement, as amended or any successor agreement(s) thereto, shall apply to Employees covered by this Agreement, and when such election is made, the Union hereby waives its right to training, education and/or legal services contributions provided in this Agreement, if any. In no case shall the single contribution provided in Article XIII, Section 1 (b) of the 1995-2001 Citywide Agreement, as amended or any successor agreement(s) thereto, exceed the total amount that the Union would have been entitled to receive if the separate contributions had continued.

Section 2.

The Union agrees to provide welfare fund benefits to domestic partners of covered employees in the same manner as those benefits are provided to spouses of married covered employees.

Section 3.

In accordance with the Health Benefits Agreement dated January 11, 2001, each welfare fund shall provide welfare fund benefits equal to the benefits provided on behalf of an

active employee to widow(er)s, domestic partners and/or children of any employee who dies in the line of duty as that term is referenced in Section 12-126(b)(2) of the New York City Administrative Code. The cost of providing this benefit shall be funded by the Stabilization Fund.

ARTICLE V - PRODUCTIVITY AND PERFORMANCE

Introduction

Delivery of municipal services in the most efficient, effective and courteous manner is of paramount importance to the Employer and the Union. Such achievement is recognized to be a mutual obligation of both parties within their respective roles and responsibilities. To achieve and maintain a high level of effectiveness, the parties hereby agree to the following terms:

Section 1. - Performance Levels

- a. The Union recognizes the Employer's right under the New York City Collective Bargaining Law to establish and/or revise performance standards or norms notwithstanding the existence of prior performance levels, norms or standards. Such standards, developed by usual work measurement procedures, may be used to determine acceptable performance levels, to prepare work schedules and to measure the performance of each employee or group of employees. Notwithstanding the above, questions concerning the practical impact that decisions on the above matters have on employees are within the scope of collective bargaining. The Employer will give the Union prior notice of the establishment and/or revision of performance standards or norms hereunder.
- b. Employees who work at less than acceptable levels of performance may be subject to disciplinary measures in accordance with applicable law.

Section 2. - Supervisory Responsibility

- a. The Union recognizes the Employer's right under the New York City Collective Bargaining Law to establish and/or revise standards for supervisory responsibility in achieving and maintaining performance levels of supervised Employees for Employees in supervisory positions listed in Article I, Section 1, of this Agreement. Notwithstanding the above, questions concerning the practical impact that decisions on the above matters have on Employees are within the scope of collective bargaining. The Employer will give the Union prior notice of the establishment and/or revision of standards for supervisory responsibility hereunder.
- b. Employees who fail to meet such standards may be subject to disciplinary measures in accordance with applicable law.

Section 3. - Performance Compensation

The Union acknowledges the Employer's right to pay additional compensation for outstanding performance.

The Employer agrees to notify the Union of its intent to pay such additional compensation.

ARTICLE VI - GRIEVANCE PROCEDURE

Section 1. - Definition:

The term "Grievance" shall mean:

- a. A dispute concerning the application or interpretation of the terms of this Agreement;
- b. A claimed violation, misinterpretation or misapplication of the rules or regulations, written policy or orders of the Employer applicable to the agency which employs the grievant affecting terms and conditions of employment; provided, disputes involving the Personnel Rules and Regulations of the City of New York or the Rules and Regulations of the Health and Hospitals Corporation with respect to those matters set forth in the first paragraph of Section 7390.1 of the Unconsolidated Laws shall not be subject to the grievance procedure or arbitration;
- c. A claimed assignment of Employees to duties substantially different from those stated in their job specifications;
- d. A claimed improper holding of an open-competitive rather than a promotional examination;
- e. A claimed wrongful disciplinary action taken against a permanent Employee covered by Section 75(1) of the Civil Service Law or a permanent Employee covered by the Rules and Regulations of the Health and Hospitals Corporation upon whom the agency head has served written charges of incompetence or misconduct while the Employee is serving in the Employee's permanent title or which affects the Employee's permanent status.
- f. Failure to serve written charges as required by Section 75 of the Civil Service Law or the Rules and Regulations of the Health and Hospitals Corporation upon a permanent Employee covered by Section 75(1) of the Civil Service Law or a permanent employee covered by the Rules and Regulations of the Health and Hospitals Corporation where any of the penalties (including a fine) set forth in Section 75(3) of the Civil Service Law have been imposed.
- g. A claimed wrongful disciplinary action taken against a labor class Employee with one year of service in title, except for Employees during the period of a mutually-agreed upon extension of probation.
- h. A claimed wrongful disciplinary action taken against an eligible provisional employee of a Mayoral agency who has served without a break in

service for two years in the same or similar title or related occupational group in the same agency on a full-time per annum or full-time per diem basis and assigned regularly to work the normal, full-time work week established for that title.

- i. A claimed wrongful disciplinary action taken against an employee appointed pursuant to Rule 3.2.11 of the Personnel Rules and Regulations of the City of New York who has served continuously for two years in the same or similar title or related occupational group in the same agency.

Section 2.

The Grievance Procedure, except for grievances as defined in Sections 1(d), 1(e), 1(g), 1(h) and 1 (i) of this Article, shall be as follows:

Employees may at any time informally discuss with their supervisors a matter which may become a grievance. If the results of such a discussion are unsatisfactory, the Employees may present the grievance at **Step I**.

All grievances must be presented in writing at all steps in the grievance procedure. For all grievances as defined in Section 1(c), no monetary award shall in any event cover any period prior to the date of the filing of the **Step I** grievance unless such grievance has been filed within thirty (30) days of the assignment to alleged out-of-title work. No monetary award for a grievance alleging a miscalculation of salary rate resulting in a payroll error of a continuing nature shall be issued unless such grievance has been filed within the time limitation set forth in **Step I** below for such grievances; if the grievance is so filed, any monetary award shall in any event cover only the period up to six years prior to the date of the filing of the grievance.

Step I The Employee and/or the Union shall present the grievance in the form of a memorandum to the person designated for such purpose by the agency head no later than 120 days after the date on which the grievance arose except that grievances alleging a miscalculation of salary rate resulting in a payroll error of a continuing nature shall be presented no later than 120 days after the first date on which the grievant discovered the payroll error. The Employee may also request an appointment to discuss the grievance and such request shall be granted. The person designated by the Employer to hear the grievance shall take any steps necessary to a proper disposition of the grievance and shall issue a determination in writing by the end of the third work day following the date of submission.

NOTE: *The following STEP I(a) shall be applicable only in the Health and Hospitals Corporation in the case of grievances arising under Sections 1(a) 1(b) 1(c) and 1(f) of this Article and shall be applied prior to Step II of this Section:*

STEP I(a) An appeal from an unsatisfactory determination at **Step I** shall be presented in writing to the person designated by the agency head for such purpose. The appeal must be made within five (5) work days of the receipt of the **Step I** determination. A copy of the grievance appeal shall be sent to the person who initially passed upon the grievance. The person designated to receive the appeal at this Step shall meet with the Employee and/or the Union for review of the grievance and shall issue a determination to the Employee and/or the Union by the end of the fifth work day following the day on which the appeal was filed.

STEP II An appeal from an unsatisfactory determination at **STEP I** or **STEP I(a)**, where applicable, shall be presented in writing to the agency head or the agency head's designated representative who shall not be the same person designated in **STEP I**. The appeal must be made within five (5) work days of the receipt of the **STEP I** or **STEP I(a)** determination. The agency head or designated representative, if any, shall meet with the Employee and/or the Union for review of the grievance and shall issue a determination in writing by the end of the tenth work day following the date on which the appeal was filed.

STEP III An appeal from an unsatisfactory determination at **STEP II** shall be presented by the Employee and/or the Union to the Commissioner of Labor Relations in writing within ten (10) work days of the receipt of the **STEP II** determination. The grievant or the Union should submit copies of the **STEP I** and **STEP II** grievance filings and any agency responses thereto. Copies of such appeal shall be sent to the agency head. The Commissioner of Labor Relations or the Commissioner's designee shall review all appeals from **STEP II** determinations and shall issue a determination on such appeals within fifteen (15) work days following the date on which the appeal was filed.

STEP IV An appeal from an unsatisfactory determination at **STEP III** may be brought solely by the Union to the Office of Collective Bargaining for impartial arbitration within fifteen (15) work days of receipt of the **STEP III** determination. In addition, the Employer shall have the right to bring directly to arbitration any dispute between the parties concerning any matter defined herein as a "grievance". The Employer shall commence such arbitration by submitting a written request therefor to the Office of Collective Bargaining. A copy of the notice requesting impartial arbitration shall be forwarded to the opposing party. The arbitration shall be conducted in accordance with the Consolidated Rules of the Office of Collective Bargaining. The costs and fees of such arbitration shall be borne equally by the Union and the Employer.

The arbitrator's decision, order or award (if any) shall be limited to the application and interpretation of the Agreement, and the arbitrator shall not add to, subtract from or modify the

Agreement. The arbitrator's award shall be final and binding and enforceable in any appropriate tribunal in accordance with Article 75 of the Civil Practice Law and Rules. The arbitrator may provide for and direct such relief as the arbitrator deems necessary and proper, subject to the limitations set forth above and any applicable limitations of law.

Section 3.

As a condition to the right of the Union to invoke impartial arbitration set forth in this Article, including the arbitration of a grievance involving a claimed improper holding of an open-competitive rather than a promotional examination, the Employee or Employees and the Union shall be required to file with the Director of the Office of Collective Bargaining a written waiver of the right, if any, of the employee and the Union to submit the underlying dispute to any other administrative or judicial tribunal except for the purpose of enforcing the arbitrator's award.

Section 4.

- a.** Any grievance under Section 1 (d) relating to a claimed improper holding of an open-competitive rather than a promotional examination shall be presented in writing by the Employee or the Union representative to the Commissioner of Labor Relations not later than thirty (30) days after the notice of the intention to conduct such open-competitive examination, or copy of the appointing officer's request for such open-competitive examination, as the case may be, has been posted in accordance with Section 51 of the Civil Service Law. The grievance shall be considered and passed upon within ten (10) days after its presentation. The determination shall be in writing, copies of which shall be transmitted to both parties to the grievance upon issuance.
- b.** A grievance relating to the use of an open-competitive rather than a promotional examination which is unresolved by the Commissioner of Labor Relations may be brought to impartial arbitration as provided in Sections 2 and 3 above. Such a grievance shall be presented by the Union, in writing, for arbitration within 15 days of the presentation of such grievance to the Commissioner of Labor Relations, and the arbitrator shall decide such grievance within 75 days of its presentation to the arbitrator. The party requesting such arbitration shall send a copy of such request to the other party. The costs and fees of such arbitration shall be borne equally by the Employer and the Union.

Section 5. Competitive Class Disciplinary Procedure

In any case involving a grievance under Section 1(e) of this Article, the following procedure shall govern upon service of written charges of incompetence or misconduct:

STEP A Following the service of written charges, a conference with such Employee shall be held with respect to such charges by the person designated by the agency head to review a grievance at **STEP I** of the Grievance Procedure set forth in this Agreement. The Employee may be represented at such conference by a representative of the Union. The person designated by the agency head to review the charges shall take any steps necessary to a proper disposition of the charges and shall issue a determination in writing by the end of the fifth day following the date of the conference.

If the Employee is satisfied with the determination in **STEP A** above, the Employee may choose to accept such determination as an alternative to and in lieu of a determination made pursuant to the procedures provided for in Section 75 of the Civil Service Law or the Rules and Regulations of the Health and Hospitals Corporation. As a condition of accepting such determination, the Employee shall sign a waiver of the employee's right to the procedures available to him or her under Sections 75 and 76 of the Civil Service Law or the Rules and Regulations of the Health and Hospitals Corporation.

STEP B(i) If the Employee is not satisfied with the determination at **STEP A** above then the Employer shall proceed in accordance with the disciplinary procedures set forth in Section 75 of the Civil Service Law or the Rules and Regulations of the Health and Hospitals Corporation. As an alternative, the Union with the consent of the Employee may choose to proceed in accordance with the Grievance Procedure set forth in this Agreement, including the right to proceed to binding arbitration pursuant to **STEP IV** of such Grievance Procedure. As a condition for submitting the matter to the Grievance Procedure the Employee and the Union shall file a written waiver of the right to utilize the procedures available to the Employee pursuant to Sections 75 and 76 of the Civil Service Law or the Rules and Regulations of the Health and Hospitals Corporation or any other administrative or judicial tribunal, except for the purpose of enforcing an arbitrator's award, if any. Notwithstanding such waiver, the period of an Employee's suspension without pay pending hearing and determination of charges shall not exceed thirty (30) days.

STEP B(ii) If the election is made to proceed pursuant to the Grievance Procedure, an appeal from the determination of **STEP A** above, shall be made to the agency head or designated representative. The appeal must be made in writing within five (5) work days of the receipt of the determination. The agency head or designated representative shall meet with the Employee and the Union for review of the grievance and shall issue a determination to the Employee and the Union by the end of the tenth work day following the day on which the appeal was filed. The agency head or designated

representative shall have the power to impose the discipline, if any, decided upon, up to and including termination of the accused Employee's employment. In the event of such termination or suspension without pay totaling more than thirty (30) days, the Union with the consent of the grievant may elect to skip **STEP C** of this Section and proceed directly to **STEP D**.

STEP C If the grievant is not satisfied with the determination of the agency head or designated representative the grievant or the Union may appeal to the Commissioner of Labor Relations in writing within ten (10) days of the determination of the agency head or designated representative. The Commissioner of Labor Relations shall issue a written reply to the grievant and the Union within fifteen (15) work days.

STEP D If the grievant is not satisfied with the determination of the Commissioner of Labor Relations, the Union with the consent of the grievant may proceed to arbitration pursuant to the procedures set forth in **STEP IV** of the Grievance Procedure set forth in this Agreement.

Section 6. Labor Class Disciplinary Procedure

In any case involving a grievance under Section 1(g) of this Article, the following procedures shall apply upon service of charges of incompetence or misconduct:

STEP A Following the service of written charges upon an Employee a conference with such Employee shall be held with respect to such charges by the person designated by the agency head to review a grievance at **STEP I** of the Grievance Procedure set forth in this agreement. The Employee may be represented at such conference by a representative of the Union. The person designated by the agency head to review the charges shall take any steps necessary to a proper disposition of the charges and shall issue a determination in writing by the end of the fifth day following the date of the conference.

STEP B If the Employee is dissatisfied with the determination in **STEP A** above, he or she may appeal such determination. The appeal must be made within five (5) working days of the receipt of such determination. Such appeal shall be treated as a grievance appeal beginning with **STEP II** of the Grievance Procedure set forth herein.

Section 7. Provisional Disciplinary Procedure

In any case involving a grievance under Section 1(h) and 1(i) of this Article, the "Disciplinary Procedure for Provisional Employees", including side-letter, appended, shall govern.

Section 8.

A grievance concerning a large number of Employees and which concerns a claimed misinterpretation, inequitable application, violation or failure to comply with the provisions of this Agreement may be filed directly at **STEP III** of the grievance procedure except that a grievance concerning employees of the Health and Hospitals Corporation may be filed directly at **STEP II** of the grievance procedure. Such "group" grievance must be filed no later than 120 days after the date on which the grievance arose, and all other procedural limits, including time limits, set forth in this Article shall apply. All other individual grievances in process concerning the same issue shall be consolidated with the "group" grievance.

Section 9.

If a determination satisfactory to the Union at any level of the Grievance Procedure is not implemented within a reasonable time, the Union may re-institute the original grievance at **STEP III** of the Grievance Procedure; or if a satisfactory **STEP III** determination has not been so implemented, the Union may institute a grievance concerning such failure to implement at **STEP IV** of the Grievance Procedure.

Section 10.

If the Employer exceeds any time limit prescribed at any step in the Grievance Procedure, the grievant and/or the Union may invoke the next step of the procedure, except that only the Union may invoke impartial arbitration under **STEP IV**.

Section 11.

The Employer shall notify the Union in writing of all grievances filed by Employees, all grievance hearings, and all determinations. The Union shall have the right to have a representative present at any grievance hearing and shall be given fortyeight (48) hours' notice of all grievance hearings.

Section 12.

Each of the steps in the Grievance Procedure, as well as time limits prescribed at each step of this Grievance Procedure, may be waived by mutual agreement of the parties.

Section 13.

A non-Mayoral agency not covered by this Agreement but which employs Employees in titles identical to those covered by this Agreement may elect to permit the Union to appeal an unsatisfactory determination received at the last step of its Grievance Procedure prior to arbitration on fiscal matters only to the Commissioner of Labor Relations. If such election is made, the Union shall present its appeal to the Commissioner of Labor Relations in writing within ten (10) work days of the receipt of the last step determination. The Union should submit copies of the grievance filings at the prior steps of its Grievance Procedure and any agency responses thereto. Copies of such appeals shall be sent to the agency head. The Commissioner of Labor Relations, or the Commissioner's designee, shall review all such appeals and answer all such appeals within fifteen (15) work days. An appeal from a determination of the Commissioner of Labor Relations may be taken to arbitration under procedures, if any, applicable to the non-Mayoral agency involved.

Section 14.

The grievance and the arbitration procedure contained in this Agreement shall be the exclusive remedy for the resolution of disputes defined as "grievances" herein. This shall not be interpreted to preclude either party from enforcing the arbitrator's award in court. This Section shall not be construed in any manner to limit the statutory rights and obligations of the Employer under Article XIV of the Civil Service Law.

Section 15. Expedited Arbitration Procedure

a. The parties agree that there is a need for an expedited arbitration process which would allow for the prompt adjudication of grievances as set forth below.

b. The parties voluntarily agree to submit matters to final and binding arbitration pursuant to the New York City Collective Bargaining Law and under the jurisdiction of the Office of Collective Bargaining. An arbitrator or panel of arbitrators, as agreed to by the parties, will act as the arbitrator of any issue submitted under the expedited procedure herein.

c. The selection of those matters which will be submitted shall include, but not limited to, out-of-title cases concerning all titles, disciplinary cases wherein the proposed penalty is a monetary fine of one week or less or written reprimand, and other cases pursuant to mutual agreement by the parties. The following procedures shall apply:

i. SELECTION AND SCHEDULING OF CASES:

- (1) The Deputy Chairperson for Disputes of the Office of Collective Bargaining shall propose which cases shall be subject to the procedures set forth in this Section 15 and notify the parties of proposed hearing dates for such cases.
- (2) The parties shall have ten business days from the receipt of the Deputy Chairperson's proposed list of cases and hearing schedule(s) raise any objections thereto.
- (3) If a case is not proposed by the Deputy Chairperson for expedited handling, either party may, at any time prior to the scheduling of an arbitration hearing date for such case, request in writing to the other party and to the Deputy Chairperson of Disputes of the Office of Collective Bargaining that said case be submitted to the expedited procedure. The party receiving such request shall have ten business days from the receipt of the request to raise any objections thereto.
- (4) No case shall be submitted to the expedited arbitration process without the mutual agreement of the parties.

ii. CONDUCT OF HEARINGS:

- (1) The presentation of the case, to the extent possible, shall be made in the narrative form. To the degree that witnesses are necessary, examination will be limited to questions of material fact and cross examination will be similarly limited. Submission of relevant documents, etc., will not be unreasonably limited and may be submitted as a "packet" exhibit.
- (2) In the event either party is unable to proceed with hearing a particular case, the case shall be rescheduled. However, only one adjournment shall be permitted. In the event that either party is unable to proceed on a second occasion, a default judgment may be entered against the adjourning party at the Arbitrator's discretion absent good cause shown.
- (3) The Arbitrator shall not be precluded from attempting to assist the parties in settling a particular case.
- (4) A decision will be issued by the Arbitrator within two weeks. It will not be necessary in the Award to recount any of the facts presented. However, a brief explanation of the Arbitrator's rationale may be included. Bench decisions may also be issued by the Arbitrator.
- (5) Decisions in this expedited procedure shall not be considered as precedent for any other case nor entered into evidence in any other forum or dispute except to enforce the Arbitrator's award.
- (6) The parties shall, whenever possible, exchange any documents intended to be offered in evidence at least one week in advance of the first hearing date and shall endeavor to stipulate to the issue in advance of the hearing date.

Section 16. Seasonal Employees

The first season of employment as a seasonally appointed employee of the Department of Parks and Recreation shall be deemed a "probationary" season. After the first season, a seasonal employee of the Department of Parks and Recreation who has both completed his/her "probationary" season and has worked for at least ninety (90) cumulative days with the Department of Parks and Recreation in a seasonal capacity is terminated, the employee or union representative may request a review by the Commissioner or his designee within ten (10) calendar days of such termination.

ARTICLE VII - BULLETIN BOARDS: EMPLOYER FACILITIES

The Union may post notices on bulletin boards in places and locations where notices usually are posted by the Employer for the Employees to read. All notices shall be on Union stationery, and shall be used only to notify Employees of matters pertaining to Union affairs. Upon request to the responsible official in charge of a work location, the Union

may use Employer premises for meetings during Employees' lunch hours, subject to availability of appropriate space and provided such meetings do not interfere with the Employer's business.

ARTICLE VIII - NO STRIKES

In accordance with the New York City Collective Bargaining Law, as amended, neither the Union nor any employee shall induce or engage in any strikes, slowdowns, work stoppages, mass absenteeism, or induce any mass resignations during the term of this Agreement.

ARTICLE IX - CITYWIDE ISSUES

This Agreement is subject to the provisions, terms and conditions of the Agreement which has been or may be negotiated between the City and the Union recognized as the exclusive collective bargaining representative on Citywide matters which must be uniform for specified Employees, including the Employees covered by this Agreement. Employees in Rule X titles shall receive the benefits of the *Citywide Agreement* unless otherwise specifically excluded herein.

ARTICLE X - UNION ACTIVITY

Time spent by Employee representatives in the conduct of labor relations with the City and on Union activities shall be governed by the terms of Executive Order No. 75, as amended, dated March 22, 1973, entitled "Time Spent on the Conduct of Labor Relations between the City and Its employees and on Union Activity" or any other applicable Executive Order.

ARTICLE XI - LABOR-MANAGEMENT COMMITTEE

Section 1.

The Employer and the Union, having recognized that cooperation between management and employees is indispensable to the accomplishment of sound and harmonious labor relations, shall jointly maintain and support a labor-management committee in each of the agencies having at least fifty employees covered by this Agreement.

Section 2.

Each labor-management committee shall consider and recommend to the agency head changes in the working conditions of the Employees within the agency who are covered by this Agreement. Matters subject to the Grievance Procedure shall not be appropriate items for consideration by the labor-management committee.

Section 3.

Each labor-management committee shall consist of six members who shall serve for the term of this Agreement. The Union shall designate three members and the agency head shall designate three members. Vacancies shall be filled by the appointing party for the balance of the term to be served. Each member may designate one alternate. Each committee shall select a chairperson from among its members at each meeting. The chairpersonship of each committee shall alternate between the members designated by the agency head and the members designated by the Union. A quorum shall consist of a majority of the total membership of a committee. A committee shall make its recommendations to the agency head in writing.

Section 4.

The labor-management committee shall meet at the call of either the Union members or the Employer members at times mutually agreeable to both parties. At least one week in advance of a meeting the party calling the meeting shall provide, to the other party, a written agenda of matters to be discussed. Minutes shall be kept and copies supplied to all members of the committee.

ARTICLE XII - FINANCIAL EMERGENCY ACT

The provisions of this Agreement are subject to applicable provisions of law, including the New York State Financial Emergency Act for the City of New York as amended.

ARTICLE XIII - APPENDICES

The Appendix or Appendices, if any, attached hereto and initialed by the undersigned shall be deemed a part of this Agreement as if fully set forth herein.

ARTICLE XIV - SAVINGS CLAUSE

In the event that any provision of this Agreement is found to be invalid, such invalidity shall not impair the validity and enforceability of the remaining provisions of this Agreement.

ARTICLE XV - CONTRACTING-OUT CLAUSE

The problem of "Contracting Out" or "Farming Out" of work normally performed by personnel covered by this Agreement shall be referred to the Labor-Management Committee as provided for in Article XI of this Agreement.

ARTICLE XVI - MISCELLANEOUS

Section 1.

Until such time as an examination is held for Horticulture Inspector or other appropriate title, employees in the title of Climber and Pruner, and Gardener Level II, are eligible for assignment as Tree Inspector. Prior to making an assignment to a position within a borough, notice of the existence of the assignment will be posted in the respective borough and applications will be accepted.

Section 2.

Badges will be issued by the Department of Parks and Recreation to all dispatchers and identification cards to all Tree Inspectors.

Section 3.

In the event of a reduction of forces of Tree Inspectors, the latest Tree Inspectors will be reassigned before senior employees in that category, everything else being equal.

Section 4.

During snow emergencies Associate Park Service Workers shall be the first assigned to heavy duty equipment.

ARTICLE XVII - CIVIL SERVICE AND CAREER DEVELOPMENT

A joint committee composed of representatives of the Offices of Management and Budget, Municipal Labor Relations, the Department of Personnel, the Health and Hospitals Corporation, and the Union shall meet to study problems related to career development and retention of personnel, and where deemed necessary make recommendations to the appropriate Employer officials.

WHEREFORE, we have hereunto set our hands and seals this 30th day of March 2012,

FOR THE CITY OF NEW YORK AND RELATED PUBLIC EMPLOYERS AS DEFINED HEREIN:

FOR DISTRICT COUNCIL 37, AFSCME, AFL-CIO:

BY: /s/ BY: /s/
JAMES F. HANLEY **LILLIAN ROBERTS**
 Commissioner of Labor Relations Executive Director

FOR THE NEW YORK CITY HEALTH AND HOSPITALS CORPORATION:

BY: /s/
SALVATORE J. RUSSO
 Senior Vice President and General Counsel

APPROVED AS TO FORM:

BY: /s/
PAUL T. REPHEN
 Acting Corporation Counsel

DATE SUBMITTED TO THE FINANCIAL CONTROL BOARD: _____, 2012

UNITS: Blue Collar "A" and "B"

TERM: March 3, 2008 - March 2, 2010

Appendix A Longevity Increment Eligibility Rules

The following rules shall govern the eligibility of Employees for the longevity increments provided for in Article III, Section 12 of the *2008-2010 Blue Collar Agreement*.

- Only service in pay status shall be used to calculate the 15 years of service, except that for other than full time per annum Employees only a continuous year of service in pay status shall be used to calculate the 15 years of service. A continuous year of service shall be a full year of service without a break of more than 31 days. Where the regular and customary work year for a title is less than a twelve month year, such as a school year, such regular and customary year shall be credited as a continuous year of service counting towards the 15 years of service. If the normal work year for an employee is less than the regular and customary work year for the Employee's title, it shall be counted as a continuous year of service if the Employee has customarily worked that length work year and the applicable agency verifies that information.
- Service in pay status prior to any breaks in service of more than one year shall not be used to calculate the 15 years of service. Where an Employee has less than seven years of continuous service in pay status, breaks in service of less than one year shall be aggregated. Where breaks in service aggregate to more than one year they shall be treated as a break in service of more than one year and the service prior to such breaks and the aggregated breaks shall not be used to calculate the 15 years of service. No break used to disqualify service shall be used more than once.
- The following time in which an employee is not in pay status shall not constitute a break in service as specified in paragraph 2 above:
 - Time on a leave approved by the proper authority which is consistent with the **Rules and Regulations of the New York City Personnel Director** or the appropriate personnel authority of a covered organization.
 - Time prior to a reinstatement.
 - Time on a preferred list pursuant to **Civil Service Law Sections 80 and 81** or any similar contractual provision.
 - Time not in pay status of 31 days or less.

Notwithstanding the above, such time as specified in subsections a, b and c above shall not be used to calculate the 15 years of service.

- Once an Employee has completed the 15 years of "City" service in pay status and is eligible to receive the \$800 longevity increment, the \$800 shall become part of the Employee's base rate for all purposes except as provided in paragraph 5 below.
- The \$800 longevity increment shall not become pensionable until fifteen months after the Employee begins to receive such \$800 increment. Fifteen months after the Employee begins to receive the \$800 longevity increment, such \$800 longevity increment shall become pensionable and as part of the Employee's base rate, the \$800 longevity increment shall be subject to the general increases provided in Article III, Section 3(a) of this Agreement.

Appendix B

The following rules shall govern the eligibility of Employees for the Recurring Increment Payment ("RIP") provided for in Article III, Section 13 of the *2008 -2010 Blue Collar Agreement*.

- Only service in pay status shall be used to calculate the qualifying years of service. A continuous year of service shall be a full year of service without a break of more than 31 days. Where the regular and customary work year for a title is less than a twelve month year, such as a school year, such regular and customary year shall be credited as a continuous year of service counting towards the qualifying years of service. If the normal work year for an Employee is less than the regular and customary work year for the Employee's title, it shall be counted as a continuous year of service if the Employee has customarily worked that length work

year and the applicable agency verifies that information.

- Part-time employees shall be ineligible to receive RIPs, but prior part-time service shall be credited to full-time employees on a pro rata basis, provided all other terms and conditions set forth herein are met.
 - An employee must have regularly worked at least one half the regular hours of full time employees in the same title or if no full-time equivalent title exists then at least 17-1/2 hours for white collar positions or 20 hours for blue collar positions.
 - Such part time service shall be prorated by dividing the number of hours worked per week by a part-time employee by the number of hours worked per week by a full-time employee in the same title. If no full-time equivalent title exists then the divisor shall be 35 hours for white collar positions or 40 hours for blue collar positions.
- Service in pay status prior to a break in service of more than one year shall **not** be used to calculate the qualifying years of service.
- The following time in which an Employee is not in pay status shall not constitute a break in service, but such time shall **not** be used to calculate the qualifying years of service:
 - time on a leave approved by the proper authority which is consistent with the Personnel Rules and Regulations of the City of New York or the appropriate personnel authority of a covered organization,
 - time prior to a reinstatement,
 - time on a preferred or recall list, and
 - time not in pay status of 31 days or less.
- RIPs shall be considered a salary adjustment for the purposes of Article III, Section 1(d) of this Agreement and the maximum salary of an eligible title shall not constitute a bar to the payment thereof.
- Once an Employee has qualified for a RIP and is receiving it, the RIP shall become part of the Employee's base rate and included in calculating all salary based payments, except as provided in paragraph 7 below. Any future negotiated general increases shall be applied to RIPs.
- A RIP shall not become pensionable until two years after the Employee begins to receive such RIP.

THE CITY OF NEW YORK
 OFFICE OF LABOR RELATIONS
 40 Rector Street, New York, NY 10006-1705
<http://nyc.gov/olr>

JAMES F. HANLEY
 Commissioner

Lillian Roberts, Executive Director
 District Council 37, AFSCME, AFL-CIO
 125 Barclay Street
 New York, New York 10007

Re: 2008 - 2010 Blue Collar Agreement

Dear Ms. Roberts:

This is to confirm our mutual understanding and agreement that the Memorandum of Understanding dated July 21, 1995 and the side letter thereto also dated July 1, 1995, concerning the supervision of Work Experience Program participants shall continue in force during the term of the 2008 - 2010 Blue Collar Agreement and shall be deemed to be an appendix to thereto.

Sincerely,

JAMES F. HANLEY

AGREED TO ON BEHALF OF
 DISTRICT COUNCIL 37, AFL-CIO

BY: /s/
 Lillian Roberts
 Executive Director

• a18

LATE NOTICE

COMMUNITY BOARDS

■ PUBLIC HEARINGS

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

BOROUGH OF STATEN ISLAND

COMMUNITY BOARD NO. 01 - Monday, April 23, 2012, 7:30 P.M., Staten Island Borough Hall, (Conference Room 125), Stuyvesant Place, Staten Island, NY

#N 120213NPY

Staten Island Community Board's 1, 2, and 3
 Revised Waterfront Revitalization Program public meeting.

• a18-23

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 Monday through Friday from 9:00 A.M. to 5:00 P.M., except on 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 Comptroller's Office at www.comptroller.nyc.gov, and click on Prevailing Wage Schedules to view rates.

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 \$17 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. Registration for these lists is free of charge. To register for these lists, prospective suppliers should fill out and submit the NYC-FMS Vendor Enrollment application, which can be found online at www.nyc.gov/selltonyc. To request a paper copy of the application, or if you are uncertain whether you have already submitted an application, call the Vendor Enrollment Center 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 at 110 William Street, New York, NY 10038. Sessions are convened on the second Tuesday of each month from 10:00 A.M. to 12:00 P.M. For more information, and to register, call (212) 618-8845 or visit www.nyc.gov/html/sbs/nycbiz and click on Summary of Services, followed by Selling to Government.

PRE-QUALIFIED LISTS

New York City procurement policy permits agencies to develop and solicit from pre-qualified lists of vendors, under prescribed circumstances. When an agency decides 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 lists 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 an Agency 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 3-10 of the Procurement Policy Board Rules describes the criteria for the general use of pre-qualified lists. For information regarding specific pre-qualified lists, please visit www.nyc.gov/selltonyc.

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, and the Housing Authority. Suppliers interested in applying for inclusion on bidders lists for Non-Mayoral entities should contact these entities directly at the addresses given in the Vendor Information Manual.

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 9:30 A.M. to 5:00 P.M., except on legal holidays. For more information, contact the Mayor's Office of Contract Services at (212) 341-0933 or visit www.nyc.gov/mocs.

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 this program, contact the Department of Small Business Services at (212) 513-6311 or visit www.nyc.gov/sbs and click on M/WBE Certification and Access.

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 pays interest on all late invoices. 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's website at www.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:

ACCO	Agency Chief Contracting Officer
AMT	Amount of Contract
CSB	Competitive Sealed Bid including multi-step
CSP	Competitive Sealed Proposal including multi-step
CR	The City Record newspaper
DP	Demonstration Project
DUE	Bid/Proposal due date; bid opening date
EM	Emergency Procurement
FCRC	Franchise and Concession Review Committee
IFB	Invitation to Bid
IG	Intergovernmental Purchasing
LBE	Locally Based Business Enterprise
M/WBE	Minority/Women's Business Enterprise
NA	Negotiated Acquisition
OLB	Award to Other Than Lowest Responsive Bidder/Proposer
PIN	Procurement Identification Number
PPB	Procurement Policy Board
PQL	Pre-qualified Vendors List
RFEI	Request for Expressions of Interest
RFI	Request for Information
RFP	Request for Proposals
RFQ	Request for Qualifications
SS	Sole Source Procurement
ST/FED	Subject to State and/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>
CSP	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	CSB or CSP 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; CSP not advantageous
WA	Solicitation Based on Waiver/Summary of Circumstances (<i>Client Services/CSB or CSP only</i>)
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 (award only)</i>
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	Method of source selection
PIN # 056020000293	Procurement identification number
DUE 04-21-03 AT 11:00 am	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 or submit bid/proposal documents; etc.</i>	Paragraph at the end of Agency Division listing providing Agency contact information
	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 The City Record